

POSTED

9/14/2020 2:25

8F

219 COUNTY RD 164
BOILING, TX 77420

0000009067026

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: OUTSIDE THE FRONT ENTRANCE OF THE WHARTON COUNTY COURTHOUSE ANNEX 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 September 28, 2008 and recorded in Document VOLUME 708, PAGE 355 AND VOLUME 721, PAGE 47 real property records of WHARTON County, Texas, with RAYMOND FELDER AND PATRICIA GRIGGS, grantor(s) and JIM WALTER HOMES, INC., mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by RAYMOND FELDER AND PATRICIA GRIGGS, securing the payment of the indebtednesses in the original principal amount of \$145,058.00, 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 2010-1 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 PATSY ANDERSON, SUE CROW, DEBBY JURASEK, REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, BRIAN CORMIER, NICOLE PETE, MERRY CHRIS BISHOP OR SAMUEL DAFFIN II 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 Brian Cormier, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 9-14-2020 I filed at the office of the WHARTON County Clerk and caused to be posted at the WHARTON County courthouse this notice of sale.



Declarants Name: Brian Cormier

Date: 9-14-2020

0000009067026

WHARTON

EXHIBIT "A"

A 0.93 AC. TRACT OF LAND, SITUATED IN THE SETH INGRAM LEAGUE NO. 12, ABSTRACT NO. 33, WHARTON COUNTY, TEXAS, BEING THAT CERTAIN CALLED 1 AC. TRACT OF LAND CONVEYED FROM MARY JANE BOGAN TO FRANK ROBERSON IN DEED DATED OCTOBER 7, 1950, RECORDED IN VOLUME 243, PAGE 333, OF THE WHARTON COUNTY DEED RECORDS; SAID 0.93 AC. TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

FOR REFERENCE BEGIN AT A POINT IN THE SOUTH LINE OF A CALLED 50.7654 AC. TRACT OF LAND CONVEYED TO RUSSELL S. STANGER, III, ETUX (VOL. 38, PG. 31; O.R.) FOR THE NORTHEAST CORNER OF A CALLED 3 AC. TRACT OF LAND CONVEYED TO JOE MATHEWS (VOL. 255, PG. 290; D.R.), SAME BEING THE NORTHWEST CORNER OF A CALLED 2 AC. TRACT OF LAND CONVEYED TO MARY JANE BOGAN (VOL. 228, PG. 78; D.R.), FROM WHICH 50.7654 AC. TRACT, SAME BEING THE NORTHWEST CORNER OF ANOTHER CALLED 2 AC. TRACT OF LAND CONVEYED TO MARY JAN BOGIN (VOL. 247, PG. 376; D.R.) BEARS, NORTH 45 DEG. 00 MIN. 00 SEC. WEST (REFERENCE BEARING), 581.78 FT. (CALL & MEAS.);

THENCE SOUTH 45 DEG. 00 MIN. 00 SEC. EAST (REFERNCE BEARING), WITH THE COMMON LINE BETWEEN SAID MARY JANE BOGAN 2 AC. TRACT (228/78; D.R.), AND SAID 50.7654 AC. TRACT, 89.89 FT. TO A 5/8 INCH IRON ROD CAPPED #2320, SET FOR THE NORTHWEST AND BEGINNING CORNER HEREOF;

THENCE SOUTH 45 DEG. 00 MIN. 00 SEC. EAST (REFERENCE BEARING), CONTINUING WITH THE SOUTH LINE OF SAID 50.7654 AC. TRACT, 89.14 FT. TO A 5/8 INCH IRON ROD CAPPED #2320, SET FOR THE NORTHEAST CORNER HEREOF, SAME BEING THE NORTHEAST CORNER OF SAID MARY JANE BOGAN 2 AC. TRACT (228/78; D.R.), AND THE NORTHWEST CORNER OF A CALLED 2 AC. TRACT OF LAND CONVEYED TO GENARG CARIASCO (VOL. 229, PG. 223; D.R.);

THENCE SOUTH 45 DEG. 11 MIN. 00 SEC. WEST, 452.36 FT. (CALLED NORTH 45 DEG. 11 MIN. EAST, 157.42 VARES = 437.28 FT.) TO A 5/8 INCH IRON ROD CAPPED #2320, SET IN THE NORTH COUNTY ROAD NO. 164 (MEAS. 60 FT. WIDE), FOR THE SOUTHWEST CORNER OF SAID CARIASCO TRACT, SAME BEING THE SOUTHEAST CORNER OF SAID MARY JANE BOGAN 2 AC. TRACT (228/78; D.R.), AND THE SOUTHEAST CORNER HEREOF;

THENCE NORTH 47 DEG. 23 MIN. 55 SEC. WEST (CALLED NORTH 48 DEG. 26 MIN. WEST), WITH THE NORTH LINE OF SAID ROAD, SAME BEING WITH THE SOUTH LINE OF SAID MARY JANE BOGAN 2 AC. TRACT (228/78;D.R.), 89.23 FT. TO A 5/8 INCH IRON ROD CAPPED #2320, SET FOR THE SOUTHWEST CORNER HEREOF;

THENCE NORTH 45 DEG. 11 MIN. 00 SEC. EAST, 456.10 FT. TO THE PLACE OF BEGINNING AND CONTAINING 0.93 AC. OF LAND.

