

#38

**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE**

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.

**DEED OF TRUST INFORMATION:**

Date: August 21, 2019  
Grantor(s): Steven C. Lyons, II joined by his wife Janae Lyons  
Original Mortgagee: Mortgage Electronic Registration Systems, Inc., as nominee for Southwest Stage Funding, LLC dba Cascade Financial Services  
Original Principal: \$167,353.00  
Recording Information: Book 1754, Page 253  
Property County: Grimes  
Property: Being all that certain lot, tract or parcel of land lying and being situated in Grimes County, Texas, and being Lot Twenty-seven (27), Block Three (3), INDEPENDENCE ESTATES, a subdivision in Grimes County, Texas, according to plat recorded in Volume 927, page 677, Real Property Records of Grimes County, Texas.  
Property Address: 11687 Independence Drive  
Bedias, TX 77831

**MORTGAGE SERVICING INFORMATION:**

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

Current Mortgagee: Southwest Stage Funding, LLC dba Cascade Financial Services  
Mortgage Servicer: Cascade Financial Services  
Mortgage Servicer Address: 2701 E Insight Way  
Suite 150  
Chandler, AZ 85286

**SALE INFORMATION:**

Date of Sale: May 7, 2024  
Time of Sale: 12:00 PM or within three hours thereafter.  
Place of Sale: The south door of the Grimes County Courthouse, also known as the front door, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.  
Substitute Trustee: Pete Florez, Zachary Florez, Orlando Rosas or Bobby Brown, Padgett Law Group,  
Substitute Trustee Address: Michael J. Burns, Jonathan Smith, Gabrielle A. Davis, or Paige Jones, any to act  
546 Silicon Dr., Suite 103  
Southlake, TX 76092  
TXAttorney@PadgettLawGroup.com

**FILED FOR RECORD**

At 4:09 O'Clock P M

APR 04 2024

PLG File Number: 22-004382-4

VANESSA BURZYNSKI  
COUNTY CLERK, GRIMES COUNTY, TX  
By Barbara Kueich, Deputy

**APPOINTMENT OF SUBSTITUTE TRUSTEE:**

**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.**

The undersigned is the attorney for the mortgagee and/or mortgage servicer, and in such capacity does hereby remove the original trustee and all successor substitute trustees under the above-described Deed of Trust and appoints in their place, any to act, those substitute trustees identified in the SALE INFORMATION section of this notice, whose address is c/o Padgett Law Group, 546 Silicon Dr., Suite 103, Southlake, TX 76092 as Substitute Trustee, who shall hereafter exercise all powers and duties to set aside the said original trustee under said Deed of Trust, and further does hereby request, authorize, and instruct said Substitute Trustees to conduct and direct the execution of remedies set aside to the beneficiary therein.

WHEREAS, the above-named Grantor(s) previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared, such default was reported to not have been cured, and all sums secured by such Deed of Trust are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee under said Deed of Trust has been hereby removed and the herein described Substitute Trustees, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
2. The herein appointed Substitute Trustees, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien imposed by the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be sold "AS-IS", purchaser's will buy the property "at the purchaser's own risk" and "at his peril" and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interest of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.
5. 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 the Mortgagor, the Mortgagee, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.



Michael J. Burns / Jonathan Smith/ Gabrielle A. Davis/ Paige Jones

**CERTIFICATE OF POSTING**

My name is Pete Florez, and my address is c/o Padgett Law Group, 546 Silicon Dr., Suite 103, Southlake, TX 76092. I declare under penalty of perjury that on 4-4-24, I filed at the office of the Grimes County Clerk to be posted at the Grimes County courthouse this notice of sale.

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Declarant's Name: Pete Florez

Date: 4-4-24

Padgett Law Group  
546 Silicon Dr., Suite 103  
Southlake, TX 76092  
TXAttorney@PadgettLawGroup.com  
(850) 422-2520



\*VG-1576-2024-38\*

Grimes County  
Vanessa Burzynski  
Grimes County Clerk

**Instrument Number: 38**

Foreclosure Posting

Recorded On: April 04, 2024 04:09 PM

Number of Pages: 4

**" Examined and Charged as Follows: "**

Total Recording: \$7.00

\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 38  
Receipt Number: 20240404000037  
Recorded Date/Time: April 04, 2024 04:09 PM  
User: Barbara K  
Station: Clerk01

**Record and Return To:**

PETE FLOREZ



STATE OF TEXAS  
Grimes County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Grimes County, Texas

Vanessa Burzynski  
Grimes County Clerk  
Grimes County, TX

*Vanessa Burzynski*