

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

T.S. #: 2024-10169-TX

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.

Date, Time, and Place of Sale - The sale is scheduled to be held at the following date, time and place:

Date: **1/7/2025**
Time: **The earliest time the sale will begin is 1:00 PM** , or within three (3) hours after that time.
Place: Galveston County Courthouse, Texas, at the following location: 722 Moody (21st St.) Galveston Tx 77551 THE FIRST FLOOR LOBBY OF THE GALVESTON COUNTY COURTHOUSE Or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners Court, pursuant to section 51.002 of the Texas Property Code.

Property To Be Sold - The property to be sold is described as follows:

FIELD NOTE DESCRIPTION OF 2.880 ACRES OUT OF BLOCK 242, OF F.H. THAMAN SECOND SUBDIVISION, A SUBDIVISION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 231, PAGE 413 IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING at a 1/2 inch iron rod set with a cap stamped "True Meridian" on the East right-of-way line of Shouse Road, (60' R.O.W.) at the common corner of Blocks 233 and 242, from which a found (bent) 1 inch iron pipe bears S 36°46' W - 0.8 feet;

THENCE NORTH along the East right-of-way line of Shouse Road, a distance of 208.70 feet to a 1/2 inch iron rod found at the Northwest corner of the herein described tract of land;

THENCE EAST parallel with the South line of Block 242, a distance of 601.10 feet to a 1/2 inch iron rod found at the Northeast corner of the herein described tract of land;

THENCE SOUTH parallel with the East line of Block 242, a distance of 208.70 feet to the Southeast corner of the herein described tract of land, from which a found 1/2 inch iron rod bears S 36°13' E - 0.2 feet;

THENCE WEST along the common line of Blocks 233 and 242, a distance of 601.10 feet to the PLACE OF BEGINNING and containing 2.880 acres of land, more or less.

Commonly known as: 3317 SHOUSE RD SANTA FE, TX 77510

Instrument to be Foreclosed – The instrument to be foreclosed is the Deed of Trust dated **6/10/2016** and recorded in the office of the County Clerk of Galveston County, Texas, recorded on **6/14/2016** under County Clerk's File No **2016035417**, in Book -- and Page -- The subject Deed of Trust was modified by Loan Modification recorded as Instrument 2022067154 and recorded on 10/27/2022 of the Real Property Records of Galveston County, Texas.

T.S. #: 2024-10169-TX

Grantor(s): Hunter M. Floyd, a single man

Original Trustee: Ruth W. Garner

Substitute Trustee: Nestor Solutions, LLC, Auction.com, Anna Sewart, Keith Wolfshohl, David Barry, Byron Sewart, Austin DuBois, Steve Leva, Jeff Leva, Sandy Dasigenis, Patricia Poston, David Poston, Nick Poston, Chris Poston, Jim Mills, Susan Mills, Andrew Mills-Middlebrook, George Hawthorne, Ed Henderson, Angelita OConner, Jeff Benton, Nicole Durrett

Original Mortgagee: Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for Network Funding, LP, its successors and assigns

Current Mortgagee: Freedom Mortgage Corporation

Mortgage Servicer: Freedom Mortgage Corporation

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 referenced property securing the above referenced loan.

Terms of Sale - 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 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 cash on the day the property is sold.

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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Deed of Trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. 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. Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

Obligations Secured - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (1) the promissory note in the original principal amount of \$166,822.00, executed by Hunter M. Floyd, a single man, and payable to the order of Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for Network Funding, LP, its successors and assigns; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of Trustor(s) to the current holder of the Obligations to the mortgagee under the deed of trust.

T.S. #: 2024-10169-TX

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Questions concerning the sale may be directed to the undersigned or to the Mortgagee:

Freedom Mortgage Corporation
11988 EXIT 5 PKWY BLDG 4
FISHERS IN 46037-7939
Phone: (855) 690-5900

Default and Request to Act - Default has occurred under the deed of trust, and the mortgagee has requested me, as Trustee, to conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

Dated: 10-24-24

Nestor Solutions, LLC, Auction.com, Anna Sewart, Keith Wolfshohl, David Barry, Byron Sewart, Austin DuBois, Steve Leva, Jeff Leva, Sandy Dasigenis, Patricia Poston, David Poston, Nick Poston, Chris Poston, Jim Mills, Susan Mills, Andrew Mills-Middlebrook, George Hawthorne, Ed Henderson, Angelita OConner, Jeff Benton, Nicole Durrett

c/o Nestor Solutions, LLC
214 5th Street, Suite 205
Huntington Beach, California 92648
Phone: (888) 403-4115
Fax: (888) 345-5501

For sale information visit: <https://www.xome.com> or Contact (800) 758-8052.

SENDER OF THIS NOTICE:
AFTER FILING, PLEASE RETURN TO:

Nestor Solutions, LLC
214 5th Street, Suite 205
Huntington Beach, California 92648

FILED

Instrument Number: *FILED2024001252*

Filing Fee: 2.00

Number Of Pages: 4

Filing Date: 10/24/2024 4:40PM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



Dwight D. Sullivan

Dwight D. Sullivan, County Clerk
Galveston County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*