

20-025846

Notice of Substitute Trustee's Sale

FILED FOR RECORD  
2023 OCT 11 AM 10:33  
CASS COUNTY CLERK  
AMY L. AMMON

Notice Concerning Military Duty: 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. Tex. Prop. Code § 51.002(i)

<b>Deed of Trust Date:</b> December 6, 1996	<b>Original Mortgagor/Grantor:</b> EZELL FISHER AND SHERYL ELAINE FISHER
<b>Original Beneficiary / Mortgagee:</b> ACCUBANC MORTGAGE CORPORATION., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST
<b>Recorded in:</b> <b>Volume:</b> 1022 <b>Page:</b> 510 <b>Instrument No:</b> 6035	<b>Property County:</b> CASS
<b>Mortgage Servicer:</b> NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING	<b>Mortgage Servicer's Address:</b> 55 Beattie Place, Suite 110, MS#001, Greenville, SC 29601

\* 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 property securing the above referenced loan.

**Secures:**Note in the original principal amount of \$42,750.00, executed by EZELL FISHER AND SHERYL ELAINE FISHER and payable to the order of Lender.

**Property Address/Mailing Address:** 907 HANES BLVD, HUGHES SPRINGS, TX 75656

**Legal Description of Property to be Sold:** ALL THAT CERTAIN 0.26 ACRE TRACT OF LAND IN THE CITY OF HUGHES SPRINGS, J.S. BROWN SURVEY, ABSTRACT 100, CASS COUNTY, TEXAS. BEING A PORTION OF A CALLED 12.833 ACRE TRACT DESCRIBED IN VOLUME 589, PAGE 943, CASS COUNTY DEED RECORDS. SAID 0.26 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT: A 1/2" RE-BAR WITH CAP SET ON THE WEST RIGHT-OF-WAY LINE OF TEXAS FARM TO MARKET #250 FOR THE SOUTHEAST CORNER OF A CALLED 1.00 ACRE TRACT DESCRIBED IN VOLUME 265, PAGE 193, THE MOST SOUTHERN SOUTHWEST CORNER OF THE SAID CALLED 12.833 ACRE TRACT, AND THE MOST SOUTHERN CORNER OF THIS TRACT;

THENCE: N 44° 37' 00" E, (BEARINGS BASED ON TEXAS DEPARTMENT OF TRANSPORTATION DATA) ALONG THE WEST RIGHT-OF-WAY LINE OF SAID FARM TO MARKET, 206.74 FT. TO A 1/2" RE-BAR WITH CAP SET FOR THE SOUTHEAST CORNER OF A CALLED 1.00 ACRE TRACT DESCRIBED IN VOLUME 179, PAGE 762, CASS COUNTY DEED OF TRUST RECORDS, AND THE NORTHEAST CORNER OF THIS TRACT; THENCE: N 63° 36' 52" W, ALONG THE SOUTH LINE OF THE SAID CALLED 1.00 ACRE TRACT, 116.48 FT. TO A 1/2" RE-BAR WITH CAP SET ON THE EAST LINE OF THE SAID CALLED 1.00 ACRE TRACT DESCRIBED IN VOLUME 265, PAGE 193, FOR THE SOUTHWEST CORNER OF THE SAID CALLED 1.00 ACRE TRACT DESCRIBED IN VOLUME 179, PAGE 726, CASS COUNTY DEED OF TRUST RECORDS, AND THE NORTHWEST CORNER OF THIS TRACT;

THENCE: S 11° 36' 25" W, ALONG THE EAST LINE OF THE SAID CALLED 1.00 ACRE TRACT DESCRIBED IN VOLUME 265, PAGE 193, 203.08 FT. TO THE PLACE OF BEGINNING CONTAINING 0.26



ACRES OF LAND, MORE OR LESS.

<b>Date of Sale:</b> November 07, 2023
--

<b>Earliest time Sale will begin:</b> 10:00 AM
--

**Place of sale of Property:** Cass County Courthouse, 100 Houston, Linden, TX 75563 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

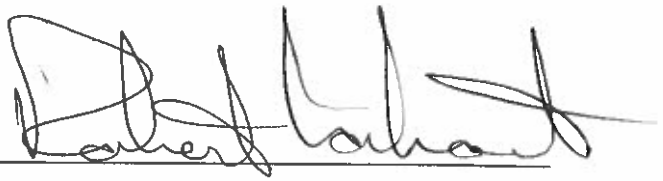
**Appointment of Substitute Trustee:** Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST*, the owner and holder of the Note, has requested Robert LaMont, Harriett Fletcher, Ronnie Hubbard, Sheryl LaMont, Allan Johnston, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Robert LaMont, Harriett Fletcher, Ronnie Hubbard, Sheryl LaMont or Allan Johnston whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

**Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Robert LaMont, Harriett Fletcher, Ronnie Hubbard, Sheryl LaMont, Allan Johnston, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Robert LaMont, Harriett Fletcher, Ronnie Hubbard, Sheryl LaMont or Allan Johnston whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Robert LaMont, Harriett Fletcher, Ronnie Hubbard, Sheryl LaMont, Allan Johnston, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Robert LaMont, Harriett Fletcher, Ronnie Hubbard, Sheryl LaMont or Allan Johnston whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

**Limitation of Damages:** 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 Mortgagor, the Mortgagee, or the Mortgagee's attorney.



SUBSTITUTE TRUSTEE

Robert LaMont, Harriett Fletcher, Ronnie Hubbard, Sheryl LaMont, Allan Johnston, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Auction.com OR Robert LaMont, Harriett Fletcher, Ronnie Hubbard, Sheryl LaMont or Allan Johnston, Trustee Posted October 12, 2023,

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,  
10700 Abbott's Bridge Road, Suite 170, Duluth, Georgia  
30097; PH: (470)321-7112