



19-373736

**Notice of Substitute Trustee's Sale**

**Notice Concerning Military Duty: 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. Tex. Prop. Code § 51.002(i)**

<b>Deed of Trust Date:</b> January 26, 2012	<b>Original Mortgagor/Grantor:</b> JIMMY W. NICHOLS AND BARBARA A. NICHOLS
<b>Original Beneficiary / Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC. AS NOMINEE FOR CHERRY CREEK MORTGAGE CO., INC., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> REVERSE MORTGAGE SOLUTIONS, INC
<b>Recorded in:</b> <b>Volume:</b> 1289 <b>Page:</b> 617 <b>Instrument No:</b> 1200737	<b>Property County:</b> WALLER
<b>Mortgage Servicer:</b> Reverse Mortgage Solutions, Inc	<b>Mortgage Servicer's Address:</b> 14405 Walters Rd. Suite 200, Houston, TX 77014

\* 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.

**Secures:** Note in the original principal amount of \$99,000.00, executed by BARBARA NICHOLS and JIMMY NICHOLS and payable to the order of Lender.

**Property Address/Mailing Address:** 26562 ARMADILLO DRIVE, HEMPSTEAD, TX 77445

**Legal Description of Property to be Sold:** THAT CERTAIN TRACT OR PARCEL OF LAND KNOWN AS LOT 92, SECTION 1, DEERWOOD LAKES, A SUBDIVISION IN THE WILLIAM BAIRD SURVEY, ABSTRACT 10, IN WALLER COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 231, PAGE 133 OF THE DEED RECORDS OF WALLER COUTNY TEXAS..

<b>Date of Sale:</b> November 02, 2021	<b>Earliest time Sale will begin:</b> 01:00 PM
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**Place of sale of Property:** THE FOYER AT THE SOUTH ENTRANCE OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

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.

**Appointment of Substitute Trustee:** Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, REVERSE MORTGAGE SOLUTIONS, INC, the owner and holder of the Note, has requested Megan Randle or Ebbie Murphy whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

**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 REVERSE MORTGAGE SOLUTIONS, INC bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.



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, Megan Randle or Ebbie Murphy whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, 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 Megan Randle or Ebbie Murphy whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

**Limitation of Damages:** If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against Mortgagor, the Mortgagee, or the Mortgagee's attorney.

**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.**

/s/William Attmore

William Attmore

Attorney for Reverse Mortgage Solutions, Inc

State Bar No.:24064844

wattmore@rascrane.com

Robertson, Anschutz, Schneid, Crane & Partners,

PLLC / Attorney for Mortgagee

5601 Executive Dr, Suite 400

Irving, TX 75038

Telephone: 817-873-3080

Facsimile: (817)796-6079

 Megan Randle

# FILED AND RECORDED

**Instrument Number: 21-030**

Filing and Recording Date: 09/30/2021 04:07:25 PM Pages: 3 Recording Fee: \$5.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



*Debbie Hollan*

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Debbie Hollan, County Clerk  
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Marlene Arranaga, Deputy

Returned To: