

C&M No. 44-22-0495/ FILE NOS

AUG 25 2022

**NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE
TRUSTEE**

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX
BY _____ DEP

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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated May 14, 2018 and recorded under Clerk's File No. 2018-004066, in the real property records of VAN ZANDT County Texas, with Benjamin Myers, A Single Man as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for SFMC, LP DBA Service First Mortgage Company, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Benjamin Myers, A Single Man securing payment of the indebtedness in the original principal amount of \$175,750.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Benjamin Myers. NewRez LLC d/b/a Shellpoint Mortgage Servicing is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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. Shellpoint Mortgage Servicing is acting as the Mortgage Servicer for the Mortgagee. Shellpoint Mortgage Servicing, is representing the Mortgagee, whose address is: 75 Beattie Place, Suite 300, Greenville, SC 29601.

Legal Description:

BEING A 7.00 ACRE OF LAND SITUATED IN THE GEO. H. KNUST SURVEY, ABSTRACT NO. 450, VAN ZANDT COUNTY, TEXAS, SAME BEING A CALLED 7.00 ACRE TRACT OF LAND CONVEYED TO ANTHONY T. GLOVER, BY DEED RECORDED IN DOCUMENT NO. 2013-008042, OFFICIAL PUBLIC RECORDS, VAN ZANDT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

SALE INFORMATION

Date of Sale: 10/04/2022

Earliest Time Sale Will Begin: 10:00 AM

Location of Sale: The place of the sale shall be: VAN ZANDT County Courthouse, Texas at the following location: On the steps to the north entrance of the Van Zandt County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part



of the property. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "AS IS," "WHERE IS" condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the Deed of Trust.

The sale will begin at the earliest time stated above, or within three (3) hours after that time. 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 or the Mortgagee's attorney.

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.

WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE Randy Danici, Jonathan Harrison, Aurora Campos, Ramiro Cuevas, Patrick Zwiers, Shawn Schiller, Dana Kamin, Angie Uselton, Darla Boettcher, Irene Lindsay, Jami Hutton, Jeffrey Fleming, Judith A. Frappier, Lauren Christoffel, Lisa Bruno, Michael Harrison, Paul Barrett, Tonya Washington, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:
Codilis & Moody, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Executed on 08/23/2022.

/s/ Olufunmilola Oyekan SBOT No. 24084552, Attorney at
Law
Codilis & Moody, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Posted and filed by: _____

Printed Name: _____

C&M No. 44-22-0495

EXHIBIT "A"

Being a 7.00 acre tract of land situated in the Geo. H. Knust Survey, Abstract No. 450, Van Zandt County, Texas, same being a called 7.00 acre tract of land conveyed to Anthony T. Glover, by deed recorded in Document No. 2013-008042, Official Public Records, Van Zandt County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner, said corner being in County Road No. 3502 (public right-of-way), the West corner of said 7.00 acres and the North corner of a called 7.000 acre tract of land conveyed to Robert Michael Gross, Jr. et ux, by deed recorded in Document No. 2010-00982, Official Public Records, Van Zandt County, Texas, from which a 1/2 inch iron rod found for witness bears South 47 degrees 19 minutes 28 seconds East, a distance of 39.38 feet;

THENCE North 44 degrees 19 minutes 49 seconds East, along said County Road No. 3502 and the Northwest corner of said 7.00 acres, a distance of 361.76 feet to a railroad spike set for corner, said corner being the North corner of said 7.00 acres and a Northerly West corner of a called 20.00 acre tract of land conveyed to Kenneth R. Ferrell, by deed recorded in Volume 1174, Page 726, Official Public Records, Van Zandt County, Texas, from which a 1/2 inch iron rod found for witness bears South 47 degrees 19 minutes 28 seconds East, a distance of 40.04 feet;

THENCE South 47 degrees 08 minutes 09 seconds East, along the Northeast line of said 7.00 acres, a distance of 638.45 feet to a point for corner, said corner being the East corner of said 7.00 acres, from which a steel fence post bears South 42 degrees 54 minutes 57 seconds West, a distance of 0.33 feet for witness;

THENCE South 42 degrees 54 minutes 57 seconds West, along the Southeast line of said 7.00 acres, a distance of 361.65 feet to a 1/2 inch iron rod found for corner, said corner being the South corner of said 7.00 acres and the East corner of said 7.000 acres;

THENCE North 47 degrees 06 minutes 11 seconds West, along the Southwest line of said 7.00 acres, a distance of 847.40 feet to the POINT OF BEGINNING and containing 7.00 acres of land.