

FILED FOR RECORD

2020 SEP -3 PM 2: 55

108 COUNTY RD 3666
QUEEN CITY, TX 75572

AMY L. VARNELL 0000009034513
CASS COUNTY CLERK

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: October 06, 2020

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: THE NORTHSIDE DOOR OF THE CASS 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 May 18, 2003 and recorded in Document VOLUME 1197, PAGE 707 real property records of CASS County, Texas, with CLEOPHUS NEAL JR AND DEIDRA G NEAL, grantor(s) and JIM WALTER HOMES, INC., mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by CLEOPHUS NEAL JR AND DEIDRA G NEAL, securing the payment of the indebtednesses in the original principal amount of \$197,604.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. The Bank of New York Mellon, as Indenture Trustee, for Mid-State Capital Corporation 2004-1 Trust 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 ROBERT LAMONT, HARRIETT FLETCHER, SHERYL LAMONT, ALLAN JOHNSTON, SHARON ST. PIERRE, OR RONNIE HUBBARD 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 _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on _____ I filed at the office of the CASS County Clerk and caused to be posted at the CASS County courthouse this notice of sale.

Declarants Name: _____

Date: _____

EXHIBIT "A"

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN THE WESLEY BAILEY SURVEY, A-109 IN CASS COUNTY, TEXAS, SAID TRACT BEING A PART OF AND OUT OF THE SE CORNER OF A 10 ACRE TRACT CONVEYED BY FANNIE NEAL TO BILLIE P. NEAL BY DEED DATED JANUARY 7, 1946, AND RECORDED IN VOL. V-9, PAGE 440 OF THE DEED RECORDS OF CASS COUNTY, TEXAS, AND SAID 10 ACRE TRACT ALSO DESCRIBED IN THE FIELD NOTES PREPARED BY FRED W. BARKER, DATED JULY 21, 1955 AND RECORDED IN VOL. 317, PAGE 78 OF THE DEED RECORDED OF CASS COUNTY, TEXAS, AND SAID ONE ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN OLD WORM GEAR STEERING SHAFT SET ON THE WEST BANK OF A SMALL BRANCH FOR THE SOUTHEAST CORNER OF SAID 10 ACRE TRACT AND THE SOUTHEAST CORNER OF THIS TRACT;

THENCE WEST WITH THE SOUTH LINE OF SAID 10 ACRE TRACT 199.60 FT. TO A 1/2" IRON ROD SET ON SAME FOR SOUTHWEST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF A 1.00 ACRE TRACT SURVEYED FOR MRS. DORIS JAMES; OUT OF SAID 10.00 ACRE TRACT;

THENCE N 14-30' E WITH THE EASTERLY LINE OF SAID JAMES TRACT AT 155.00 FT. PASS THROUGH HER NORTHEAST CORNER, IN ALL N 14-30' E 244.00 FT. TO A 1/2" IRON ROD FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE EAST 146.00 FT. TO A 1/2" IRON ROD SET IN SET IN SAID BRANCH FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 1-18' W WITH THE MEANDERS OF SAID BRANCH 236.30 FT. TO THE PLACE OF BEGINNING AND CONTAINING 1.00 ACRE OF LAND.