

NOTICE OF FORECLOSURE SALE

FILED FOR RECORD

2024 FEB 13 AM 8:35

February 6, 2024

CONNIE BECTON
COUNTY CLERK
HARDIN COUNTY, TEXAS
BY *[Signature]*

Deed of Trust ("Deed of Trust"):

Dated: July 24, 2020

Grantor: Allison Rose Day

Trustee: William C. Shaddock

Lender: Luna Realty Investments, LLC

Recorded in: Instrument No. 2020-106096 of the real property records of Hardin County, Texas

Legal Description: Lot 16, Block 3, North Silsbee Addition to the Town of Silsbee, Hardin County, Texas, according to the plat recorded in Volume 2, Page 53 and Volume 1, Page 53, Plat Records, Hardin County, Texas.

Commonly known as: 1050 N. 3rd St., Silsbee, Texas 77656

Secures: Promissory Note ("Note") in the original principal amount of \$63,740.70, executed by Allison Rose Day ("Borrower") and payable to the order of Lender

Substitute Trustee: James W. King, Renee Roberts, Edye Patterson, Marc Henry, or David Garvin

Substitute Trustee's Address: c/o Foreclosure Services, LLC
8101 Boat Club Rd., Suite 320
Fort Worth, Texas, 76179

Mortgage Servicer: escrow, inc.

Mortgage Servicer's Address: 11395 James Watt, #A-4
El Paso, TX, 79936

Foreclosure Sale:

- Date:** Tuesday, March 5, 2024
- Time:** The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three hours thereafter.
- Place:** Hardin County Courthouse, 300 Monroe, Kountze, Texas 77625, OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.
- Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Luna Realty Investments, LLC's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Luna Realty Investments, LLC, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Luna Realty Investments, LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Luna Realty Investments, LLC's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Mortgage Servicer is representing Luna Realty Investments, LLC in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Luna Realty Investments, LLC. The address of Mortgage Servicer is set forth above.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Luna Realty Investments, LLC passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has


been released of public record from the lien and/or security interest of the Deed of Trust by Luna Realty Investments, LLC. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

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.



Meg Banahan

Texas Bar No. 24078188

Veronica A. Martinez

Texas Bar No. 24102149

R. Alex Weatherford

Texas Bar No. 24079553

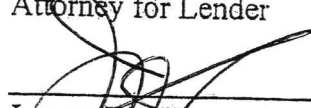
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Attorney for Lender



James W. King, Renee Roberts, Edye Patterson,

Marc Henry, or David Garvin

d/b Foreclosure Services LLC

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