

22TX404-0009
924 46TH STREET, LUBBOCK, TX 79412



NOTICE OF FORECLOSURE SALE

Property: The Property to be sold is described as follows:

LOT FOURTEEN (14), BLOCK D, BUTLER ESTATES ADDITION TO THE CITY OF LUBBOCK, LUBBOCK COUNTY, TEXAS, ACCORDING TO THE MAP, PLAT, AND/OR DEDICATION DEED THEREOF RECORDED IN VOLUME 210, PAGE 501 OF THE DEED RECORDS OF LUBBOCK COUNTY, TEXAS, SAVE AND EXCEPT THE NORTH SEVEN AND ONE-HALF FEET (N 7-1/2') THEREOF HERETOFORE DEDICATED FOR ALLEY PURPOSES

Security Instrument: Deed of Trust dated September 26, 2016 and recorded on October 20, 2016 as Instrument Number 2016037952 in the real property records of LUBBOCK County, Texas, which contains a power of sale. Correction Affidavit recorded March 03, 2022 at 2022010505.

Sale Information: September 03, 2024, at 10:00 AM, or not later than three hours thereafter, at the gazebo located on the front lawn of the Lubbock County Courthouse with the first alternate location being the 2nd floor auditorium at 916 Main and the second alternate location being the Commissioner's Courtroom located on the 5th floor of the courthouse, or as designated by the County Commissioners Court.

Terms of Sale: Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured: The Deed of Trust executed by FLOYD HAGGERTY AND JOYCE HAGGERTY secures the repayment of a Note dated September 26, 2016 in the amount of \$68,250.00. FREEDOM MORTGAGE CORPORATION, whose address is c/o Freedom Mortgage Corporation, 951 Yamato Road, Suite 175, Boca Raton, FL 33431, is the current mortgagee of the Deed of Trust and Note and Freedom Mortgage Corporation is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee: In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

Court Order: A Judgment Allowing Foreclosure was signed on June 6, 2024 in the 237th District Court of Lubbock County under Cause No. DC-2022-CV-0312. A copy of the Judgment is attached hereto.

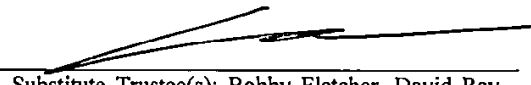
Substitute Trustee(s): Bobby Fletcher, David Ray, Clay Golden, Israel Curtis, Jonathan Schendel, Angie Uselton, Charles Green, Lisa Bruno, Patrick Zwiers, Kristopher Holub, Dana Kamin, Joshua Sanders, Matthew Hansen, Aleena Litton, Terry Browder, Laura Browder, Marsha Monroe, Jamie Osborne, Dustin George

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.

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.



Miller, George & Suggs, PLLC
Tracey Midkiff, Attorney at Law
Jonathan Andring, Attorney at Law
Rachel Son, Attorney at Law
6080 Tennyson Parkway, Suite 100
Plano, TX 75024



Substitute Trustee(s): Bobby Fletcher, David Ray, Clay Golden, Israel Curtis, Jonathan Schendel, Angie Uselton, Charles Green, Lisa Bruno, Patrick Zwiers, Kristopher Holub, Dana Kamin, Joshua Sanders, Matthew Hansen, Aleena Litton, Terry Browder, Laura Browder, Marsha Monroe, Jamie Osborne, Dustin George
c/o Miller, George & Suggs, PLLC
6080 Tennyson Parkway, Suite 100
Plano, TX 75024

Certificate of Posting

I, Terry Browder, declare under penalty of perjury that on the 8 day of August, 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of LUBBOCK County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

default judgment was taken against her on February 6, 2024.

4. None of the defendants who were personally served were in active military duty.

5. Mike M. Calfin was appointed as attorney ad litem according to Tex. R. Civ. P. 244 for defendants, the Unknown Heirs at Law of Floyd Haggerty, deceased, and the Unknown Heirs at Law of Joyce Haggerty, deceased, who were served by publication. He filed his report and was released on November 22, 2022.

6. Chandler Seymore was appointed as attorney ad litem according to Tex. R. Civ. P. 244 for defendants, Roshon Ross and the Unknown Heirs at Law of David Greely, deceased. In her report, Chandler Seymore determined that neither Roshon Ross, nor the Unknown Heirs at Law of David Greely, deceased are heirs at law of Floyd Haggerty and Joyce Haggerty.

7. Plaintiff is entitled to the relief sought. It is, therefore,

ORDERED, ADJUDGED AND DECREED that an event of default has occurred on that certain Texas Home Equity Note (hereinafter “Note”) executed on or about September 26, 2016 by Floyd Haggerty and Joyce Haggerty (together “Decedents”) in the principal amount of \$68,250.00 payable to Royal United Mortgage LLC (“Note”). It is further,

ORDERED, ADJUDGED AND DECREED that that certain Texas Home Equity Security Instrument dated September 26, 2016; signed by Decedents; and recorded as instrument number 2016037952 in the real property records of Lubbock County, Texas (hereafter “Deed of Trust”), provides Freedom Mortgage Corporation as the current holder of the Note and beneficiary of the Deed of Trust pursuant to an assignment recorded as instrument number 2022007842 in the real property records of Lubbock County, Texas, in the event of a default on the obligations on the Note, with a first lien security interest on the Property and more particularly described as:

LOT FOURTEEN (14), BLOCK D, BUTLER ESTATES ADDITION TO THE
CITY OF LUBBOCK, LUBBOCK COUNTY, TEXAS, ACCORDING TO THE

MAP, PLAT, AND/OR DEDICATION DEED THEREOF RECORDED IN VOLUME 210, PAGE 501 OF THE DEED RECORDS OF LUBBOCK COUNTY, TEXAS, SAVE AND EXCEPT THE NORTH SEVEN AND ONE-HALF FEET (N 7-1/2') THEREOF HERETOFORE DEDICATED FOR ALLEY PURPOSES.

