

# NOTICE OF TRUSTEE'S SALE

**DEED OF TRUST INFORMATION:**

<b>Grantor(s)</b>	David James Sherrer A/K/A David J. Sherrer and Donnetta Mary Sherrer	<b>Deed of Trust Date</b>	September 2, 2016
<b>Original Mortgagee</b>	Mortgage Electronic Registration Systems, Inc. ("MERS"), as beneficiary, as nominee for Guardian Mortgage Company, Inc., its successors and assigns	<b>Original Principal</b>	\$193,000.00
<b>Recording Information</b>	Instrument #: 218862 Book #: 731 Page #: 318 in Lavaca County, Texas	<b>Original Trustee</b>	John Cottrell
<b>Property Address</b>	403 Kent St., Yoakum, TX 77995	<b>Property County</b>	Lavaca

**MORTGAGE SERVICER INFORMATION:**

<b>Current Mortgagee</b>	Guardian Mortgage, a division of Sunflower Bank, N.A.	<b>Mortgage Servicer</b>	Guardian Mortgage, a division of Sunflower Bank, N.A.
<b>Current Beneficiary</b>	Guardian Mortgage, a division of Sunflower Bank, N.A.	<b>Mortgage Servicer Address</b>	2701 N. Dallas Parkway, Suite 180, Plano, TX 75093

**SALE INFORMATION:**

<b>Date of Sale</b>	10/03/2023
<b>Time of Sale</b>	10:00 AM or no later than 3 hours thereafter
<b>Place of Sale</b>	The South side of the West front door of Lavaca County Courthouse Annex, 412 North Texana, Hallettsville, Texas in Lavaca County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the Lavaca County Commissioner's Court.
<b>Substitute Trustees</b>	Megan Randle, Ebbie Murphy, Dylan Ruiz, Aarti Patel, Auction.com, Megan Randle, Ebbie Murphy, Elizabeth Anderson, Robert Randle, Selim Taherzadeh, or Michael Linke, any to act
<b>Substitute Trustees' Address</b>	15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

**PROPERTY INFORMATION:**

Legal Description as per the Deed of Trust:

**TRACT ONE:**

**BEING ALL OF LOT 2, BLOCK 2 OF THE REPLAT OF THE OAK RIDGE ADDITION TO THE CITY OF YOAKUM, LAVACA COUNTY, TEXAS, AS RECORDED IN VOLUME 1, PAGE 101 OF THE PLAT RECORDS OF LAVACA COUNTY, TEXAS, AND BEING THE SAME LAND DESCRIBED IN DEED RECORDED IN VOLUME 425, PAGE 984, DEED RECORDS, LAVACA COUNTY, TEXAS.**

**TRACT TWO:**

**ALL THAT CERTAIN TRACT OR PARCEL OF LAND, SITUATED IN LAVACA COUNTY, TEXAS, A PART OF THE JOHN MAY LEAGUE, WITHIN THE CORPORATE LIMITS OF THE CITY OF YOAKUM, MORE PARTICULARLY DESCRIBED AS LOT 8, BLOCK 2 OF THE REPLAT OF THE OAK RIDGE ADDITION TO THE CITY OF YOAKUM, AS RECORDED IN PLAT 1, SLOT 101 OF THE PLAT RECORDS OF SAID LAVACA COUNTY, TEXAS. BEING PART OF THE SAME PROPERTY DESCRIBED IN DEED FROM OSCAR C. KARNEY, ET UX TO JOHNNY LEOPOLD, TRUSTEE, DATED DECEMBER 28, 1984, RECORDED IN VOLUME 372, PAGE 753, DEED RECORDS, LAVACA COUNTY, TEXAS.**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Default has occurred under the Deed of Trust and all sums secured by the Deed of Trust were declared immediately due and payable. The Beneficiary has, or caused another to, removed the Original Trustee and appointed Substitute Trustees. On behalf of the Mortgagee, Mortgage Servicer, and Substitute Trustees, the undersigned is providing this Notice of Trustee's Sale.

TAHERZADEH, PLLC

NOTICE OF TRUSTEE'S SALE- 110-00209

FILED FOR RECORD At 11:14 O'clock A M

AUG 25 2023  
 CLERK  
 COUNTY OF LAVACA, TEXAS  
 Deputy

## NOTICE OF TRUSTEE'S 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 Beneficiary 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.

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 other 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. The sale shall not cover any part of the property that has been released from the lien of 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 Beneficiary 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 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. Purchasers will buy the property "at the purchaser's own risk" and "at his/her peril", and no representation is made concerning the quality of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property.

Pursuant to 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.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee, or any subsequently appointed Trustee, need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

Interested parties are encouraged to consult counsel of their choice prior to participating in the sale of the property.

**Assert and protect your rights as a member of the armed forces of the United States. If you 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.**

Dated August 17, 2023.

*/s/ Selim H. Taherzadeh*

Selim H. Taherzadeh  
15851 N. Dallas Parkway, Suite 410  
Addison, TX 75001  
(469) 729-6800



Return to: **TAHERZADEH, PLLC**  
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