

1574 COUNTY ROAD 1582
AVINGER, TX 75630

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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 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 04, 2022

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 February 07, 2008 and recorded in Document CLERK'S FILE NO.2008000782 real property records of CASS County, Texas, with KATHLEEN A. CARTER AND DALE T. CARTER, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by KATHLEEN A. CARTER AND DALE T. CARTER, securing the payment of the indebtednesses in the original principal amount of \$156,289.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. MCLP ASSET COMPANY, INC. 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

FILED FOR RECORD
2022 SEP 12 AM 9:01
AMY L VARNELL
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 successor substitute trustees and appoints in their stead ROBERT LAMONT, HARRIETT FLETCHER, RONNIE HUBBARD, SHERYL LAMONT, ALLAN JOHNSTON, RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, SHAWN SCHILLER, PATRICK ZWIERS, DARLA BOETTCHER, DANA KAMIN, LISA BRUNO, AUCTION.COM, SHANNAH WALKER, KEVIN MCCARTHY, AL DAVIS, MURPHY HOWLE OR BEATRICE CARRILLO 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 McCarthy, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 09/12/2022 I filed at the office of the CASS County Clerk and caused to be posted at the CASS County courthouse this notice of sale.

Declarants Name: Kevin McCarthy

Date: 09/12/2022

EXHIBIT "A"

ALL THAT CERTAIN 15.68 ACRE TRACT OF LAND IN THE WILLIAM HUTCHINSON SURVEY, ABSTRACT 540, CASS COUNTY, TEXAS. BEING A PORTION OF A CALLED 178.67 ACRE TRACT DESCRIBED IN VOLUME 989, PAGE 623, CASS COUNTY REAL PROPERTY RECORDS. SAID 15.68 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A"

ALL THAT CERTAIN 15.68 ACRE TRACT OF LAND UN THE WILLIAM HUTCHINSON SURVEY, ABSTRACT 540, CASS COUNTY, TEXAS BEING A PORTION OF A CALLED 178.67 ACRE TRACT DESCRIBED IN VOLUME 989, PAGE 623, CASS COUNTY REAL PROPERLY RECORDS SAID 15.68 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING AT A PLANTED ROCK FOUND ON THE NORTH LINE OF THE SAID HUTCHINSON SURVEY, THE SOUTH LINE OF THE WILLIAM MILLS SURVEY ABSTRACT 739 AND THE SOUTH LINE OF A CALLED 100.00 ACRE TRACT DESCRIBED AS EARL DOWNS, ET UX, PARCEL ONE, IN VOLUME 696, PAGE 27 FOR THE NORTHEAST CORNER OF A CALLED 18.75 ACRE TRACT DESCRIBED AS EAR DOWNS, AT UX, PARCEL TWO IN VOLUME 696, PAGE 27, THE NORTHWEST CORNER OF THE SAID CALLED 178.67 ACRE TRACT AND THE NORTHWEST CORNER OF THIS TRACT,

THENCE S 89 DEGREES 39' 26" E (MAGNETIC BEARING) ALONG THE NORTH LINE OF THE SAID HUTCHINSON SURVEY, THE SOUTH LINE OF THE SAID MILLS SURVEY, THE SOUTH LINE OF THE SAID CALLED 100.00 ACRE TRACT AND THE NORTH LINE OF THE SAID CALLED 178.67 ACRE TRACT, 815.38 FEET TO A POINT ON THE WEST BANK OF A CREEK FOR THE NORTHEAST CORNER OF THIS TRACT, A RAILROAD SPIKE FOUND FOR THE SOUTHEAST CORNER OF THE SAID MILLS SURVEY LIES S 89 DEGREES 39' 26" E, 533.74 FEET AND N 89 DEGREES 55' 38" E, 1841.37 FEET,

THENCE ALONG THE WEST BANK OF THE SAID CREEK AS FOLLOWS

S 46 DEGREES 58' 16" E, 104 07 FEET,
S 07 DEGREES 32' 02" E, 157 70 FEET,
S 48 DEGREES 55' 57" W, 127 53 FEET,
S 10 DEGREES 13' 52" E, 103 78 FEET,
S 49 DEGREES 44' 36" E, 10 78 FEET,
S 23 DEGREES 48' 53" E, 71 94 FEET,
S 41 DEGREES 35'44" W, 46 48 FEET,
S 64 DEGREES 55' 54" W, 131 20 FEET,
S 16 DEGREES 20' 54" W, 40 89 FEET TO A POINT AT THE INTERSECTION OF THE WEST BANK OF THE SAID CREEK AND THE NORTH MARGIN OF CASS COUNTY ROAD NO 1582 FOR THE SOUTHEAST CORNER OF THIS TRACT,

THENCE ALONG THE NORTH MARGIN OF THE SAID COUNTY ROAD AS FOLLOWS

S 60 DEGREES 04'47" W, 186 00 FEET,
S 67 DEGREES 10' 12" W, 107 02 FEET,
S 73 DEGREES 18' 29"W, 173 67 FEET,
S 68 DEGREES 32' 58" W, 241 58 FEET,
S 63 DEGREES 32' 31" W, 62 27 FEET TO A 1/2" REBAR WITH CAP SET ON THE WEST LINE OF THE SAID CALLED 178.67 ACRE TRACT FOR THE SOUTHWEST CORNER OF THIS TRACT, A 1 1/4" GALVANIZED PIPE FOUND FOR THE SOUTHWEST CORNER OF THE SAID CALLED 178.67 ACRE TRACT LIES S 04 DEGREES 15' 07" E, 1558 80 FEET,

THENCE N 04 DEGREES 15'7" W, ALONG THE EAST LINE OF THE SAID CALLED 18.75 ACRE TRACT AND THE WEST LINE OF THE SAID CALLED 178.67 ACRE TRACT 977.32 FEET TO THE PLACE OF BEGINNING, CONTAINING 15.68 ACRES OF LAND, MORE OR LESS