C

NOTICE OF TRUSTEE'S SALE

POSTED

9/14/2020 10:51
SF

DATE: September 10, 2020

DEED OF TRUST

Date: April 12, 2019

Grantor: Steven Walstrom
Katelyn Walstrom
PO Box 283
Boling, TX 77420

Beneficiary: Sandstone Capital III, LP
PO Box 423
Centerville, TX 75833

Substitute Trustee: Tim Franklin
PO Box 423
Centerville, TX 75833

Recording Information: Bk. 1132, Pg. 221-231, Official Public Records, Wharton County, Texas

Property: *Tr. 313 of Colt Ranch and Land Partners I, LP, being 10.069 acres of land in the Seth Ingram Survey, No. 12, A-33, in Wharton County, Texas, as more fully described by metes and bounds in Exhibit "A" attached hereto, together with the 300's No-Build Tract as described in Exhibit "B" attached hereto, and the 120' Driveway Easement for 300's Tracts as described in Exhibit "C" attached hereto.*

Note

Date: April 12, 2019

Amount: \$73,517.00

Debtor: Steven Walstrom and Katelyn Walstrom

Holder: Sandstone Capital III, LP

~~**DATE OF SALE OF PROPERTY: October 6, 2020**~~

EARLIEST TIME OF SALE OF PROPERTY: 10:00 a.m.

LOCATION OF SALE: Wharton, Texas, at the Wharton County Courthouse in the area designated for the conduct of foreclosure sales by the Commissioners of said County.

Because of default in performance of the obligations of the Deed of Trust, Trustee will sell the property at public auction to the highest bidder for cash at the place and date specified to satisfy the debt secured by the Deed of Trust. The sale will begin at the earliest time stated above or within three hours after that time.

Grantor has failed to perform obligations set out in the deed of trust, and in accordance with provisions of that instrument, Beneficiary has declared the debt that is secured immediately due and requests that the property it conveys be sold in a Trustee's Sale.

Beneficiary also appoints Trustee to act in accordance with the Deed of Trust and to sell the Property. Beneficiary requests copies of the Notice of Trustee's Sale so that the notice of the sale can be filed and furnished to Grantor in accordance with §51.002 of the Texas Property Code.



TIM FRANKLIN

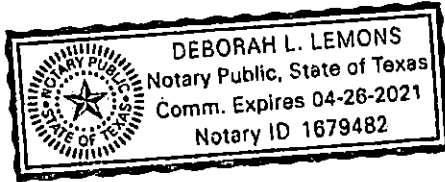
(ACKNOWLEDGMENT)

STATE OF TEXAS §

COUNTY OF LEON §

This instrument was acknowledged before me on September 10, 2020 by Tim Franklin.


NOTARY PUBLIC, STATE OF TEXAS



**Colt Ranch and Land Co.
Tract 313**

DESCRIPTION

Of 10.069 acres of land out of a called 247.18 acre tract (Tract 2) conveyed by deed dated July 6, 2015 from Triple L Farms, LLC, to Colt Ranch and Land Partners I, L.P., as recorded in Wharton County Clerk's File No. 2015-00003381 of the Deed Records of Wharton County, Texas, and being in Book 992, Pages 867-878 of the Deed Records of Wharton County, Texas, said 10.069 acres being located in the Seth Ingram Survey Number 12, Abstract Number 33, Wharton County, Texas and being more particularly described by metes and bounds as follows (bearings based on NAD 83 State Plane Coordinates South Central Zone);

COMMENCING at a 60d nail in fence post being the west corner of said 247.18 acres, same being in the east line of Teague Road (R.O.W. Varies) and being the north corner of a called 6.81 acres tract (Tract 5) conveyed by said deed in Wharton County Clerk's File No. 2015-00003381 and being in the southeast line of a called 10 acres Ida Mills tract as recorded in Book 601, Page 441 of the Deed Records of Wharton County, Texas;

THENCE South 36° 18' 11" East along the east line of said 6.81 acres, for a distance of 190.69 feet (called 191.82) to a fence post found for corner;

THENCE South 19° 20' 17" East continuing along the east line of said 6.81 acres, for a distance of 25.51 feet (called 26.43) to a fence post found for corner;

THENCE South 10° 10' 48" East continuing along the east line of said 6.81 acres, for a distance of 1065.42 feet (call 1063.24) to a ½ inch Iron rod found for corner;

THENCE South 08° 30' 51" East continuing along the east line of said 6.81 acres, for a distance of 901.92 feet (call 901. 81') to a ½ inch iron rod found for corner;

THENCE South 05° 32' 55" East continuing along the east line of said 6.81 acres, for a distance of 264.75 feet to a 5/8 inch Iron rod with LJA cap set for the **PLACE OF BEGINNING** of the herein described tract of land;

