




LIMESTONE COUNTY Kerrie Cobb 200 West State Street Suite 102 Groesbeck, TX 76642 Phone: (254)729-5504	DOCUMENT #: FC-2021-0012 RECORDED DATE: 05/27/2021 01:40:01 PM 	
OFFICIAL RECORDING COVER PAGE		Page 1 of 7
Document Type: FORECLOSURE Transaction Reference: Document Reference:	Transaction #: 845240 - 1 Doc(s) Document Page Count: 6 Operator Id: Clerk	
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<p>DOCUMENT # : FC-2021-0012 RECORDED DATE: 05/27/2021 01:40:01 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;">  Kerrie Cobb Limestone County Clerk </div> </div>		

PLEASE DO NOT DETACH

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380 LCR 404, GROESBECK, TX, 76642

**APPOINTMENT OF SUBSTITUTE TRUSTEE AND
NOTICE OF SUBSTITUTE TRUSTEE SALE**

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

**APPOINTMENT OF
SUBSTITUTE TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, Maryna Danielian, Kristopher Holub, Aarti Patel, Stacey Sanders, Amy Ortiz, Garrett Sanders, Dylan Ruiz, David Ackel, Violet Nunez, Erika Aguirre, Beatriz Sanchez, Sara Edgington, Sharon St. Pierre, Ronnie Hubbard, Allan Johnston, Sheryl LaMont, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE TRUSTEE'S
ADDRESS:**

c/o JACK O'BOYLE & ASSOCIATE, PLLC, Mailing Address: P.O. Box 815369, Dallas, Texas 75381; Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF SUBSTITUTE
TRUSTEE SALE:**

WHEREAS, default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on July 06, 2021 between the hours of 12pm-3pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

LOCATION OF SALE:

The place of the sale shall be: At the front door of the Limestone County Courthouse, 200 West State Street, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court in LIMESTONE County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO BE
FORECLOSED:**

Deed of Trust or Contract Lien dated 05/16/2019 and recorded under Volume, Page or Clerk's File No. INSTRUMENT NO. 20191789 in the real property records of Limestone County Texas, with RANDALL CLINKENBEARD AND TAMMY JANE CLINKENBEARD, A MARRIED COUPLE as Grantor(s) and FORTHRIGHT FUNDING CORPORATION as Original Mortgagee.

OBLIGATIONS SECURED:

Deed of Trust or Contract Lien executed by RANDALL CLINKENBEARD AND TAMMY JANE CLINKENBEARD, A MARRIED COUPLE securing the payment of the indebtedness in the original principal amount of \$283,141.00 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by RANDALL CLINKENBEARD, TAMMY JANE CLINKENBEARD, HOME POINT FINANCIAL CORPORATION is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

**MORTGAGE SERVICING
INFORMATION:**

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 above referenced loan. Home Point Financial Corporation is acting as the Mortgage Servicer for HOME POINT FINANCIAL CORPORATION who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. Home Point Financial Corporation, as Mortgage Servicer, is representing the Mortgagee, whose address is:

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NOS AND APPT (SVC) 210426

4731682

HOME POINT FINANCIAL CORPORATION
 c/o Home Point Financial Corporation
 11511 Luna Road, Suite 200
 Farmers Branch, TX 75234

**LEGAL DESCRIPTION OF
 PROPERTY TO BE SOLD:**

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE A. VARELA SURVEY, A-29, LIMESTONE COUNTY, TEXAS, BEING 4.114 ACRES, MORE OR LESS, AND BEING ALL OF A CALLED 3.106 ACRE TRACT CONVEYED FROM JON HOLLOWAY TO MARK MARTIN, ET. UX, BY DEED DATED OCTOBER 14, 1988 AND FILED IN VOLUME 801, PAGE 88, OF THE DEED RECORDS OF LIMESTONE COUNTY, TEXAS, AND ALL OF A CALLED 1.004 ACRE TRACT CONVEYED FROM JON HOLLOWAY TO MARK MARTIN, ET. UX, BY DEED DATED NOVEMBER 3, 2000 AND FILED IN VOLUME 1046, PAGE 127, OF THE DEED RECORDS OF LIMESTONE COUNTY, TEXAS, TO WHICH REFERENCES ARE HEREBY MADE TO FOR ANY AND ALL PURPOSES, SAID TRACT DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A "A" IRON ROD FOUND FOR THE EAST CORNER OF THE REFERENCED 3.106 ACRE TRACT AND THE SOUTH CORNER OF A CALLED 5.9677 ACRE TRACT CONVEYED FROM JON HOLLOWAY TO ROY DEFRIEND, ET. UX, BY DEED DATED FEBRUARY 27, 2001 AND FILED IN VOLUME 1052, PAGE 723, SAID POINT BEING IN A NORTHWEST LINE OF A CALLED 395.09 ACRE TRACT, "TRACT SIX," CONVEYED FROM KENNETH OAKES TO WAYLAND OAKES RANCH, LP, BY DEED DATED SEPTEMBER 15, 2008 AND FILED IN VOLUME 1291, PAGE 572 (FURTHER DESCRIBED IN VOLUME 571, PAGE 740), FROM SAID POINT, THE OCCUPIED EAST FENCE CORNER OF SAID 5.9677 ACRE TRACT BEARS N59°33'09"E 117.50 FEET (RECORD CALL IS N60°07'E 117.60 FEET);

