

AUG 29 2024

C&M No. 44-24-02181/ FILE NOS

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX
BY _____ DEP

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 January 18, 2023 and recorded under Clerk's File No. 2023-001704, in the real property records of VAN ZANDT County Texas, with Duston Sutherland and Jessica Sutherland, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Nations Reliable Lending, LLC, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Duston Sutherland and Jessica Sutherland, husband and wife securing payment of the indebtedness in the original principal amount of \$211,105.00 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 Jessica Sutherland, Duston Sutherland. 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:

BEING A TRACT OF LAND SITUATED IN THE H. MYERS SURVEY, ABSTRACT NO. 1011, VAN ZANDT COUNTY, TEXAS, SAME BEING THAT TRACT OF LAND CONVEYED TO PETERSEN RENTALS LLC, AND HARLEY PETERSEN, A SINGLE PERSON, BY DEED RECORDED IN DOCUMENT NO. 2022-004135, OFFICIAL PUBLIC RECORDS OF VAN ZANDT 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: 11/05/2024

Earliest Time Sale Will Begin: 1:00 PM

Location of Sale: The place of the sale shall be: VAN ZANDT County Courthouse, Texas at the following location: On the steps to the north entrance of the Van Zandt 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

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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 Randy Daniel, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Tionna Hadnot, David Ray, Randy Daniel, Cindy Daniel, Jim O'Bryant, 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 August 26, 2024.

/s/ Sarah A. Trad SBOT No. 24140355, 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:


Randy Daniel

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EXHIBIT "A"

3120 VAN ZANDT COUNTY ROAD 4503

Being a tract of land situated in the H. Myers Survey, Abstract No. 1011, Van Zandt County, Texas, same being that tract of land conveyed to Petersen Rentals LLC., and Harley Petersen, a single person, by deed recorded in Document No. 2022-004135, Official Public Records of Van Zandt County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a rock found for corner, said corner being the Southeast corner of that tract of land conveyed to Henderson Young and Betty Louise Young, a married couple, by deed recorded in Document No. 2021-006904, Official Public Records of Van Zandt County, Texas, and lying along the North line of that tract of land conveyed to Luta Hallman Estate, by deed recorded in Volume 800, Page 861, Deed Records of Van Zandt County, Texas, from which a fence post found bears North 16 degrees 24 minutes 32 seconds West, a distance of 0.72 feet for witness;

THENCE North 02 degrees 08 minutes 04 seconds West, along the East line of said Young tract, a distance of 343.80 feet to a 5/8 inch iron rod found for corner, said corner being the Southwest corner of that tract of land conveyed to Jose Sanchez and wife, Leticia Sanchez, by deed recorded in Document No. 2008-002858, Official Public Records of Van Zandt County, Texas, and lying in the centerline of Van Zandt County Road 4503 (public right-of-way):

THENCE South 60 degrees 44 minutes 57 seconds East, along the centerline of said Van Zandt County Road 4503, a distance of 122.01 feet to a 5/8 inch iron rod found for corner;

THENCE South 51 degrees 06 minutes 22 seconds East, a distance of 144.34 feet to a 5/8 inch iron rod found for corner, said corner being a Southeast corner of aforesaid Sanchez tract, and being the Southwest corner of that tract of land conveyed to Kevin Ralph Taylor, a married man, by deed recorded in Document No. 2020-002429, Official Public Records of Van Zandt County, Texas;

THENCE South 47 degrees 40 minutes 22 seconds East, continuing along said centerline of Van Zandt County Road 4503, a distance of 262.16 feet to a 5/8 inch iron rod found for corner, said corner being a Southwest corner of aforesaid Taylor Tract, and lying along the aforementioned North line of Hallman tract;

THENCE South 87 degrees 35 minutes 48 seconds West, along said North line of Hallman tract, a distance of 400.16 feet to the **POINT OF BEGINNING** and containing 75,012 square feet or 1.72 acres of land.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area