THENCE North 42° 32' 08" East for a distance of 1369.81 feet to a 5/8 Inch Iron rod with LJA cap found for corner;

THENCE South 16° 46' 05" East for a distance of 360.00 feet to a 5/8 Inch Iron rod with LJA cap found for corner;

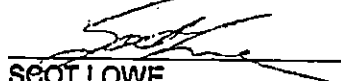
THENCE South 42° 32' 08" West for a distance of 1463.94 to a 5/8 Inch Iron rod with LJA cap found for corner in the east line of said 6.81 acres;

EXHIBIT A

7/27/2017
10.069 ACRES
SETH INGRAM SURVEY NUMBER 12, ABSTRACT NUMBER 33
WHARTON COUNTY, TEXAS

THENCE North 05° 32' 55" West along the east line of said 6.81 acres for a distance of 416.00 feet to the **PLACE OF BEGINNING** of the herein described tract of land and containing within these calls 10.069 acres or 438,605 square feet of land.

WITNESS MY HAND AND SEAL THIS THE 27th DAY OF JULY, 2017


SCOT LOWE
R.P.L.S. 5007
T.B.P.L.S. Firm No. 10193971
METES AND BOUNDS PREPARED IN CONJUNCTION WITH
EXHIBIT DATED 7/27/2017 PROJECT NO. EHS045-1501

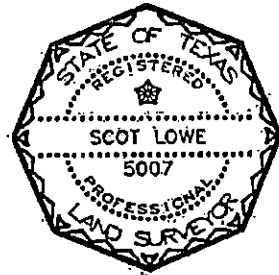


EXHIBIT A

**Colt Ranch and Land Co.
300's No-Build Tract**

DESCRIPTION

Of 20.845 acres of land out of a called 247.18-acre tract (Tract 2) conveyed by deed dated July 2, 2015 from Triple L Farms, LLC, to Colt Ranch and Land Partners I, L.P., as recorded in Wharton County Clerk's File No. 2015-00003381 of the Deed Records of Wharton County, Texas, and being in Book 992, Pages 867-878 of the Deed Records of Wharton County, Texas, said 20.845 acres being located in the Seth Ingram Survey Number 12, Abstract Number 33, Wharton County, Texas and being more particularly described by metes and bounds as follows (bearings based on NAD 83 State Plane Coordinates South Central Zone);

COMMENCING at a 60d nail in fence post being the west corner of said 247.18 acres, same being in the east line of Teague Road (R.O.W. Varies) and being the north corner of a called 6.81 acres tract (Tract 5) conveyed by said deed in Wharton County Clerk's File No. 2015-00003381 and being in the southeast line of a called 10 acres Ida Mills tract as recorded in Book 601, Page 441 of the Deed Records of Wharton County, Texas;

THENCE South 36° 18' 11" East along the east line of said 6.81 acres, for a distance of 190.69 feet (called 191.82) to a fence post found for corner;

THENCE South 19° 20' 17" East continuing along the east line of said 6.81 acres, for a distance of 25.51 feet (called 26.43) to a fence post found for corner;

THENCE South 10° 10' 48" East continuing along the east line of said 6.81 acres, for a distance of 1065.42 feet (called 1063.24) to a ½ inch iron rod found for corner;

THENCE South 08° 30' 51" East continuing along the east line of said 6.81 acres, for a distance of 730.91 feet to a 5/8 inch iron rod with LJA cap found for the **PLACE OF BEGINNING** of the herein described easement;

THENCE North 42° 32' 08" East for a distance of 865.44 feet to a 5/8 inch iron rod with LJA cap found for corner;

THENCE South 47° 37' 05" East for a distance of 30.00 feet to a 5/8 inch iron rod with LJA cap found for corner;

THENCE North 42° 32' 08" East for a distance of 485.00 feet to a 5/8 inch iron rod with LJA cap found for corner;

THENCE South 47° 37' 05" East for a distance of 30.00 feet to a 5/8 inch iron rod with LJA cap found for corner;

THENCE North 42° 32' 08" East for a distance of 450.00 feet to a 5/8 inch iron rod with LJA cap found for corner;

EXHIBIT B

THENCE South 47° 37' 05" East for a distance of 30.00 feet to a 5/8 Inch iron rod with LJA cap found for corner;

THENCE North 42° 32' 08" East for a distance of 1340.85 feet to a 5/8 inch iron rod with LJA cap found for the beginning of a curve to the right;

THENCE along said curve having a radius of 125.00 feet, a central angle of 236° 42' 55", a chord bearing and distance of S 47° 27' 52" E - 220.00 feet, and an arc length of 516.43 feet to a 5/8 inch iron rod with LJA cap found for corner;

THENCE South 42° 32' 08" West for a distance of 1615.26 feet to a 5/8 Inch Iron rod with LJA cap found for corner;

THENCE South 47° 37' 05" East for a distance of 10.00 feet to a 5/8 inch iron rod with LJA cap found for corner;

THENCE South 42° 32' 08" West for a distance of 440.81 feet to a 5/8 Inch Iron rod with LJA cap found for corner;


