

<b>LIMESTONE COUNTY</b> Kerrie Cobb 200 West State Street Suite 102 Groesbeck, TX 76642 Phone: (254)729-5504	<b>DOCUMENT #:</b> FC-2022-0056 <b>RECORDED DATE:</b> 12/13/2022 03:34:19 PM 	
<b>OFFICIAL RECORDING COVER PAGE</b>		Page 1 of 10
<b>Document Type:</b> FORECLOSURE <b>Transaction Reference:</b> <b>Document Reference:</b>	<b>Transaction #:</b> 941924 - 1 Doc(s) <b>Document Page Count:</b> 9 <b>Operator Id:</b> Clerk	
<b>RETURN TO:</b> () RESOLVE TRUSTEE SERVICES  972-399-6165	<b>SUBMITTED BY:</b> RESOLVE TRUSTEE SERVICES  972-399-6165	
<p>DOCUMENT # : FC-2022-0056          RECORDED DATE: 12/13/2022 03:34:19 PM</p> <p>I hereby certify that this document was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Limestone County.</p> <div style="display: flex; align-items: center;">  <div style="text-align: center;">   <b>Kerrie Cobb</b>  <b>Limestone County Clerk</b> </div> </div>		

**PLEASE DO NOT DETACH**  
 THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

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Our Case No. 19-06215-FC-2

## APPOINTMENT OF SUBSTITUTE TRUSTEE and NOTICE OF TRUSTEE SALE

THE STATE OF TEXAS  
COUNTY OF LIMESTONE

**Deed of Trust Date:**  
May 10, 2012

**Property address:**  
203 S WESTMINISTER  
TEHUACANA, TX 76686

**Grantor(s)/Mortgagor(s):**  
ALBERTA L. HARVEY, A SINGLE WOMAN

**LEGAL DESCRIPTION:** Being a 0.239 acre tract of land situated in the John Boyd Survey A-3, City of Tehuacana, Limestone County, Texas, and being all of that tract described in the deed to Velma L. Kellum recorded in Vol. 1238, Pg. 131, Deed Records of Limestone County, Texas (L.C.D.R.), and the South 7.53 ft. of the Jack W. Davis tract described in the deed recorded in Vol. 787, Pg. 855, L.C.D.R., and occupied on the ground by Velma L. Kellum, said 0.239 acre being more particularly described by metes and bounds as follows: BEGINNING at a found PK nail in the centerline intersection of Main Street (Business Hwy. 171 - Loop 442) and South 2nd Street; THENCE Due East (N. 90°00'00" E.) 788.00 ft. with the centerline of said South 2" Street to a point in the East right of way line of Westminister Street; THENCE Due North (N. 0°00'00" W.) 283.50 ft. with the East line of said Westminister Street, being East of a fence, to a set 1/2" iron rod for the Southwest corner of said Kellum deed tract and this tract, same being the Northwest corner of the J. Isbell tract and the true point of BEGINNING, from which corner a chain-link fence for the occupied South line of said Kellum tract and the occupied North line of said Isbell tract bears Due North 7.53 ft. THENCE Due North with the East line of said Westminister Street and the West line of said Kellum tract, at 7.53 ft. said fence, at 65.50 ft. the Northwest corner of said Kellum deed tract and the Southwest corner of said Davis tract, continuing with the West line of said Davis tract as occupied by said Kellum, in all 73.03 feet to the Northwest corner of said 7.53 ft. strip of land and this tract, from which corner the Northwest corner of said Davis tract and the Southwest corner of said Block 2 bears Due North 57.47 ft.; THENCE Due East 142.50 ft. with the North line of said 7.53 ft strip of land occupied by said Kellum to a set 1/2" iron rod in the East line of said Davis tract and the West line of the D. G. Tyler tract of record in Vol. 787, Pg 859, L.C.D.R. for the occupied Northeast corner of said Kellum tract and this tract; THENCE Due South with the East line of said Davis tract and the West line of said Tyler tract, said line being East of an occupied fence line, at 7.53 ft. the Southeast corner of said Davis tract and the Northeast corner of said Kellum deed tract, at 64.70 ft. crossing a fence, in all 73.03 ft. to a set 1/2" iron rod in that area occupied by David Batts for the Southeast corner of said Kellum deed tract and this tract, same being the Northeast corner of said Isbell tract; THENCE Due West with the South line of said Kellum tract and the North line of said Isbell tract, at 4.47 ft. crossing an occupied fence, in all 142.50 ft. to the point of BEGINNING; containing 0.239 acre.