("Property") It is further,

ORDERED, ADJUDGED AND DECREED that the following are secured by the Security Instrument on the Property: the outstanding balance of the Note, including attorney fees; prejudgment interest; post-judgment interest; and costs of court. It is further,

ORDERED, ADJUDGED AND DECREED that Floyd Haggerty, Jr., Paula Watkins, Jeanine Price Williams, Celia Jones, Katrina Ivory, Lakisha Haggerty, Jessica Haggerty, Paul Haggerty, Gwendolyn Cooks, the Unknown Heirs at Law of Floyd Haggerty, deceased, and the Unknown Heirs at Law of Joyce Haggerty, deceased, are heirs at law of Decedents, and are vested with Decedents' right, title and interest in the Property. It is further,

ORDERED, ADJUDGED AND DECREED that due to event of default on the Note, Freedom Mortgage Corporation may enforce its statutory probate lien against the interests of Floyd Haggerty, Jr., Paula Watkins, Jeanine Price Williams, Celia Jones, Katrina Ivory, Lakisha Haggerty, Jessica Haggerty, Paul Haggerty, Gwendolyn Cooks, the Unknown Heirs at Law of Floyd Haggerty, deceased, and the Unknown Heirs at Law of Joyce Haggerty, deceased, through non-judicial foreclosure of the Property as provided in Texas Rule of Civil Procedure 735, the Deed of Trust, and section 51.002 of the Texas Property Code, or, alternatively, through judicial foreclosure. It is further,

ORDERED, ADJUDGED AND DECREED that Freedom Mortgage Corporation may further communicate with defendants and all third parties reasonably necessary to conduct the foreclosure sale. It is further,

ORDERED, ADJUDGED AND DECREED that this judgment is in rem and is not a personal judgment against Floyd Haggerty, Jr., Paula Watkins, Jeanine Price Williams, Celia Jones, Katrina Ivory, Lakisha Haggerty, Jessica Haggerty, Paul Haggerty, Gwendolyn Cooks, the Unknown Heirs at Law of Floyd Haggerty, deceased, and the Unknown Heirs at Law of Joyce Haggerty, deceased. It is further,

ORDERED, ADJUDGED AND DECREED that any notices regarding the foreclosure of the Property to the defendants shall be mailed to them at the following addresses:

Floyd Haggerty, Jr.	10274 E Live Oak Ave, Arcadia, CA 91007
Paula Watkins	123 E. Topeka St., Shreveport, LA 71101
Jeanine Price Williams	1808 Roundtree Cir. W, Aledo, TX 76008
Celia Jones	121 E. Topeka St., Shreveport, LA 71101
Katrina Ivory	16518 South Highway 281, Santo, Texas 76472
Lakisha Haggerty	280 Yoakum Pkwy., Apt. 1204, Alexandria, VA 22304
Jessica Haggerty	303 Harrison Ave., Lorenzo, TX 79343
Paul Haggerty	5426 Payne St., Corsicana, TX 75110
Gwendolyn Cooks	1100 Ursuline Ave., Bryan, TX 77803
The Unknown Heirs at Law of Floyd Haggerty, deceased	c/o Mike M. Calfin, 1706 14th Street, Lubbock, Texas 79408
The Unknown Heirs at Law of Joyce Haggerty, deceased	c/o Mike M. Calfin, 1706 14th Street, Lubbock, Texas 79408

It is further,

ORDERED, ADJUDGED AND DECREED that the successful bidder at the foreclosure sale shall be vested with all of Floyd Haggerty, Jr., Paula Watkins, Jeanine Price Williams, Celia Jones, Katrina Ivory, Lakisha Haggerty, Jessica Haggerty, Paul Haggerty, Gwendolyn Cooks, the

Unknown Heirs at Law of Floyd Haggerty, deceased, and the Unknown Heirs at Law of Joyce Haggerty, deceased's right, title and interest in the Property.

ORDERED, ADJUDGED AND DECREED that attorney ad litem, Chandler Seymore, determined that Roshon Ross and the Unknown Heirs at Law of David Greely, deceased are not heirs of Floyd Haggerty and Joyce Haggerty and, therefore, Roshon Ross and the Unknown Heirs at Law of David Greely, deceased are hereby dismissed from this case without prejudice. It is further,

ORDERED, ADJUDGED AND DECREED that ad litem Chandler Seymore shall be awarded her fees in the amount of \$ 1,517.00, to be taxed as costs and to be paid by Plaintiff. It is further,

ORDERED, ADJUDGED AND DECREED that this is a final judgment and any relief not specifically granted in this Final Judgment is DENIED and any defendant not otherwise disposed of is DISMISSED.

Signed June 6, 2024.



PRESIDING JUDGE

Approved:

/s/ Bradley Conway

Bradley Conway

Texas Bar No. 24055340

bconway@mgs-legal.com

Mutunda K. Osafo

Texas Bar No. 24123081

mosafo@mgs-legal.com

Dustin George

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MILLER, GEORGE & SUGGS, PLLC

6080 Tennyson Pkwy., Ste. 100

Plano, Texas 75024

Phone: (972) 532-0128

Fax: (214) 291-5507

Attorney for Plaintiff Freedom Mortgage Corporation

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Kelly Pinion

Kelly Pinion, County Clerk
Lubbock County, TEXAS
08/08/2024 01:45 PM
FEE: \$2.00
2024031849