

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

CASS County

Deed of Trust Dated: June 26, 2000

Amount: \$20,000.00

Grantor(s): CATHERINE ANN JOHNSON and LEROY BUDDY EARLY

Original Mortgagee: FULL SPECTRUM LENDING, INC.

Current Mortgagee: THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS, INC., ASSET BACKED CERTIFICATES, SERIES 2005-SD1

Mortgagee Servicer and Address: c/o NEW PENN FINANCIAL, LLC d/b/a SHELLPOINT MORTGAGE SERVICING, P.O. BOX 10826, GREENVILLE, SC 29603-0826

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

Recording Information: Document No. 04500 and re-recorded under Document No. 04779

Legal Description: SEE EXHIBIT "A" ATTACHED HERETO.

Whereas, an Order to Proceed with Expedited Foreclosure under the Texas Rule Civil Procedure 736 was entered on June 19, 2018 under Cause No. 18C210 in the 5TH Judicial District Court of CASS County, Texas

Date of Sale: August 7, 2018 between the hours of 10:00 AM and 1:00 PM.

Earliest Time Sale Will Begin: 10:00 AM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the CASS County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

ROBERT LAMONT OR DAVID SIMS, HARRIETT FLETCHER, SHERYL LAMONT, SHARON ST. PIERRE, DARLA BOETTCHER, PATRICK ZWIERS, ALLAN JOHNSTON, RONNIE HUBBARD, PAT WALKER, SHAWN SCHILLER, JONATHAN HARRISON, DANA KAMIN, AURORA CAMPOS OR SUE SPASIC have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

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.

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.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

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.

FILED FOR RECORD
2018 JUL 12 AM 10:17
AMY L. VARNELL
CASS COUNTY CLERK


Aaron Espinoza, Attorney at Law

HUGHES, WATERS & ASKANASE, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2017-003125



ROBERT LAMONT OR DAVID SIMS, HARRIETT FLETCHER,
SHERYL LAMONT, SHARON ST PIERRE, DARIA
BOETTCHER, PATRICK ZWIERS, ALLAN JOHNSTON, RONNIE
HUBBARD, PAT WALKER, SHAWN SCHILLER, JONATHAN
HARRISON, DANA KAMIN, AURORA CAMPOS OR SUE SPASIC
c/o Auction.com, LLC
1 Mauchly
Irvine, California 92618

EXHIBIT "A"

TRACT 1:

All that certain lot or parcel of land lying and situated in the Willis Pittman Survey, A-824 in Cass County, Texas, being all of that certain tract of land conveyed by Alvin Hill to Clifford A. Johnson and wife, Catherine Johnson by Deed dated 12/17/1984, of record in Volume 733, Page 825, Deed Records of Cass County, Texas (DRCCT), which said 0.403 of an acre tract is more particularly described by metes and bounds as follows:

Beginning, at a found 1/2 inch iron rod at the Southwest corner of said Johnson tract, same being the Northwest corner of a tract conveyed to Era Lou Richardson Frederick by Deed of record in Volume 751, Page 148, Real Property Records of Cass County, Texas (RPRCCT), said corner being in the West line of said Pittman Survey and the East line of the J. Clements Survey Abstract No. 198 in Cass County, Texas;

Thence: N 00° 00' 00" E, with the East line of said Clements Survey, same being the West line of said Johnson tract and Pittman Survey, a distance of 145.00 feet, to a set 1/2 inch rebar at X-tie fence corner post at the Northwest corner of said Johnson tract, same being the Southwest corner of a tract conveyed to J. W. Beaver, Jr. by Deed of record in Volume 379, Pages 585 and 587, DRCCT;

Thence: S 82° 58' 00" E, with the South line of said Beaver tract same being the North line of said Johnson tract, a distance of 128.00 feet, to a set 1/2 inch rebar at the Northeast corner of said Johnson tract, same being the Northwest corner of a tract conveyed to Otha Mae Brooks by Deed of record in Volume 433, Page 367, DRCCT;

Thence: S 05° 59' 32" W, with the West line of said Brooks tract same being the East line of said Johnson tract, a distance of 147.87 feet to a set 1/2 inch rebar for the Southeast corner of said Johnson tract and the Southwest corner of said Brooks tract, said corner being in the North line of said Frederick tract;

Thence: N 80° 58' 15" W, with the North line of said Frederick tract, a distance of 113.00 feet, to the Point of Beginning, containing a calculated area of 0.403 of an acre of land, more or less.

TRACT 2:

ACCESS EASEMENT:

A 20 feet wide Access Easement, same being a part of that certain tract of land conveyed to Era Lou Richardson Frederick Deed of record in Volume 751, Page 148, Real Property Records of Cass County, Texas (RPRCCT), which said 20 feet wide Access Easement is more particularly described as follows:

Commencing, at a found 1/2 inch iron pipe at the Northwest corner of said Frederick tract, same being the Southwest corner of a tract conveyed to Clifford A. Johnson and wife, Catherine Johnson by Deed of record in Volume 733, Page 825, Deed Records of Cass County, Texas (DRCCT);

Thence: S 80° 58' 15" E, with the North line of said Frederick tract, same being the South line of said Johnson tract, a distance of 53.61 feet to the Point of Beginning, and the Northwest corner of the herein described Access Easement (Easement);

Thence: S 80° 58' 15" E, with said Frederick-Johnson line, a distance of 23.26 feet to the Northeast corner of the herein described Easement;

Thence: S 45° 29' 18" W, with the East line of said Easement, a distance of 77.02 feet, to an angle point;

Thence: S 08° 00' 00" E, with the East line of said Easement, a distance of 47.20 feet, to a point on the North right-of-way (ROW) line of Cass County Road No. 3774, for the Southeast corner of the herein described Easement;

Thence: S 85° 08' 37" W, with the North r-o-w line of County Road No. 3774, a distance of 20.07 feet, to the Southwest corner of the herein described Easement, said corner being in the West line of said Frederick tract, same being the East line of the Queen City, Church of God in Christ tract;

Thence: N 06° 00' 08" W, with the West line of said Frederick tract, same being the East line of said Church tract, a distance of 55.49 feet to an angle point;

Thence: N 45° 29' 18" E, with the West line of the herein described Easement, a distance of 72.84 feet, to the Point of Beginning, containing a calculated area of 0.056 of an acre of land, more or less.