

**POSTED**  
 Sharon Ferguson, Brown County Clerk  
 Time 3:24pm.

**NOV 04 2024**

By Deputy: *Hilber*

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

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., 20405 State Highway 249, Suite 170, Houston, TX 77070

**INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION**

Deed of Trust dated December 28, 2021 and recorded under Clerk's File No. 2109329, in the real property records of BROWN County Texas, with Ryan David Butz and Kennah L Butz, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for First National Bank, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Ryan David Butz and Kennah L Butz, husband and wife securing payment of the indebtedness in the original principal amount of \$191,468.00 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 Ryan David Butz. 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:**

**A 0.70 ACRE TRACT OF LAND BEING ALL OF LOT 3 AND PART OF LOT 4, BLOCK 1, J.B. SNOW ADDITION TO THE CITY OF BANGS, BROWN COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 2, PAGE 81, PLAT RECORDS, BROWN COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND DESCRIBED IN A DEED TO ROBERT ERIC KEENEY RECORDED IN VOLUME 1337, PAGE 463 OF THE REAL PROPERTY RECORDS, BROWN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES**

**SALE INFORMATION**

**Date of Sale: 01/07/2025**

**Earliest Time Sale Will Begin: 10:00 AM**

**Location of Sale:** The place of the sale shall be: BROWN County Courthouse, Texas at the following location: On the front porch of the Brown 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.**

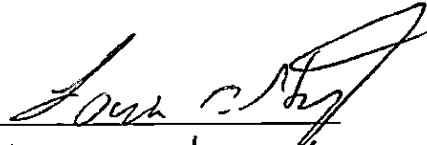
WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE Lamar Cravens Christopher D. Brown, and Stephen E. Haynes, Reyn Rossington, Kim Anderson, Ron Anderson, Louis Starzel, Tom Swearingen, Justin Slone , Alexis Mendoza, Kevin Key, Jay Jacobs, Kim Anderson, Ron Anderson, Ramiro Cuevas, Kristopher Holub, Dylan Ruiz, 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.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200

Executed on October 29, 2024.

/s/ Juanita Deaver SBOT No. 24126385, Attorney at Law  
Codilis & Moody, P.C.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200

Posted and filed by:



Printed Name:

Louis A. Starzel

C&M No. 44-24-02021

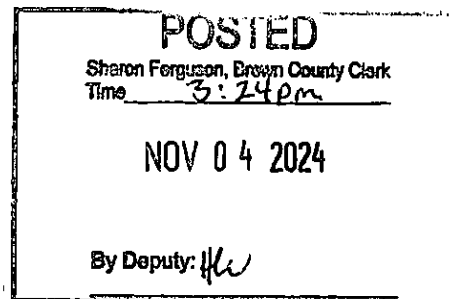


EXHIBIT A

A 0.70 ACRE TRACT OF LAND BEING ALL OF LOT 3 AND PART OF LOT 4, BLOCK 1, J. B. SNOW ADDITION TO THE CITY OF BANGS, BROWN COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 2, PAGE 81, PLAT RECORDS, BROWN COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND DESCRIBED IN A DEED TO ROBERT ERIC KEENEY RECORDED IN VOLUME 1337, PAGE 463 OF THE REAL PROPERTY RECORDS, BROWN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3/8 REBAR ROD (CONTROL MONUMENT) FOUND IN THE COMMON LINE BETWEEN SAID BLOCK 1 AND S WEST STREET, FOR A COMMON CORNER BETWEEN SAID LOT 3 AND LOT 2 OF SAID BLOCK 1, SAME BEING A COMMON CORNER BETWEEN SAID KEENEY TRACT AND A TRACT OF LAND DESCRIBED IN A DEED TO GEORGIA ANNA STONE RECORDED IN VOLUME 11, PAGE 92 OF THE OFFICIAL PUBLIC RECORDS, BROWN COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THIS DESCRIBED TRACT; FROM WHICH A 3/8 REBAR ROD (CONTROL MONUMENT) FOUND FOR A COMMON CORNER BETWEEN SAID STONE TRACT AND A TRACT OF LAND DESCRIBED IN A DEED TO CHARLES WILLIAM BAKER ET. UX. RECORDED IN VOLUME 970, PAGE 1 OF THE REAL PROPERTY RECORDS, BROWN COUNTY, TEXAS (REMAINING PORTION) BEARS N 01° 38' 01" W, 60.08 FEET;

