

20TX560-0040  
1221 CHESTNUT ST, WACO, TX 76704

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J.A. "ANDY" HARWELL, COUNTY CLERK  
MCLENNAN COUNTY, TEXAS

### NOTICE OF FORECLOSURE SALE

Property:

The Property to be sold is described as follows:

BEING LOT TWENTY-ONE (21), BLOCK SIX (6), OF THE J. WEISMAN AND COMPANY ADDITION, TO THE CITY OF WACO, MCLENNAN COUNTY, TEXAS ACCORDING TO THE PLAT OF RECORD IN VOLUME 100, PAGE 267, OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS.

Security Instrument:

Deed of Trust dated March 5, 2019 and recorded on March 6, 2019 as Instrument Number 2019007176 in the real property records of MCLENNAN County, Texas, which contains a power of sale.

Sale Information:

~~April 05, 2022, at 10:00 AM, or~~ not later than three hours thereafter, at the top of the outside steps to the second floor in front of the McLennan County 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 ~~JIMMIE L. DADE~~ secures the repayment of a Note dated March 5, 2019 in the amount of \$88,870.00. LAKEVIEW LOAN SERVICING, LLC, whose address is c/o LoanCare, LLC, 3637 Sentara Way, Suite 303, Virginia Beach, VA 23452, is the current mortgagee of the Deed of Trust and Note and LoanCare, LLC is the current mortgage servicer for the mortgage. 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.

Mortgage Servicer is representing Mortgagee under a servicing agreement, which permits Mortgage Servicer to collect the debt evidenced by the Note. The address of Mortgagee is:

LoanCare, LLC  
3637 Sentara Way, Suite 303  
Virginia Beach, VA 23452

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.

**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.**



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**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.**

*Kirk Schwartz*

De Cubas, Lewis & Schwartz, PA  
Kirk Schwartz, Attorney at Law  
PO Box 771270  
Coral Springs, FL 33077

*Donna Stockman*

Substitute Trustee(s): Maryna Danielian, Kristopher Holub, Aarti Patel, Stacey Sanders, Amy Ortiz, Garrett Sanders, Dylan Ruiz, David Ackel, Violet Nunez, Erika Aguirre, Beatriz Sanchez, Sara Edgington, ~~Donna Stockman~~, Brenda Wiggs, David Stockman, Guy Wiggs, Tim Lewis, Denise Boerner, Michelle Schwartz, Kathy Arrington, Janet Pinder, Kathy Arrington or Janet Pinder and Auction.com employees, including but not limited to those listed herein

c/o De Cubas, Lewis & Schwartz, PA  
PO Box 771270  
Coral Springs, FL 33077

Certificate of Posting

I, \_\_\_\_\_, declare under penalty of perjury that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of MCLENNAN County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).



PO Box 771270, Coral Springs, FL 33077  
T 954.453.0365 F 954.771.6052

March 10, 2022

**Via Certified Mail**

JIMMIE L. DADE  
1221 CHESTNUT ST  
WACO, TX 76704

RE:           Property Address:     1221 CHESTNUT ST, WACO, TX 76704  
              Loan #:              0040797508  
              Our File #:          20TX560-0040

## NOTICE OF REPOSTING AND SALE

1. This firm has been retained by LoanCare, LLC ("Mortgage Servicer"), who is the mortgage servicer for LAKEVIEW LOAN SERVICING, LLC ("Mortgagee"), who is the mortgagee of your loan agreement comprised of a note and lien on the above-referenced Property.
2. Mortgage Servicer is representing Mortgagee under a servicing agreement, which permits Mortgage Servicer to collect the debt evidenced by the note. The address of Mortgagee is:  
  
LAKEVIEW LOAN SERVICING, LLC  
c/o LoanCare, LLC  
3637 Sentara Way, Suite 303  
Virginia Beach, VA 23452
3. Notice of default under the terms of the loan agreement and notice of Mortgagee and Mortgage Servicer's intent to accelerate the maturity of the debt if the default was not cured were previously provided. The default has not been cured.
4. Please take notice that the maturity date of the note is accelerated, and all unpaid principal, interest, fees, charges and other recoverable amounts, are now due.
5. **April 05, 2022 at 10:00 AM**, the Trustee or Substitute Trustee will sell the property legally described in the attached Notice of Foreclosure Sale. The sale will take place in MCLENNAN County, Texas at the area designated by the commissioners court of said county or, if no area is designated by the commissioners court, the usual and customary area in which such sales take place.
6. IN THE EVENT THAT YOU HAVE FILED A PETITION FOR RELIEF IN THE UNITED STATES BANKRUPTCY COURT OR HAVE RECEIVED A DISCHARGE FROM THE BANKRUPTCY COURT, THIS COMMUNICATION SHOULD NOT BE CONSTRUED BY YOU AS A DEMAND FOR THE PAYMENT OF MONEY UNDER THE NOTE AND LIEN REFERRED TO IN PARAGRAPH 1 ABOVE. IF

YOU HAVE BEEN DISCHARGED, A DEFICIENCY JUDGMENT WILL NOT BE SOUGHT AGAINST YOU SHOULD THE PROCEEDS OF ANY FORECLOSURE SALE BE INSUFFICIENT TO PAY THE DEBT IN FULL.

7. 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.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kirk Schwartz".

Kirk Schwartz, Attorney at Law  
De Cubas, Lewis & Schwartz, PA