

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

<b>Deed of Trust Date:</b> 11/22/2002	<b>Grantor(s)/Mortgagor(s):</b> PHILLIP C. LINDSEY, JOINED HEREIN PRO FORMA BY HIS WIFE, ROSE LINDSEY
<b>Original Beneficiary/Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR WR STARKEY MORTGAGE, L.L.P., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary/Mortgagee:</b> The Bank of New York Mellon as Trustee for the CWMBS, Inc. Reperforming Loan REMIC Trust Certificates, Series 2004-R2
<b>Recorded in:</b> <b>Volume:</b> RP 1261 <b>Page:</b> 0165 <b>Instrument No:</b> 009023	<b>Property County:</b> LAMAR
<b>Mortgage Servicer:</b> Wells Fargo Bank, N.A. is representing the Current Beneficiary/Mortgagee under a servicing agreement with the Current Beneficiary/Mortgagee.	<b>Mortgage Servicer's Address:</b> 1 Home Campus, MAC 2301-04C, West Des Moines, IA 50328
<b>Date of Sale:</b> 2/6/2024	<b>Earliest Time Sale Will Begin:</b> 1:00 pm
<b>Place of Sale of Property:</b> Lamar County Courthouse, 119 North Main, Paris, TX 75460 OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.	

**Legal Description:** Legal Description Attached as Exhibit A

In accordance with TEX. PROP. CODE §51.0076 and the Deed of Trust referenced above, the undersigned as attorney for Mortgagee or Mortgage Servicer does hereby remove the original Trustee and all successor substitute trustees and appoints in their stead, Robert LaMont, Harriett Fletcher, Ronnie Hubbard, Sheryl LaMont, Allan Johnston, Sharon St. Pierre, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Misty McMillan, Auction.com, Harriet Fletcher, Cole Patton, Myra Homayoun, Thuy Frazier, McCarthy & Holthus, LLP, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original Trustee under their said Deed of Trust; and, further, does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

**NOTICE PURSUANT TO TEX. PROP. CODE § 51.002(I): ASSERT AND PROTECT YOUR RIGHTS AS MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE ARE SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.**

Dated: 11/29/2023



Thuy Frazier, Attorney  
McCarthy & Holthus, LLP  
1255 West 15th Street, Suite 1060  
Plano, TX 75075  
Attorneys for Wells Fargo Bank, N.A.

Dated: November 30, 2023



Robert LaMont  
Printed Name:  
Substitute Trustee  
c/o Auction.com  
1255 West 15th Street, Suite 1060  
Plano, TX 75075

MH File Number: TX-23-100273-POS  
Loan Type: FHA

RECEIVED BY  
LAMAR COUNTY CLERKS OFFICE  
ON THIS THE 30th DAY OF Nov, 2023

EXHIBIT A

All that certain tract or parcel of land situated in Lamar County, Texas, about 8 ½ miles North, 40° West from the City of Paris; part of the John Emberson Survey, Abstract No. 324, and being all of a called 2.187 acre tract of land described in Deed from Ronnie Daughterty, et al., to Donald R. Elmore, et al., dated the 17th day of July, 1998, and recorded in Volume 794, Page 137, of the Real Property Records of Lamar County, Texas, and being more particularly described as follows, to wit:

*Beginning* at a ½" capped iron pin (found) for a corner in the North Line of FM Highway 79, being the Southwest corner of said 2.187 acre tract, and same being the Southeast corner of a called 94.05 acre tract of land described in Deed to James E. Tait and wife, Donna R. Tait (Volume 518, Page 325 DR);

Thence N 0° 08' 28" W along a fence line, West Line of said 2.187 acre tract, and East Line of said 94.05 acre tract, a distance of 525.3123', to an 8" fence corner post, being the Northwest corner of said 2.187 acre tract and an inner corner of said 94.05 acre tract;

Thence 88° 45' 50" E along a fence line, North Line of said 2.187 acre tract, and a South Line of said 94.05 acre tract, a distance of 183.3882' to a ½" iron pin (found) for a corner, being the Northeast corner of said 2.187 acre tract, also being the Northwest corner a called 2.085 acre tract of land described in Deed to Billy Dennis and wife, Margie Dennis (Volume 864, Page 43 RP);

Thence S 0° 11' 00" W along a fence line, East Line of said 2.187 acre tract, and West Line of said 2.085 acre tract, a distance of 521.4846' to a 1" iron pin (found) for a corner in the North Line of said FM Highway 79, being the Southeast corner of said 2.187 acre tract, and Southwest corner of said 2.085 acre tract;

Thence N 89° 57' 34" W along the North Line of said Highway and South Line of said 2.187 acre tract, a distance of 180.3827' to the *Place of Beginning* and containing 2.185 acres of land.

The bearings recited herein are based on the Deed call of the East Line of said 2.187 acre tract, being S 0° 11' W. This description was prepared from a survey made on the ground and under my supervision and field notes completed November 25, 2002.

According to the Lamar County, Texas, Flood Hazard Boundary Maps, prepared by the Federal Emergency Management Agency, Community Panel No. 480891-0005A, effective date of November 29, 1977, none of the above described tract of land appears to lie within the 100 year flood plain.