

FILE FOR RECORD

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

JAN 29 2025

SUSAN STRICKLAND
COUNTY CLERK VAN ZANDT COUNTY
BY _____ DEP

T.S. #: 2024-09088-TX

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard 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.

Date, Time, and Place of Sale - The sale is scheduled to be held at the following date, time and place:

Date: 4/1/2025
Time: The earliest time the sale will begin is 10:00 AM , or within three (3) hours after that time.
Place: Van Zandt County Courthouse, Texas, at the following location: 121 East Dallas Street , Canton, TX 75103 THE STEPS OF THE NORTH ENTRANCE TO THE VAN ZANDT COUNTY COURTHOUSE Or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners Court, pursuant to section 51.002 of the Texas Property Code.

Property To Be Sold - The property to be sold is described as follows:

SEE ATTACHED EXHIBIT 'A'

Commonly known as: 11578 US HWY 80 FRUITVALE, TX 75127

Instrument to be Foreclosed - The instrument to be foreclosed is the Deed of Trust dated 4/14/2022 and recorded in the office of the County Clerk of Van Zandt County, Texas, recorded on 5/2/2022 under County Clerk's File No 2022-005222, in Book -- and Page -- Along with Correction Instrument recorded 5/29/24 as Instrument No. 2024-004623 of the Real Property Records of Van Zandt County, Texas.

Grantor(s):	Keith Austin Tharp a/k/a Keith A. Tharp, an unmarried man
Original Trustee:	Allan B. Polunsky
Substitute Trustee:	Auction.com, Jim Mills, George Hawthorne, Susan Mills, Andrew Mills-Middlebrook, Bill Gibson, Russell Slaton, Ed Henderson, Sharon Hobbs, Tony Hulsey, Randy Daniel, Cindy Daniel, Jim OBryant, Jeff Benton, Nestor Solutions, LLC
Original Mortgagee:	Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for Summit Funding, Inc., its successors and assigns
Current Mortgagee:	Freedom Mortgage Corporation
Mortgage Servicer:	Freedom Mortgage Corporation

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property securing the above referenced loan.

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Terms of Sale - The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the mortgagee thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Deed of Trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the deed of trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property. Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

Obligations Secured - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$227,411.00, executed by Keith Austin Tharp a/k/a Keith A. Tharp, an unmarried man, and payable to the order of Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for Summit Funding, Inc., its successors and assigns; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of Trustor(s) to the current holder of the Obligations to the mortgagee under the deed of trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Questions concerning the sale may be directed to the undersigned or to the Mortgagee:

Freedom Mortgage Corporation
11988 EXIT 5 PKWY BLDG 4
FISHERS IN 46037-7939
Phone: 855-690-5900

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Default and Request to Act - Default has occurred under the deed of trust, and the mortgagee has requested me, as Trustee, to conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

Dated: 1-24-25

Auction.com, Jim Mills, George Hawthorne, Susan Mills, Andrew Mills-
Middlebrook, Bill Gibson, Russell Slaton, Ed Henderson, Sharon Hobbs,
Tony Hulsey, Randy Daniel, Cindy Daniel, Jim OBryant, Jeff Benton,
Nestor Solutions, LLC



c/o Nestor Solutions, LLC
214 5th Street, Suite 205
Huntington Beach, California 92648
Phone: (888) 403-4115
Fax: (888) 345-5501

For sale information visit: www.xome.com or Contact (800) 758-8052.

SENDER OF THIS NOTICE:
AFTER FILING, PLEASE RETURN TO:

Nestor Solutions, LLC
214 5th Street, Suite 205
Huntington Beach, California 92648

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All that certain lot, tract or parcel of land situated in Van Zandt County, State of Texas, on the J. A. Cheshire Survey, A-181, and being a part of the called 7.00 acre tract conveyed to C. Floyd Tharp and wife, Diane H. Tharp, by William A. Hodges, by Warranty Deed dated December 22, 1994, and recorded in Volume 1333, Page 201, of the Van Zandt County Real Records. Said lot, tract or parcel of land being more particularly described by metes and bounds as follows:

Beginning at a T bar set for corner at the occupied Northeast corner of the called 7.00 acre tract and at an ELL corner of the Rodney T. Goforth 11.00 acre tract recorded in Volume 1170, Page 581, of the Van Zandt County Real Records;

Thence South 07 degrees 33 minutes 00 seconds West 651.01 feet to a 3/8" iron rod found for corner at the Southeast corner of the called 7.00 acre tract, at the Southerly Southwest corner of the said 11.00 acre tract, and in the North ROW line of U.S. Hwy. No. 80;

Thence North 82 degrees 40 minutes 55 seconds West along the South line of the called 7.00 acre tract and the North ROW line of U.S. Hwy. No. 80, 237.44 feet to a 5/8" iron pipe found for the corner at the Southwest corner of the called 7.00 acre tract and at the Southeast corner of the Sheila R. Lopez 2.957 acre tract recorded in Volume 1423, Page 25, of the Van Zandt County Real Property Records;

Thence North 06 degrees 03 minutes 12 seconds East 195.10 feet to a 1 1/2" iron pipe set for corner at the Southwest corner of the William A. Hodges 0.547 acre tract recorded in Volume 1628, Page 542, of the Van Zandt County Real Records;

Thence South 83 degrees 01 minutes 48 seconds East 12.00 feet to a corner in a concrete driveway at the Southeast corner of the said 0.547 acre tract;

Thence North 28 degrees 51 minutes 01 seconds East 232.00 feet to a railroad spike set for corner at the Northeast corner of the called 0.547 acre tract;

Thence North 82 degrees 11 minutes 23 seconds West 180.00 feet to a T bar set for corner at the Northwest corner of the called 0.547 acre tract and at an angle corner of the said Sheila R. Lopez 2.957 acre tract;

Thence North 10 degrees 43 minutes 01 seconds East 116.40 feet to a 5/8" iron pipe found for corner at the Northeast corner of the said 2.957 acre tract;

Thence North 75 degrees 38 minutes 00 seconds West 193.39 feet to a 5/8" iron pipe found for corner at the Northwest corner of the said 2.957 acre tract and in the East line of the Kirk Wilkinson 2.230 acre tract recorded in Volume 2177, Page 172, of the Van Zandt County Real Records;

Thence North 12 degrees 02 minutes 10 seconds East along the East line of the said 2.230 acre tract and along fence 103.60 feet to a T bar set for corner at the Northwest corner of the called 7.00 acre tract and at the Westerly Southwest corner of the said Rodney T. Goforth 11.00 acre tract;

Thence South 81 degrees 55 minutes 02 seconds East along the North line of the called 7.00 acre tract and along the Westerly South line of the said 11.00 acre tract 513.64 feet to the place of beginning and containing 4.341 acres of land.