

FILED

2020 OCT 29 AM 11:27

916 DUNLAP ST
MT VERNON, TX 75457

Betty Crane
CLERK COUNTY COURT
FRANKLIN CO. TX

00000009031402

NOTICE OF [SUBSTITUTE] 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.

1. **Date, Time, and Place of Sale.**

Date: December 01, 2020

Time: The sale will begin at 12:00 PM or not later than three hours after that time.

Place: SOUTH STEPS OF THE FRANKLIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated June 09, 2006 and recorded in Document VOLUME 0154, PAGE 830 real property records of FRANKLIN County, Texas, with LATERRIUS D EVANS AND IRMA RODRIGUEZ, grantor(s) and WALTER MORTGAGE SERVICING, INC., mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by LATERRIUS D EVANS AND IRMA RODRIGUEZ, securing the payment of the indebtednesses in the original principal amount of \$33,200.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust VIII is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

6. **Mortgage Servicer Information.** 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 lien securing the Property referenced above. NEWREZ LLC F/K/A NEW PENN FINANCIAL, LLC d/b/a SHELLPOINT MORTGAGE SERVICING, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o NEWREZ LLC F/K/A NEW PENN FINANCIAL, LLC d/b/a SHELLPOINT MORTGAGE SERVICING
55 BEATTIE PLACE
MAILSTOP 015
GREENVILLE, SC 29601



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 as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead HARRIETT FLETCHER, ROBERT LAMONT, RONNIE HUBBARD, SHERYL LAMONT, ALLAN JOHNSTON, RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, SHAWN SCHILLER, PATRICK ZWIERS, DARLA BOETTCHER, IRENE LINDSAY, DANA KAMIN, LISA BRUNO OR SHANNAH WALKER, AL DAVIS, KEVIN MCCARTHY, MURPHY HOWLE, OR BEATRICE CARRILLO whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Israel Saucedo

Certificate of Posting

My name is Kevin McCarthy, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 10/29/2020 I filed at the office of the FRANKLIN County Clerk and caused to be posted at the FRANKLIN County courthouse this notice of sale.



Declarants Name: Kevin McCarthy

Date: 10/29/2020

EXHIBIT "A"

BEING 0.530 ACRE OF LAND SITUATED IN THE S. KEITH SURVEY, ABSTRACT 268, CITY OF MT. VERNON, FRANKLIN COUNTY, TEXAS AND BEING FROM GEORGE HARGRAVES TO RAVAY WICKWARE, JR., DATED APRIL 28, 1999 AND RECORDED IN VOLUME 19, PAGE 155 OF THE DEED RECORDS OF FRANKLIN COUNTY, TEXAS AND BEING THE SOUTH PART OF THAT CERTAIN TRACT NUMBER 95 AS SHOWN ON THE FRANKLIN COUNTY APPRAISAL DISTRICT MAP; SAID 0.530 ACRE OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE ABOVE REFERENCED WICKWARE TRACT AND TRACT NUMBER 95 AND THE NORTHEAST CORNER OF THE ADOLPHIS DUNLAP TRACT AS RECORDED IN VOLUME 167, PAGE 433 OF SAID DEED RECORDS AND BEING IN THE WEST MARGIN OF DUNLAP STREET AND BEING NORTH, A DISTANCE OF 2.1 FEET FROM 3/4 INCH IRON PIPE FOUND AT A FENCE CORNER;

THENCE SOUTH 87 DEGREES 13' 48" WEST, A DISTANCE OF 234.44 FEET WITH THE SOUTH BOUNDARY LINE OF SAID WICKWARE TRACT AND TRACT NUMBER 95 AND THE NORTH BOUNDARY LINE OF SAID DUNLAP TRACT TO A 1/2 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF SAID WICKWARE TRACT AND TRACT NUMBER 95 AND THE NORTHWEST CORNER OF SAID DUNLAP TRACT AND BEING IN THE EAST BOUNDARY LINE OF TRACT NUMBER 77 AS RECORDED IN VOLUME 197, PAGE 347 OF SAID DEED RECORDS;

THENCE NORTH, A DISTANCE OF 98.67 FEET WITH THE WEST BOUNDARY LINE OF SAID WICKWARE TRACT AND TRACT NUMBER 95 AND THE EAST BOUNDARY LINE OF SAID TRACT NUMBER 77 TO A 1/2 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF SAID WICKWARE TRACT AND THE SOUTHWEST CORNER OF THE RESIDUE OF SAID TRACT NUMBER 95;

THENCE NORTH 87 DEGREES 13' 48" EAST, A DISTANCE OF 234.44 FEET WITH THE NORTH BOUNDARY LINE OF SAID WICKWARE TRACT AND THE SOUTH BOUNDARY LINE OF THE RESIDUE OF SAID TRACT NUMBER 95 TO A 1/2 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF SAID RESIDUE TRACT AND BEING IN THE WEST RIGHT-OF-WAY LINE OF DUNLAP STREET;

THENCE SOUTH, A DISTANCE OF 98.67 FEET WITH THE EAST BOUNDARY LINE OF SAID WICKWARE TRACT AND TRACT NUMBER 95 AND THE WEST MARGIN OF DUNLAP STREET BACK TO THE PLACE OF BEGINNING AND CONTAINING 0.530 ACRE OF LAND.