

Notice of Substitute Trustee's Sale

Notice Concerning Military Duty: **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. Tex. Prop. Code § 51.002(i)**

Deed of Trust Date: August 30, 2011	Original Mortgagor/Grantor: JAIME M GARCIA AND ALBERT J WRIGHT
Original Beneficiary / Mortgagee: WALTER MORTGAGE COMPANY, LLC.	Current Beneficiary / Mortgagee: THE BANK OF NEW YORK MELLON, AS INDENTURE TRUSTEE, FOR MID-STATE CAPITAL CORPORATION 2010-1 TRUST
Recorded in: Volume: 1580 Page: 505 Instrument No: n/a	Property County: FAYETTE
Mortgage Servicer: NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING	Mortgage Servicer's Address: 55 Beattie Place, Suite 110, MS#001, Greenville, SC 29601

* 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.

Secures: Note in the original principal amount of \$57,200.00, executed by JAIME GARCIA, ALBERT WRIGHT and payable to the order of Lender.

Property Address/Mailing Address: 1115 AUGUST ST, SCHULENBURG, TX 78956

Legal Description of Property to be Sold: TRACT ONE: FIRST TRACT:

LOT NO. 39, 52 FEET BY 190 FEET IN SIZE, SITUATED IN FAYETTE COUNTY, TEXAS, OUT OF THE CHAS MATULA SUBDIVISION OF 11.15 ACRES IN PIERCE NEW ADDITION TO THE CITY OF SCHULENBURG, TEXAS, AS SHOWN ON PLAT OF SAID SUBDIVISION RECORDED IN VOLUME 190 ON PAGES 1 AND 2 OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS, AND BEING THE SAME LAND DESCRIBED IN A DEED FROM CYNTHIA MOSLEY TO DOUGLAS HOUSTON DATED MARCH 30, 1983 AND RECORDED IN VOLUME 820, PAGE 169 OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS.

AND, BEING THE SAME LAND DESCRIBED IN THE DEED FROM DOUGLAS HOUSTON TO CHROMCAK AND WAGNER DATED JUNE 12, 1992, RECORDED IN VOLUME 850, PAGE 118 OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS.

AND, ALSO BEING THE SAME LAND DESCRIBED IN DEED DATED AUGUST 2, 1999 FROM CHROMCAK AND WAGNER, A PARTNERSHIP, TO PAUL ANDERS, RECORDED IN VOLUME 1069, PAGE 816, OFFICIAL RECORDS OF FAYETTE COUNTY, TEXAS, TO WHICH REFER.

Date of Sale: August 04, 2020	Earliest time Sale will begin: 10:00 AM
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Place of sale of Property: Fayette County Courthouse, 151 N. Washington Street, La Grange, TX 78945



OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

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.

Appointment of Substitute Trustee: Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *THE BANK OF NEW YORK MELLON, AS INDENTURE TRUSTEE, FOR MID-STATE CAPITAL CORPORATION 2010-1 TRUST*, the owner and holder of the Note, has requested Megan Randle, Ebbie Murphy, Jack Burns II, Kristopher Holub, Pamela Thomas, Dylan Ruiz, whose address is 1 Mauchly Irvine, CA 92618 or Megan Randle or Ebbie Murphy whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *THE BANK OF NEW YORK MELLON, AS INDENTURE TRUSTEE, FOR MID-STATE CAPITAL CORPORATION 2010-1 TRUST* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Megan Randle, Ebbie Murphy, Jack Burns II, Kristopher Holub, Pamela Thomas, Dylan Ruiz, whose address is 1 Mauchly Irvine, CA 92618 or Megan Randle or Ebbie Murphy whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Megan Randle, Ebbie Murphy, Jack Burns II, Kristopher Holub, Pamela Thomas, Dylan Ruiz, whose address is 1 Mauchly Irvine, CA 92618 or Megan Randle or Ebbie Murphy whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

Limitation of Damages: 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 Mortgagor, the Mortgagee, or the Mortgagee's attorney.

FILED

JUN 18 2020

8:20 AM

Brenda Fetsam

BRENDA FIETSAM

CO. CLERK, FAYETTE CO., TEXAS



SUBSTITUTE TRUSTEE

Megan Randle, Ebbie Murphy, Jack Burns II, Kristopher Holub, Pamela Thomas, Dylan Ruiz, Megan Randle or Ebbie Murphy, Trustee

c/o RAS CRANE, LLC, 10700 Abbott's Bridge Road, Suite 170, Duluth, Georgia 30097; PH: (470)321-7112