**Original Mortgagee:**  
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,  
INC. ("MERS") AS BENEFICIARY, AS NOMINEE FOR  
PREMIER HOME MORTGAGE, INC., ITS SUCCESSORS  
AND ASSIGNS

**Earliest Time Sale Will Begin:** 10:00 AM

**Current Mortgagee:**  
PENNYMAC LOAN SERVICES, LLC

**Date of Sale:** FEBRUARY 7, 2023

**Property County:** LIMESTONE

**Original Trustee:** RUTH W. GARNER

**Recorded on:** May 18, 2012  
**As Clerk's File No.:** 00121834  
**Mortgage Servicer:**  
PENNYMAC LOAN SERVICES, LLC

**Substitute Trustee:**  
Kristopher Holub, Aarti Patel, Violet Nunez, Beatriz Sanchez, Meryl Olsen, Misty McMillan, Tiffney Bruton, Aurora Campos, Angie Uselton, Dana Kamin, Auction.com, Sara Edgington, Craig Muirhead, Thomas Gilbraith, David Ray, Aaron Crawford, Marinosci Law Group PC

**Substitute Trustee Address:**  
c/o Marinosci Law Group, PC  
14643 Dallas Parkway, suite 750  
Dallas, TX 75254  
(972) 331-2300

Posted by: Sharon St. Pierre  
12/13/2022 Sharon St. Pierre  
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.**

The current Mortgagee and/or Mortgage Servicer under said Deed of Trust, according to the provisions therein set out does hereby remove the original trustee and all successor substitute trustees and appoints in their stead Kristopher Holub, Aarti Patel, Violet Nunez, Beatriz Sanchez, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Aurora Campos, Angie Uselton, Dana Kamin, Auction.com, Sara Edgington, Craig Muirhead, Thomas Gilbraith, David Ray, Aaron Crawford, Marinosci Law Group PC, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the 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 Mortgagee therein.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due and the owner and holder has requested to sell said property to satisfy said indebtedness

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, **FEBRUARY 7, 2023** between ten o'clock AM and four o'clock PM and beginning not earlier than **10:00 AM** or not later than three hours thereafter. 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 be conducted at the Limestone County Courthouse, 200 W. State Street, Groesbeck, TX 76642 as designated by the Commissioners' Court, of said county pursuant to Section 51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this notice was posted.

PENNYMAC LOAN SERVICES, LLC, who is the Mortgagee and/or Mortgage Servicer of the Note and Deed of Trust associated with the above referenced loan. 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 property securing the debt.

**ACTIVE MILITARY SERVICE NOTICE**

Assert and protect your rights as a member of the armed forces of the United States. If you 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.

WITNESS MY HAND, 12/12/22

MARINOSCI LAW GROUP, PC

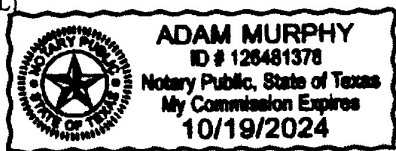
By: [Signature]  
SAMMY HOODA  
MANAGING ATTORNEY

THE STATE OF TEXAS  
COUNTY OF DALLAS

Before me, Adam Murphy, the undersigned officer, on this, the 12 day of Dec 2022, personally appeared SAMMY HOODA,  known to me, who identified herself/himself to be the MANAGING ATTORNEY of MARINOSCI LAW GROUP PC, the person and officer whose name is subscribed to the foregoing instrument, and being authorized to do so, acknowledged that (s)he had executed the foregoing instrument as the act of such corporation for the purpose and consideration described and in the capacity stated.

Witness my hand and official seal

(SEAL)