THENCE SOUTH 60°01'41" WEST 105.27 FEET (RECORD CALL IS S60°07'W 105.00 FEET), WITH THE SOUTHEAST LINE OF THE REFERENCED 3.106 ACRE TRACT, A NORTHWEST LINE OF SAID 395.09 ACRE TRACT, AND GENERALLY ALONG A WIRE FENCE, TO A 7" IRON PIPE FOUND FOR BEND:

THENCE SOUTH 60°38'54" WEST 173.43 FEET (RECORD CALL IS S60°47'W 173.50 FEET), WITH THE SOUTHEAST LINE OF THE REFERENCED 3.106 ACRE TRACT, A NORTHWEST LINE OF SAID 395.09 ACRE TRACT, AND GENERALLY ALONG A WIRE FENCE, TO A "A" IRON PIPE FOUND FOR BEND:

THENCE SOUTH 60°51'31" WEST 26.01 FEET (RECORD CALL IS S60°45'W 24.19 FEET), WITH THE SOUTHEAST LINE OF THE REFERENCED 3.106 ACRE TRACT, A NORTHWEST LINE OF SAID 395.09 ACRE TRACT, AND GENERALLY ALONG A WIRE, OF FENCE, TO A "A" IRON ROD FOUND FOR THE SOUTH CORNER OF THE REFERENCED 3.106 ACRE TRACT AND THE EAST CORNER OF THE REFERENCED 1.004 ACRE TRACT:

THENCE SOUTH 60°01'41" WEST 105.27 FEET (RECORD CALL IS S60°07'W 105.00 FEET), WITH THE SOUTHEAST LINE OF THE REFERENCED 3.106 ACRE TRACT, A NORTHWEST LINE OF SAID 395.09 ACRE TRACT, AND GENERALLY ALONG A WIRE FENCE, TO A 7" IRON PIPE FOUND FOR BEND:

THENCE SOUTH 60°38'54" WEST 173.43 FEET (RECORD CALL IS S60°47'W 173.50 FEET), WITH THE SOUTHEAST LINE OF THE REFERENCED 3.106 ACRE TRACT, A NORTHWEST LINE OF SAID 395.09 ACRE TRACT, AND GENERALLY ALONG A WIRE FENCE, TO A "A" IRON PIPE FOUND FOR BEND:

THENCE SOUTH 60°51'31" WEST 26.01 FEET (RECORD CALL IS S60°45'W 24.19 FEET), WITH THE SOUTHEAST LINE OF THE REFERENCED 3.106 ACRE TRACT, A NORTHWEST LINE OF SAID 395.09 ACRE TRACT, AND GENERALLY ALONG A WIRE, OF FENCE, TO A "A" IRON ROD FOUND FOR THE SOUTH CORNER OF THE REFERENCED 3.106 ACRE TRACT AND THE EAST CORNER OF THE REFERENCED 1.004 ACRE TRACT:

THENCE SOUTH 60°37'29" WEST 84.90 FEET (RECORD CALL IS S60°45'W 86.00 FEET), WITH THE SOUTHEAST LINE, OF THE REFERENCED 1.004 ACRE TRACT, A NORTHWEST LINE OF SAID 395.09 ACRE TRACT, AND GENERALLY ALONG A WIRED FENCE, TO A 1/2" IRON ROD (CAPPED RPLS 4957) SET FOR THE SOUTH CORNER OF THE REFERENCED 1.004 ACRE TRACT AND THE EAST CORNER OF A CALLED 1.001 ACRE TRACT CONVEYED FROM JON HOLLOWAY TO TRACY SIMS, ET. UX, BY DEED DATED NOVEMBER 3, 2000 AND FILED IN VOLUME 1046, PAGE 117, FROM SAID POINT, A 1/2" IRON PIPE FOUND FOR A BEND IN THE SOUTHEAST LINE OF SAID 1.001 ACRE TRACT BEARS S60°15'59"W 35.91 FEET (RECORD TALL IS S60°45'W 35.61 FEET);

THENCE NORTH 54°19'47" WEST 509.86 FEET (RECORD CALL IS N54°05'50"W 510.03 FEET).