THENCE N 88° 21' 43" E ALONG THE COMMON LINE BETWEEN SAID LOT 3 AND LOT 2, SAME BEING THE COMMON LINE BETWEEN SAID KEENEY TRACT, STONE TRACT AND BAKER TRACT, AT 100.09 FEET PASSING A 3/8 REBAR ROD (CONTROL MONUMENT) FOUND FOR A COMMON CORNER BETWEEN SAID STONE TRACT AND BAKER TRACT; THENCE CONTINUING ALONG THE SAME COURSE FOR A TOTAL DISTANCE OF 184.01 FEET, TO A 1/4 REBAR ROD SET WITH A SURVEY CAP STAMPED A.L.S. 6224 6332 FOR A COMMON CORNER BETWEEN SAID LOT 3 AND LOT 2, SAME BEING A COMMON CORNER BETWEEN SAID KEENEY TRACT AND

BAKER TRACT, SAID POINT BEING LOCATED IN THE COMMON LINE BETWEEN SAID J. B. SNOW ADDITION AND BLOCK 3, GIBSON ADDITION, CITY OF BANGS, BROWN COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 1, PAGE 144, PLAT RECORDS, BROWN COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THIS DESCRIBED TRACT;

THENCE S 01° 38' 01" E ALONG THE COMMON LINE BETWEEN SAID J. B. SNOW ADDITION AND GIBSON ADDITION, SAME BEING THE EAST LINE OF SAID KEENEY TRACT, AT 174 FEET PASSING A IRON BOLT (CONTROL MONUMENT) FOUND FOR THE NORTHWEST CORNER OF LOT 4, BLOCK 3 OF SAID GIBSON ADDITION; THENCE CONTINUING ALONG THE SAME COURSE FOR A TOTAL DISTANCE OF 165.00 FEET, TO A 1/2 REBAR ROD SET WITH A SURVEY CAP STAMPED A.L.S. 6224 6332 FOR A COMMON CORNER BETWEEN SAID KEENEY TRACT AND A TRACT OF LAND DESCRIBED IN A QUIT CLAIM DEED TO THE CITY OF BANGS RECORDED IN VOLUME 1275, PAGE 270 OF THE DEED RECORDS, BROWN COUNTY, TEXAS, SAID POINT BEING LOCATED IN THE NORTH LINE OF SPENCER STREET, FOR THE SOUTHEAST CORNER OF THIS DESCRIBED TRACT;

THENCE S 88° 21' 43" W, 184.01 FEET OVER AND ACROSS SAID LOT 4 WITH THE NORTH LINE OF SAID SPENCER STREET ALONG THE COMMON LINE BETWEEN SAID KEENEY TRACT AND CITY OF BANGS TRACT; TO A 1/4 REBAR ROD SET WITH A SURVEY CAP STAMPED A.L.S. 6224 6332 AT THE INTERSECTION OF THE EAST LINE OF PREVIOUSLY MENTIONED S WEST STREET AND THE NORTH LINE OF SAID SPENCER STREET; FOR A COMMON CORNER BETWEEN SAID KEENEY TRACT AND CITY OF BANGS TRACT, FOR THE SOUTHWEST CORNER OF THIS DESCRIBED TRACT;

THENCE N 01° 38' 01" W, 165.00 FEET ALONG THE COMMON LINE BETWEEN SAID BLOCK 1 AND S WEST STREET, SAME BEING THE WEST LINE OF SAID KEENEY TRACT, TO THE PLACE OF BEGINNING AND CONTAINING 0.70 ACRES OF LAND.

<p><b>POSTED</b></p> <p>Sharon Ferguson, Brown County Clerk Time <u>6:24 pm.</u></p> <p>NOV 04 2024</p> <p>By Deputy: <u>HW</u></p>
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