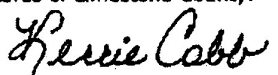


[Signature]  
Notary Public for the State of TEXAS

My Commission Expires: 10-19-24  
Adam Murphy  
Printed Name and Notary Public

Grantor: PENNYMAC LOAN SERVICES, LLC  
3043 TOWNSGATE ROAD, #200  
WESTLAKE VILLAGE, CA 91361  
Our File No. 19-06215

Return to: MARINOSCI LAW GROUP, P.C.  
MARINOSCI & BAXTER  
14643 DALLAS PARKWAY, SUITE 750  
DALLAS, TX 75254

<b>LIMESTONE COUNTY</b> Kerrie Cobb 200 West State Street Suite 102 Groesbeck, TX 76642 Phone: (254)729-5504	<b>DOCUMENT #:</b> 2022-0005286 <b>RECORDED DATE:</b> 11/28/2022 01:41:24 PM 	
<b>OFFICIAL RECORDING COVER PAGE</b>		Page 1 of 6
<b>Document Type:</b> C C ORDER <b>Transaction Reference:</b> <b>Document Reference:</b>	<b>Transaction #:</b> 941469 - 1 Doc(s) <b>Document Page Count:</b> 5 <b>Operator Id:</b> Jan	
<b>RETURN TO:</b> () 365 ABSTRACT LLC PO BOX 240 FRIENDSWOOD, TX 77549 281-648-9313	<b>SUBMITTED BY:</b> 365 ABSTRACT LLC PO BOX 240 FRIENDSWOOD, TX 77549 281-648-9313	
<b>DOCUMENT # :</b> 2022-0005286 <b>RECORDED DATE:</b> 11/28/2022 01:41:24 PM		
I hereby certify that this document was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Limestone County.		
	 Kerrie Cobb Limestone County Clerk	

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Filed 11/14/2022 8:50 AM  
Kerrie Cobb, County Clerk  
Limestone County, Texas  
By: Lederle Salazar,  
Deputy Clerk

CAUSE NO 8684

IN THE ESTATE OF

§  
§  
§  
§  
§  
§  
§

IN THE COUNTY COURT

ALBERTA HARVEY

OF

DECEASED

LIMESTONE COUNTY, TEXAS

**AGREED ORDER PERMITTING FORECLOSURE OF LIEN UNDER TEX. EST. CODE §355.155(b)(3)**

COMES NOW PennyMac Loan Services, LLC ("Applicant"), its successors in interest or assigns and Howard Harvey, Dependent Administrator of The Estate of Alberta Harvey and requests entry of an Agreed Order Permitting Foreclosure of Lien Tex. Est. Code §355.155(b)(3), as;

1. On or about May 10, 2012, Alberta Harvey ("Decedent") executed a Note on her home and it is secured by a Deed of Trust bearing Limestone County Clerk File No. 00121834 ("the security instrument").

2. Decedent died on or about May 5, 2016, and Howard Harvey was appointed as the Dependent Administrator of her estate.

3. The amount necessary to pay the note ("the preferred debt") in full through July 13, 2022 was \$76,257.97, which consisted of \$54,406.00 in unpaid principal and \$8,169.00 in accrued interest. Interest continues to accrue at the contract rate of 4.250% per annum, or \$6.33 per day, from July 13, 2022, until paid.

4. The best interests of the Decedent's heir(s) and the estate are for the mortgage to be foreclosed as a preferred debt/lien under the Texas Estates Code §355.155(b)(3).



**A CERTIFIED COPY**  
Kerrie Cobb, County Clerk  
Limestone County, Texas

5. The Applicant is entitled to foreclose its preferred lien under the security instrument and the Applicant's sole recourse shall be the foreclosure of such preferred lien.

6. The mailing address of the property to be foreclosed is 203 S. Westminster, Tehuacana, TX 76686, ("the Property"), and legally described as follows:

Being a 0.239 acre tract of land situated in the John Boyd Survey A-3, City of Tehuacana, Limestone County, Texas, and being all of that tract described in the deed to Velma L. Kellum recorded in Vol. 1238, Pg. 131, Deed Records of Limestone County, Texas (L.C.D.R.), and the South 7.53 ft. of the Jack W. Davis tract described in the deed recorded in Vol. 787, Pg. 855, L.C.D.R., and occupied on the ground by Velma L. Kellum, said 0.239 acre being more particularly described by metes and bounds as follows:

**BEGINNING** at a found PK nail in the centerline intersection of Main Street (Business Hwy. 171-Loop 442) and South 2<sup>nd</sup> Street;

**THENCE** Due East (N. 90° 00' 00" E.) 788.00 ft. with the centerline of said South 2<sup>nd</sup> Street to a point in the East right of way line of Westminster Street;

**THENCE** Due North (N. 0° 00' 00" W.) 263.50 ft. with the East line of said Westminster Street, being East of a fence, to a set 1/2" iron rod for the Southwest corner of said Kellum deed tract and this tract, same being the Northwest corner of the J. Isbell tract and the true point of **BEGINNING**, from which corner a chain-link fence for the occupied South line of said Kellum tract and the occupied North line of said Isbell tract bears Due North 7.53 ft.;

**THENCE** Due North with the East line of said Westminster Street and the West line of said Kellum tract, at 7.53 ft. said fence, at 86.50 ft. the Northwest corner of said Kellum deed tract and the Southwest corner of said Davis tract, continuing with the West line of said Davis tract as occupied by said Kellum, in all 73.03 feet to the Northwest corner of said 7.53 ft. strip of land and this tract, from which corner the Northwest corner of said Davis tract and the Southwest corner of said Block 2 bears Due North 67.47 ft.;