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WITH THE SOUTHWEST LINE OF SAID 1.004 ACRE TRACT AND THE NORTHEAST LINE OF SAID 1.001 ACRE TRACT, TO A 1/2" IRON ROD FOUND IN THE SOUTHEAST MARGIN PARK ROAD (LCR 404 - AN APPARENT 50' WIDE UNDEDICATED ROADWAY) FOR THE WEST CORNER OF SAID 1.004 ACRE TRACT AND THE NORTH CORNER OF SAID 1.001 ACRE TRACT. FROM SAID POINT, A 1/2" IRON PIPE BEARS N27°44'52"E 3.98 FEET AND A " IRON PIPE FOUND FOR A BEND IN THE NORTHWEST LINE OF SAID 1.001 ACRE TRACT BEARS S24°26'12"W 90.79 FEET (RECORD CALL IS S24°33'54"W 90.85 FEET); THENCE WITH THE NORTHWEST LINES OF THE REFERENCED TRACTS AND SAID SOUTHEAST MARGIN THE FOLLOWING COURSES:

NORTH 17°35'13" EAST 87.70 FEET (RECORD CALL IS N17°55'E 87.63 FEET), TO A CAPPED 1/2" IRON ROD SET FOR BEND,

NORTH 17°41'10" EAST 49.10 FEET (RECORD CALL IS N17°55'E 49.10 FEET), TO A CAPPED 1/2" IRON ROD SET FOR BEND, AND

NORTH 13°10'53" EAST 100.68 FEET (RECORD CALL IS N13°08'E 100.90 FEET), TO A 1/2" IRON ROD FOUND FOR THE NORTH CORNER OF SAID 3.106 ACRE TRACT AND THE SOUTHWEST CORNER OF SAID 5.9677 ACRE TRACT. FROM SAID POINT, A 1/2" IRON PIPE FOUND FOR A BEND IN THE WEST LINE OF SAID 5.9677 ACRE TRACT BEARS N15°41'20"E 14.63 FEET (RECORD CALL IS N 13°08'E 14.50 FEET);

THENCE SOUTH 64°08'48" EAST 765.50 FEET (RECORD CALL IS S63°53'19"E 764.87 FEET), WITH THE NORTHEAST LINE OF SAID 3.106 ACRE TRACT AND THE SOUTHWEST LINE OF SAID 5.9677 ACRE TRACT, TO THE POINT OF BEGINNING, AND CONTAINING 4.114 ACRES, MORE OR LESS, AS SHOWN ON THE ACCOMPANYING SURVEY PLAT OF EVEN DATE HERewith. (the "Property")

REPORTED PROPERTY

ADDRESS: 380 LCR 404, GROESBECK, TX 76642

TERMS OF SALE: The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

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 and the priority of the lien being foreclosed.

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 and/or Mortgage Servicer 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 their bid immediately in cash if their bid is accepted.

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. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

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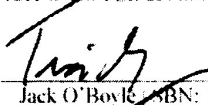
The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

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.

Signed on the 21 day of May, 2021


Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC



Jack O'Boyle - SBN: 15165300

jack@jackobovle.com

 Travis H. Gray - SBN: 24044965

travis@jackobovle.com

Chris Ferguson - SBN: 24069714

chris@jackobovle.com

P.O. Box 815369

Dallas, Texas 75381

P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR MORTGAGEE AND/OR ITS MORTGAGE
SERVICER

CERTIFICATE OF POSTING

My name is Sharon St Pierre, and my address is c/o 12300 Ford Rd, Ste. 212, Dallas, TX 75234. I declare under the penalty of perjury that on May 27, 2021 I filed at the office of the Limestone County Clerk and caused to be posted at the Limestone County courthouse (or other designated place) this notice of sale.

Signed: Sharon St Pierre

Declarant's Name: Sharon St Pierre

Date: May 27, 2021

POSTING AND FILING AFFIDAVIT FOR REPRESENTATIVE OF TRUSTEE

STATE OF TEXAS §
 §
COUNTY OF Limestone §

Sharon St. Pierre appeared in person before me today and stated under oath:

"My name is Sharon St. Pierre. I am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

"On behalf of the mortgagee and/or mortgage servicer of the indebtedness secured by a Deed of Trust dated 05/16/2019, executed by RANDALL CLINKENBEARD AND TAMMY JANE CLINKENBEARD, A MARRIED COUPLE and recorded in the recorded under Volume, Page or Clerk's File No. INSTRUMENT NO. 20191789 in the real property records of Limestone County Texas, securing payment of the promissory note of the same date, I did on the 27 day of May, 2021 post the APPOINTMENT OF SUBSTITUTE TRUSTEE AND NOTICE OF SUBSTITUTE TRUSTEE SALE, a true and complete copy of which is attached as Exhibit A, at the officially designated place for the posting of notices of nonjudicial foreclosure sales in Limestone, Texas, and filed a duplicate of the notice of foreclosure sale with the county clerk's office of Limestone, Texas that same day."

Sharon St. Pierre

Jack O'Boyle, Chris Ferguson, Travis Gray, Maryna Danielian, Kristopher Holub, Aarti Patel, Stacey Sanders, Amy Ortiz, Garrett Sanders, Dylan Ruiz, David Ackel, Violet Nunez, Erika Aguirre, Beatriz Sanchez, Sara Edgington, Sharon St. Pierre, Ronnie Hubbard, Allan Johnston, Sheryl LaMont, Travis Gray, Chris Ferguson, or Jack O'Boyle
Substitute Trustee

SUBSCRIBED AND SWORN TO before me on the 27 day of May, 2021 by Sharon St. Pierre

Ashley Minchew
Notary Public, State of Texas