THENCE South 47° 27' 52" East for a distance of 30.00 feet to a 5/8 inch iron rod with LJA cap found for corner;

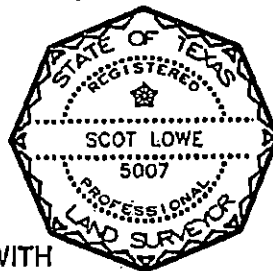
THENCE South 42° 32' 08" West for a distance of 1369.81 feet to a 5/8 Inch Iron rod with LJA cap found for corner in the east line of said 6.81 acres;

THENCE North 05° 32' 55" West along the east line of said 6.81 acres for a distance of 264.75 feet to a 1/2 inch Iron rod found for corner;

THENCE North 08° 30' 51" West continuing along the east line of said 6.81 acres for a distance of 171.01 feet to the **PLACE OF BEGINNING** of the herein described tract of land and containing within these calls 20.845 acres or 907,996 square feet of land.

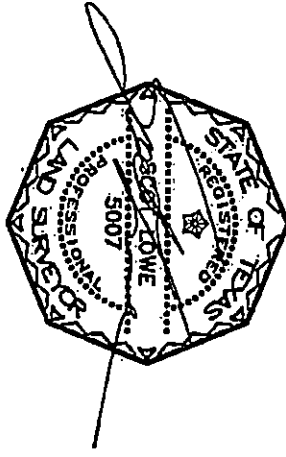
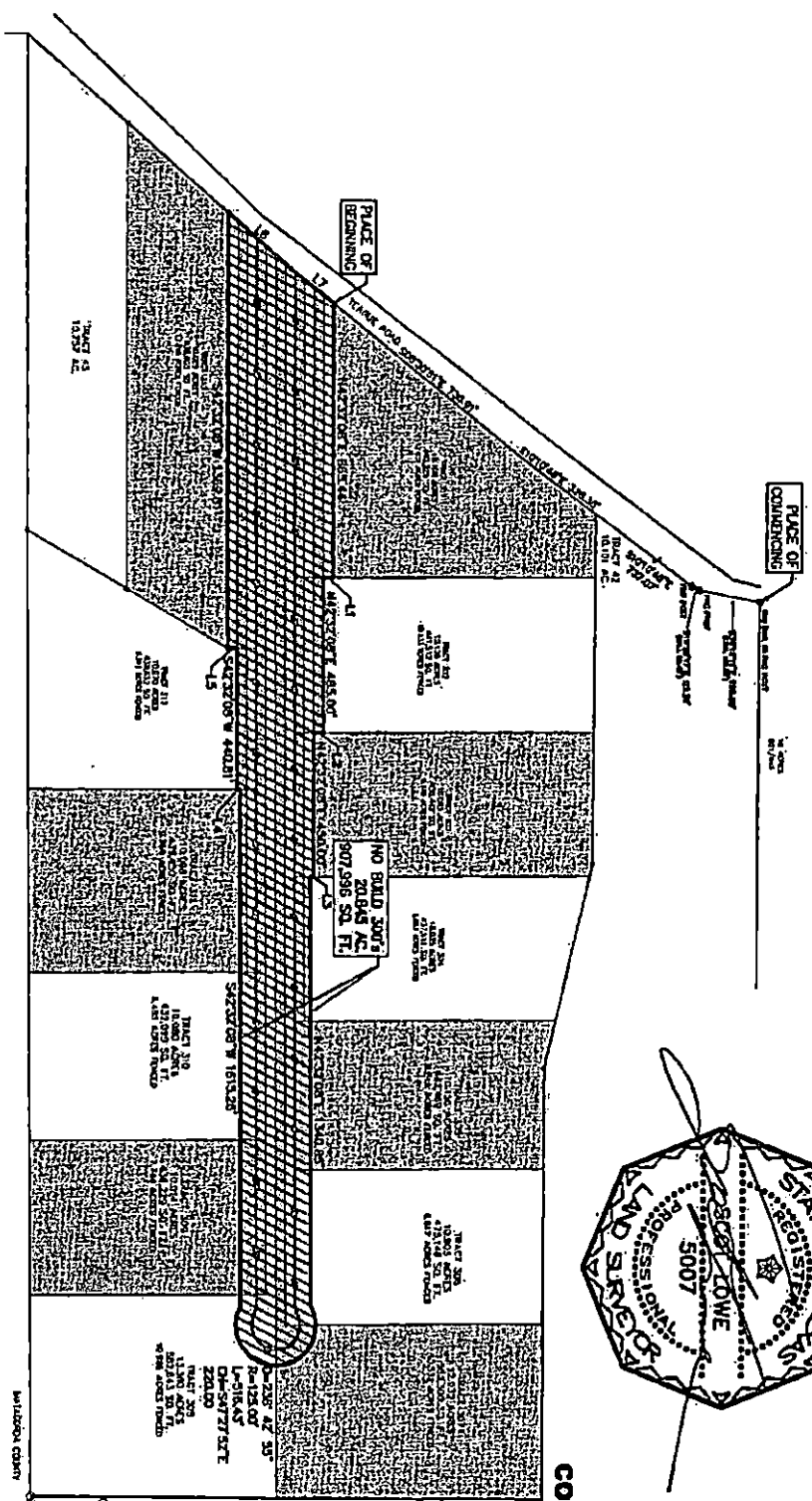
WITNESS MY HAND AND SEAL THIS THE 27th DAY OF JULY, 2017


SCOT LOWE
R.P.L.S. 5007
T.B.P.L.S. Firm No. 10193971



METES AND BOUNDS PREPARED IN CONJUNCTION WITH
EXHIBIT DATED 7/25/2017 PROJECT NO. EHS045-1501

EXHIBIT B



COLT LAND AND RANCH CO.

