

114 COUNTY RD 2850
HUGHES SPRINGS, TX 75568

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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 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: July 02, 2024

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 March 1, 2002 and recorded in Document VOLUME 1160, PAGE 615, CORRECTED IN VOLUME 1168, PAGE 724; AFFECTED BY LOAN MODIFICATION AGREEMENT CLERK'S FILE NO. 2022001989 real property records of Cass County, Texas, with DERWIN E. ROYAL AND KIM ROYAL, grantor(s) and NEATHERLIN HOMES, INC., mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by DERWIN E. ROYAL AND KIM ROYAL, securing the payment of the indebtednesses in the original principal amount of \$415,656.00, and obligations therein describe including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. U.S. BANK, N.A., AS TRUSTEE, SUCCESSOR IN INTEREST TO WACHOVIA BANK, NATIONAL ASSOCIATION, A TRUSTEE, FOR MID-STATE TRUST XI 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 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 d/b/a SHELLPOINT MORTGAGE SERVICING, as Mortgage Servicer, representing the current mortgagee, whose address is:

c/o NEWREZ LLC d/b/a SHELLPOINT MORTGAGE SERVICING
601 OFFICE CENTER DRIVE
SUITE 100
FORT WASHINGTON, PA 19034

FILED FOR RECORD
2024 JUN -6 AM 11:37
AMY L. YARNELL
CASS COUNTY CLERK



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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 successive substitute trustees and appoints in their stead ROBERT LAMONT, HARRIETT FLETCHER, SHERYL LAMONT, OR SHARON ST. PIERRE 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 Kevin McLain King, 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.

Declarant's Name: _____
Date: _____

EXHIBIT "A"

A TRACT OR PARCEL OF LAND CONTAINING 5.00 ACRES OUT OF THE NORTHERLY PORTION OF A CERTAIN 27.63 ACRE TRACT SO CALLED BEING KNOWN AS TRACT 1 CONVEYED TO LOU ELLA MCCRAY FEME SOLE BY ELISHA EDNEY ETAL IN INSTRUMENT DATED APRIL 27, 1959 AND RECORDED IN VOLUME 423, PAGE 214 OF THE DEED RECORDS OF CASS COUNTY, OUT OF THE JAMES ADAMS SURVEY, ABSTRACT 18 IN CASS COUNTY, TEXAS, SAID 5.00 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED IN METES AND BOUNDS AS FOLLOWS TO-WIT:

BEGINNING AT A POST FOUND AT THE NORTHWEST CORNER OF THE AME CHURCH LOT RESERVE AS REFERRED TO IN INSTRUMENT RECORDED IN VOLUME 423, PAGE 214 OF THE CASS COUNTY DEED RECORDS AT UPPER NORTHEAST CORNER OF SAID 27.63 ACRE TRACT FULLY DESCRIBED IN INSTRUMENT IN VOLUME 423, PAGE 214 OF THE CASS COUNTY DEED RECORDS IN THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 2850;

THENCE SOUTH WITH THE WEST BOUNDARY LINE OF SAID AME CHURCH LOT RESERVE PASSING ITS CALLED SOUTHWEST CORNER AT 63.00 FT. IN ALL A TOTAL DISTANCE OF 466.67 FT. TO AN IRON ROD SET AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED 5.000 ACRE TRACT MARKING A RE-ENTRANT CORNER OF THE REMAINDER OF SAID 27.63 ACRES;

THENCE WEST PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 2850 A DISTANCE OF 466.67 FT. TO AN IRON ROD SET AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED 5.000 ACRE TRACT MARKING A RE-ENTRANT CORNER OF SAID REMAINDER TRACT;

THENCE NORTH WITH THE WEST BOUNDARY LINE OF THIS HEREIN DESCRIBED 5.000 ACRE TRACT A DISTANCE OF 466.67 FT. TO A 3/8 INCH IRON ROD SET MARKING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 5.00 ACRE TRACT AND MARKING THE UPPER NORTHEAST CORNER OF THE RESIDUAL OF SAID SO CALLED 27.63 ACRE PARENT TRACT IN THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 2850;

THENCE EAST WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 2850 A DISTANCE OF 466.67 FT. TO THE PLACE OF BEGINNING AND CONTAINING 5.00 ACRES OF LAND.

A TRACT OR PARCEL OF LAND CONTAINING 5.000 ACRES OUT OF THE NORTHEASTERLY PORTION OF A CERTAIN SO CALLED 27.63 ACRE TRACT 1-A CONVEYED TO LOU ELLA MCCRAY FEME SOLE BY ELISHA EDNEY, ETAL IN INSTRUMENT DATE APRIL 27, 1959 AND RECORDED IN VOLUME 423, PAGE 214 OF THE CASS COUNTY DEED RECORDS OUT OF THE JAMES ADAMS SURVEY, ABSTRACT 18 IN CASS COUNTY, TEXAS, SAID 5.00 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO-WIT;

BEGINNING AT A 3/8 INCH IRON ROD SET IN THE CENTERLINE OF COUNTY ROAD NO 2850 AND MARKING THE LOWER NORTHEAST CORNER OF SAID ORIGINAL MCCRAY 27.63 ACRE SO CALLED TRACT 1-A, MARKING THE SOUTHEAST CORNER OF THE AME CHURCH LOT RESERVED AS SAID IN INSTRUMENT RECORDED IN VOLUME 423, PAGE 214, OF THE CASS COUNTY DEED RECORDS AND IN THE WEST BOUNDARY LINE OF A 20 ACRE TRACT DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 423, PAGE 281 OF THE CASS COUNTY DEED RECORDS;

THENCE SOUTH WITH THE CENTERLINE OF SAID COUNTY ROAD NO. 2850 AND WITH THE WEST BOUNDARY OF SAID 20 ACRE TRACT AND THE EAST BOUNDARY OF SAID 27.63 ACRE TRACT SO CALLED A DISTANCE OF 391.50 FT. TO A 3 INCH IRON ROD SET AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND MARKING THE NORTHEAST CORNER OF THE REMAINDER 22.63 ACRE SO CALLED OUT SAID ORIGINAL PARENT TRACT;

THENCE WEST CROSSING OVER AND INTO SAID 27.63 ACRE TRACT A DISTANCE OF 556.32 FT. TO A 3/8 INCH IRON ROD SET AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED 5.000 ACRE TRACT MARKING A RE-ENTRANT CORNER OF SAID ORIGINAL PARENT 27.63 ACRE TRACT;

THENCE NORTH PARALLEL TO THE CENTERLINE OF SAID COUNTY ROAD NO. 2850 A DISTANCE OF 391.50 FT. TO AN IRON ROD SET AT THE NORTHWEST CORNER MARKING A RE-ENTRANT CORNER OF SAID ORIGINAL PARENT 27.63 ACRE TRACT;

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THENCE EAST WITH AN UPPER SOUTH LINE OF SAID REMAINDER TRACT AND CROSSING OVER SAID 27.63 ACR TRACT PASSING A $\frac{3}{4}$ INCH AXLE FOUND AT THE SOUTHWEST CORNER OF SAID AME CHURCH LOT RESERVE TRACT A 353.82 FT. IN ALL A TOTAL DISTANCE TRACT TO THE PLACE OF THE BEGINNING AND CONTAINING 5.000 ACRES C LAND.