**THENCE** Due East 142.50 ft. with the North line of said 7.53 ft. strip of land occupied by said Kellum to a set 1/2" iron rod in the East line of said Davis tract and the West line of the D. G. Tyler tract of record in Vol. 787, Pg. 859, L.C.D.R. for the occupied Northeast corner of said Kellum tract and this tract;

**THENCE** Due South with the East line of said Davis tract and the West line of said Tyler tract, said line being East of an occupied fence line, at 7.53 ft. the Southeast corner of said Davis tract and the Northeast corner of said Kellum deed tract, at 64.70 ft. crossing a fence, in all 73.03 ft. to a set 1/2" iron rod in that area occupied by David Belts for the Southeast corner of said Kellum deed tract and this tract, same being the Northeast corner of said Isbell tract;

**THENCE** Due West with the South line of said Kellum tract and the North line of said Isbell tract, at 4.47 ft. crossing an occupied fence, in all 142.50 ft. to the point of **BEGINNING**, containing 0.239 acre.

7. All matters prerequisite to the signing of this order have been met and satisfied.

8. The Agreed Order Permitting Foreclosure of Lien Tex. Est. Code §355.155(b)(3)

should be granted.



**A CERTIFIED COPY**  
Kerrie Cobb, County Clerk  
Limestone County, Texas

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:**

1. Applicant may proceed with foreclosure of sale of its preferred lien on the property under the terms of the security instrument, Texas Property Code §51.002.

2. Applicant may proceed with the foreclosure sale of its preferred lien on the property under the terms of the security instrument and Texas Property Code §51.002.

3. All foreclosure related notices are to be sent by Applicant to Howard Harvey, Dependent Administrator, and shall be sent to him in that capacity as indicated below:

**Howard Harvey  
Dependent Administrator of  
The Estate of Alberta Harvey  
322 Maple Plaza St  
Mexia, TX 76667**

4. Other than the foreclosure of the Applicant's preferred lien on the property, Applicant shall not have and is denied recourse for the recovery of money, thing of value or any other relief whatsoever (of any kind or character) against any of Decedent's heirs and/or Howard Harvey, Dependent Administrator.

5. Each party to this order shall pay its attorney's fees and costs incurred.

6. All relief not expressly granted by this order is in all things denied.

11/14/2022

SIGNED \_\_\_\_\_, 2022.

  
\_\_\_\_\_  
**JUDGE PRESIDING**



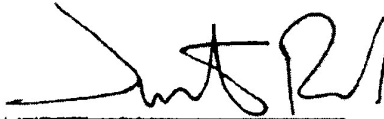
**A CERTIFIED COPY**  
Kerrie Cobb, County Clerk  
Limestone County, Texas



**ORDER AGREED AND APPROVED BY:**

/s/ Sammy Hooda

Sammy Hooda  
State Bar No.: 24064032  
Marinosci Law Group, P.C.  
14643 Dallas Parkway, Suite 750  
Dallas, Texas 75254  
(972) 331-2300 (Phone)  
(972) 331-5240 (Facsimile)  
[shooda@mlg-defaultlaw.com](mailto:shooda@mlg-defaultlaw.com)  
Attorney for Applicant



Justin Reed  
State Bar No.: 24035826  
P.O. Box 1072  
201 North McKinney Street  
Mexia, Texas 76667  
(254) 562-5547 (Phone)  
(254) 562-3332 (Facsimile)  
[Justin@benjieredlaw.com](mailto:Justin@benjieredlaw.com)  
Attorney for Howard Harvey,  
Dependent Administrator  
of The Estate of Alberta Harvey



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Kerrie Cobb, County Clerk  
Limestone County, Texas

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Christina Bowie on behalf of Sammy Hooda  
Bar No. 24064032  
cbowie@mlg-defaultlaw.com  
Envelope ID: 70125619  
Status as of 11/15/2022 11:48 AM CST

Associated Case Party: Howard Harvey

Name	BarNumber	Email	TimestampSubmitted	Status
Justin Reed	24035826	justin@benjiereedlaw.com	11/14/2022 8:50:35 AM	SENT

I, Kerrie Cobb, County Clerk, Limestone County, Texas, do hereby certify that this is a true and correct copy as the same appears of record in my office. Witness my hand and Seal of Office on 11/28/2022



Kerrie Cobb, County Clerk  
By [Signature]  
Deputy



**A CERTIFIED COPY**  
Kerrie Cobb, County Clerk  
Limestone County, Texas