**EXHIBIT OF
300'S NO-BUILD TRACT**



DIAGRAM NOT TO SCALE

Line Table		
Line #	Direction	Length
L1	S47° 37' 00" E	30.00'
L2	S47° 37' 00" E	30.00'
L3	S47° 37' 00" E	10.00'
L4	S47° 37' 00" E	10.00'
L5	S47° 37' 00" E	30.00'
L6	N00° 00' 00" W	20.00'
L7	N00° 00' 00" W	17.00'

EXHIBIT B

Colt Ranch and Land Co.
120' Driveway Easement for 300's Tracts

DESCRIPTION

Of 9.455 acres of land out of a called 247.18 acre tract (Tract 2) conveyed by deed dated July 2, 2015 from Triple L Farms, LLC, to Colt Ranch and Land Partners I, L.P., as recorded in Wharton County Clerk's File No. 2015-00003381 of the Deed Records of Wharton County, Texas, and being in Book 992, Pages 867-878 of the Deed Records of Wharton County, Texas, said 9.455 acres being located in the Seth Ingram Survey Number 12, Abstract Number 33, Wharton County, Texas and being more particularly described by metes and bounds as follows (bearings based on NAD 83 State Plane Coordinates South Central Zone);

COMMENCING at a 60d nail in fence post being the west corner of said 247.18 acres, same being in the east line of Teague Road (R.O.W. Varies) and being the north corner of a called 6.81 acres tract (Tract 5) conveyed by said deed in Wharton County Clerk's File No. 2015-00003381 and being in the southeast line of a called 10 acres Ida Mills tract as recorded in Book 601, Page 441 of the Deed Records of Wharton County, Texas;

THENCE South 36° 18' 11" East along the east line of said 6.81 acres, for a distance of 190.69 feet (called 191.82) to a fence post found for corner;

THENCE South 19° 20' 17" East continuing along the east line of said 6.81 acres, for a distance of 25.51 feet (called 26.43) to a fence post found for corner;

THENCE South 10° 10' 48" East continuing along the east line of said 6.81 acres, for a distance of 1065.42 feet (called 1063.24) to a ½ inch Iron rod found for corner;

THENCE South 08° 30' 51" East continuing along the east line of said 6.81 acres, for a distance of 885.21 feet to a "T" post set for the **PLACE OF BEGINNING** of the herein described easement;

THENCE North 42° 32' 08" East for a distance of 3238.48 feet to a "T" post set for the beginning of a curve to the left;

THENCE along said curve having a radius of 50.00 feet, a central angle of 28° 21' 27", a chord bearing and distance of N 28° 21' 24" E - 24.49 feet, and an arc length of 24.75 feet to a "T" post set for the beginning of a reverse curve around a cul-de-sac;

THENCE along said curve having a radius of 75.00 feet, a central angle of 236° 42' 55", a chord bearing and distance of S 47° 27' 52" E - 132.00 feet, and an arc length of 309.86 feet to a "T" post set for the beginning of another reverse curve;

THENCE along said curve having a radius of 50.00 feet, a central angle of 28° 21' 27", a chord bearing and distance of S 56° 42' 51" W - 24.49 feet, and an arc length of 24.75 feet to a "T" post set for tangent;

EXHIBIT C


7/25/2017
9.455 ACRES
SETH INGRAM SURVEY NUMBER 12, ABSTRACT NUMBER 33,
WHARTON COUNTY, TEXAS.

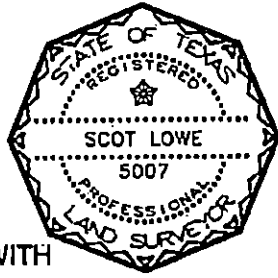
THENCE South 42° 32' 08" West for a distance of 3345.05 feet to a 5/8 inch iron rod with LJA cap found for corner in the east line of said 6.81 acres;

THENCE North 05° 32' 55" West along the east line of said 6.81 acres for a distance of 143.80 feet to a 1/2 inch iron rod found for corner;

THENCE North 08° 30' 51" West continuing along the east line of said 6.81 acres for a distance of 16.71 feet to the **PLACE OF BEGINNING** of the herein described tract of land and containing within these calls 9.455 acres or 411,863 square feet of land.


WITNESS MY HAND AND SEAL THIS THE 27th DAY OF JULY, 2017


SCOT LOWE
R.P.L.S. 5007
T.B.P.L.S. Firm No. 10193971



METES AND BOUNDS PREPARED IN CONJUNCTION WITH
EXHIBIT DATED 7/25/2017 PROJECT NO. EHS045-1501

*Pd. 66.00
See pg. 4*

2019-00002257
STATE OF TEXAS COUNTY OF WHARTON
I, hereby certify that this document was filed on the date
and time stamped and was recorded
on 04/29/2018 8:47 AM
Barbara Swats
COUNTY CLERK, Wharton County, Texas
By:  Deputy

SCANNED

EXHIBIT C

POSTED

9/3/2020 2:15

BF

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: May 15, 2007

Grantor(s): Jason Pullin a/k/a J. Pullin and Elena Pullin a/k/a Elena Garcia a/k/a E. Pullin and Marcus Garcia and Elisa Garcia a/k/a Elesa Garcia

Original Mortgagee: Jim Walter Homes, Inc.

Original Principal: \$80,561.00

Recording Information: Volume 698, Page 828

Property County: Wharton

Property: Tract No. 2: A lot 150 feet x 150 feet out of Farm Block No. Nine (9) and a portion of that tract of land described in deed from R. F. Roome to M. E. Burge dated the 8th day of April, 1971, recorded in Volume 414, Page 615, Deed Records of Wharton County, Texas, and described by metes and bounds as follows: BEGINNING at the corner of Pearl Street and Hackberry Street in the Town of Louise, Wharton County, Texas; THENCE in an Easterly direction, along the Southern boundary line of Hackberry Street. A distance of 150 feet; THENCE in a Southerly direction, parallel with the Eastern boundary line of Pearl Street, a distance of 150 feet; THENCE in a Westerly direction, parallel to Hackberry Street to the Eastern boundary line of Pearl Street; THENCE in a Northerly direction, along the Eastern boundary line of Pearl Street, to the PLACE OF BEGINNING and being the same land as described in Deed dated October 25, 1973, from M. E. Burge and wife, Fabiola Burge to Gilbert Garcia and wife, Raphela Garcia, recorded in Volume 438, Page 677, of the Deed Records of Wharton County, Texas.

Property Address: 917 Hackberry
Louise, TX 77455

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: The Bank of New York Mellon, as Indenture Trustee, for Mid-State Capital Corporation 2010-1 Trust

Mortgage Servicer: Shellpoint Mortgage Servicing

Mortgage Servicer Address: 55 Beattie Place, Suite 100 MS 561
Greenville, SC 29601

SALE INFORMATION:

PLG File Number: 20-021364-1

~~Date of Sale: October 6, 2020~~

Time of Sale: 10:00 am or within three hours thereafter.

Place of Sale: Outside the front entrance of the Wharton County Courthouse Annex 309 East Milam, Wharton, Texas and during inclement weather foreclosure sales are held in the foyer of the Wharton County Courthouse Annex, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court 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: Patsy Anderson, Elizabeth Anderson, or Jonathan Cole Emert, any to act

Trustee:

Substitute Trustee Address: 5501 East LBJ Frwy, Ste. 925

Trustee Address: Dallas, TX 75240

WHEREAS, the above-named Grantor 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 has been removed and Patsy Anderson, Elizabeth Anderson, or Jonathan Cole Emert, any to act, 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. Patsy Anderson, Elizabeth Anderson, or Jonathan Cole Emert, 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 Mortgagee, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.

Padgett Law Group
6267 Old Water Oak Road
Suite 203
Tallahassee, FL 33213
(850) 422-2520

WITNESS MY HAND this 3rd day of September, 2020.

Patsy Anderson

Megan Randle-Bender or Chloe Christensen or
Patsy Anderson or Carol Kelly or Debby Jurasek
or Rebecca Bolton

POSTED
8/27/2020 2:46
8F

Notice of Substitute Trustee's Sale

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)

Deed of Trust Date: February 19, 2008	Original Mortgagor/Grantor: LAWRENCE N. STITES AND MARSHA STITES
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR BENCHMARK MORTGAGE LLC., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: NEWREZ MORTGAGE LLC D/B/A SHELLPOINT MORTGAGE SERVICING
Recorded in: Volume: 734 Page: 460 Instrument No: N/A	Property County: WHARTON
Mortgage Servicer: NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING	Mortgage Servicer's Address: 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 \$150,000.00, executed by LAWRENCE N. STITES AND MARSHA STITES and payable to the order of Lender.

Property Address/Mailing Address: 3716 PEACH CREEK DR, WHARTON, TX 77488

Legal Description of Property to be Sold: A 1.00 AC. TRACT OF LAND, SITUATED IN THE S.F. AUSTIN LEAGUE NO. 3, ABSTRACT NO. 3, WHARTON COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CALLED 8.649 AC. TRACT OF LAND REFERRED TO AS A LOT TWENTY-SEVEN (27), PEACH CREEK ACRES, AN UNPLATTED SUBDIVISION, CONVEYED TO LAWRENCE N. STITES IN DEED RECORDED IN VOLUME 862, PAGE 448, OF THE WHARTON COUNTY DEED RECORDS; SAID 1.00 AC. TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

FOR REFERENCE BEGIN AT A ½ INCH IRON ROD FOUND IN THE NORTHWEST LINE OF PEACH CREEK DRIVE (80 FT. WIDE- 487/61; D.R.) FOR THE SOUTHEAST CORNER OF SAID LOT 27, SAME BEING THE SOUTHWEST CORNER OF LOT 28, OF SAID UNPLATTED SUBDIVISION;

THENCE SOUTH 80 DEG. 17MIN. 00 SEC. WEST (REFERENCE BEARING), WITH THE NORTHWEST LINE OF SAID PEACH CREEK DRIVE, 35.42 FT. TO A 5/8 INCH IRON ROD CAPPED #2320, SET FOR THE SOUTHEAST AND BEGINNING CORNER HEREOF;

THENCE SOUTH 80 DEG. 17 MIN. 00 SEC. WEST, CONTINUING WITH THE NORTHWEST LINE OF SAID PEACH CREEK DRIVE, 25.85 FT. TO A 5/8 INCH IRON ROD CAPPED #2320, SET FOR THE LOWER SOUTHWEST CORNER HEREOF;

THENCE NORTH 05 DEG. 01 MIN. 39 SEC. EAST, 234.92 FT. TO A 5/8 INCH IRON ROD CAPPED #2320, SET OF AN INTERIOR CORNER HEREOF;

THENCE NORTH 84 DEG. 58 MIN. 21 SEC. WEST, 151.44 FT. TO A 5/8 INCH IRON ROD CAPPED #2320,

SET FOR THE UPPER SOUTHWEST CORNER HEREOF;

THENCE NORTH 05 DEG. 01 MIN. 39 SEC. EAST, 223.97 FT. TO A 5/8 INCH IRON ROD CAPPED #2320, SET OF THE NORTHWEST CORNER HEREOF;

THENCE SOUTH 78 DEG. 34 MIN. 05 SEC. EAST, 177.55 FT. TO A 5/8 INCH IRON ROD CAPPED #2320, SET FOR THE NORTHEAST CORNER HEREOF;

THENCE SOUTH 05 DEG. 01 MIN. 39 SEC. WEST, 432.50 FT. TO THE PLACE OF BEGINNING AND CONTAINING 1.00 AC. OF LAND.

NOTE: THE NORTHWEST LINE OF PEACH CREEK DRIVE WHICH BEARS, SOUTH 80 DEG. 17 MIN. 00 SEC. WEST, IS THE REFERENCE BEARING OF RECORD THAT THIS SURVEY IS BASED ON.

NOTE: A PLAT ACCOMPANIES THIS METES & BOUNDS DESCRIPTION.

Date of Sale: October 06, 2020	Earliest time Sale will begin: 10:00 AM
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Place of sale of Property: OUTSIDE THE FRONT ENTRANCE OF THE WHARTON COUNTY COURTHOUSE ANNEX, 309 EAST MILAM, WHARTON COUNTY, TX, DURING SUITABLE WEATHER AND IN THE FOYER OF SAID ANNEX DURING INCLEMENT WEATHER 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, *NEWREZ MORTGAGE LLC D/B/A SHELLPOINT MORTGAGE SERVICING*, the owner and holder of the Note, has requested Patsy Anderson, Sue Crow, Debbie Jurasek, Reid Ruple, Kathleen Adkins, Evan Press, Mariel Marroquin whose address is 1 Mauchly Irvine, CA 92618 or Patsy Anderson, Sue Crow, Debbie Jurasek 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 *NEWREZ MORTGAGE LLC D/B/A SHELLPOINT MORTGAGE SERVICING* 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, Patsy Anderson, Sue Crow, Debbie Jurasek, Reid Ruple, Kathleen Adkins, Evan Press, Mariel Marroquin whose address is 1 Mauchly Irvine, CA 92618 or Patsy Anderson, Sue Crow, Debbie Jurasek 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 Patsy Anderson, Sue Crow, Debbie Jurasek, Reid Ruple, Kathleen Adkins, Evan Press, Mariel Marroquin whose address is 1 Mauchly Irvine, CA 92618 or Patsy Anderson, Sue Crow, Debbie Jurasek 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

Patsy Anderson, Sue Crow, Debbie Jurasek, Reid Ruple,
Kathleen Adkins, Evan Press, Mariel Marroquin, Trustee

c/o RAS CRANE, LLC, 10700 Abbott's Bridge Road, Suite
170, Duluth, Georgia 30097; PH: (470)321-7112

THIGPEN, SPENCER
4346 COUNTY RD 384, LOUISE, TX 77455

VA 62-62-6-1373313
Firm File Number: 20-035632

POSTED
8/10/2020 1:20
OF

NOTICE OF TRUSTEE'S SALE

WHEREAS, on July 12, 2019, SPENCER DAVID THIGPEN AND JAMIE ELIZABETH THIGPEN, HUSBAND AND WIFE, as Grantor(s), executed a Deed of Trust conveying to CHRIS PEIRSON, as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR BROKER SOLUTIONS, INC. DBA NEW AMERICAN FUNDING, ITS SUCCESSORS AND ASSIGNS in payment of a debt therein described. The Deed of Trust was filed in the real property records of WHARTON COUNTY, TX and is recorded under Clerk's File/Instrument Number 2019-00003869 Volume 1140, Page 693, to which reference is herein made for all purposes.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon contingency and in the manner authorized by said Deed of Trust; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, October 6, 2020 between ten o'clock AM and four o'clock PM and beginning not earlier than 10:00 AM or not later than three hours thereafter, the Substitute Trustee will sell said Real Estate in the area designated by the Commissioners Court, of Wharton county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

Said Real Estate is described as follows: In the County of Wharton, State of Texas:

ALL THAT CERTAIN 1.000 ACRE OF LAND BEING THAT SAME CALLED 1.00 ACRE TRACT CONVEYED TO CLINT AND AMANDA COX IN VOLUME 1028, PAGE 95 OF THE WHARTON COUNTY OFFICIAL RECORDS AND BEING OUT OF A CALLED 17.7845 ACRE TRACT CONVEYED TO PAMELA S. HUBENAK IN VOLUME 897, PAGE 399, OF THE WHARTON COUNTY OFFICIAL RECORDS AND SITUATED IN THE S.P. MIDDLETON LEAGUE, ABSTRACT 269, WHARTON COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS USING SURVEY TERMINOLOGY WHICH REFERS TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83, IN WHICH THE DIRECTIONS ARE LAMBERT GRID BEARINGS AND THE DISTANCES ARE HORIZONTAL, SURFACE LEVEL LENGTHS AS FOLLOWS:

Property Address: 4346 COUNTY RD 384
LOUISE, TX 77455

Mortgagee: BROKER SOLUTIONS INC. DBA NEW AMERICAN FUNDING
11001 LAKELINE BLVD.
NO. 325
AUSTIN, TX 78717



SUBSTITUTE TRUSTEE
Patsy Anderson, Sue Crow, Carol Kelly, or Debbie Jurasek
c/o Shapiro Schwartz, LLP
13105 Northwest Freeway, Suite 1200
Houston, TX 77040
(713) 462-2565

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 military service to the sender of this notice immediately.

EXHIBIT "A"

ALL THAT CERTAIN 1.000 ACRE of land being that same called 1.00 acre tract conveyed to Clint and Amanda Cox in Volume 1028, Page 95 of the Wharton County Official Records and being out of a called 17.7845 acre tract conveyed to Pamela S. Hubenak in Volume 897, Page 399 of the Wharton County Official Records and situated in the S. P. Middleton League, Abstract 269, Wharton County, Texas and more particularly described by metes and bounds using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone, NAD 83, in which the directions are Lambert Grid bearings and the distances are horizontal, surface level lengths as follows:

COMMENCING at a found 1" iron pipe marking the northeast corner of the said Pamela S. Hubenak 17.7845 acre tract, same being the northwest corner of the Tucker Ruth Koenig Family Trust called 51.77 acre tract recorded in Volume 794, Page 900 of the Wharton County Official Records;

THENCE South 01°34'05" East, coincident with the east line of said Pamela S. Hubenak 17.7845 acre tract, same being the west line of said Tucker Ruth Koenig Family Trust 51.77 acre tract, a distance of 1671.66 feet to a found 5/8" iron rod for the POINT OF BEGINNING of the herein described tract;

THENCE South 01°34'05" East, continuing coincident with the east line of said Pamela S. Hubenak 17.7845 acre tract, same being the east line of said Cox 1.00 acre tract, same being the west line of said Tucker Ruth Koenig Family Trust 51.77 acre tract, a distance of 332.78 feet to a point for corner in the north right-of-way line of County Road 384 and from which a found 1" iron pipe bears South 01°34'05" East, a distance of 2.00 feet;

THENCE South 88°19'55" West, coincident with the north right-of-way line of County Road 384, same being the south line of said Pamela S. Hubenak 17.7845 acre tract, same being the south line of said Cox 1.00 acre tract, a distance of 130.90 feet to a found 5/8" iron rod for corner;

THENCE North 01°34'05" West, coincident with west line of said Cox 1.00 acre tract, a distance of 332.78 feet to a set 5/8" iron rod for corner;

THENCE North 88°19'55" East, coincident with the north line of said Cox 1.00 acre tract, a distance of 130.90 feet to the POINT OF BEGINNING, containing 1.000 acre of land, more or less.

[Handwritten signatures]

MID-COAST TITLE CO., INC.
111 N. Fulton
Wharton, TX 77488

STATE OF TEXAS COUNTY OF WHARTON
I, hereby certify that this document was filed on the date
and time stamped and was recorded
on 07/17/2019 12:09 PM

2019-00003869

Barbara Swatek



COUNTY CLERK, Wharton County, Texas
By: *[Signature]* Deputy

SCANNED