

F 2022 0019

1212 E Broadway St, Brownfield, TX 79316

22-012316

**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: 02/07/2023

Time: Between 1pm-4pm and beginning not earlier than 1pm-4pm or not later than three hours thereafter.

Place: The area designated by the Commissioners Court of Terry County, pursuant to §51.002 of the Texas Property Code as amended: if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

**2. Terms of Sale.** Highest bidder for cash.

**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated May 25, 2010 and recorded in the real property records of Terry County, TX and is recorded under Instrument No. 244876 with John L. Smilie and Geneva G. Smilie (grantor(s)) and Mortgage Electronic Registration Systems, Inc., as nominee for ERA Mortgage mortgagee to which reference is herein made for all purposes.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by John L. Smilie and Geneva G. Smilie, securing the payment of the indebtedness in the original amount of \$99,500.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. Nationstar Mortgage LLC is the current mortgagee of the note and Deed of Trust or Contract Lien.

**5. Property to be Sold.** LOT ONE (1) AND THE WEST 17 FEET (W/17') OF LOT TWO (2) IN BLOCK FOURTEEN (14) OF THE KGM ADDITION TO THE CITY OF BROWNFIELD, TERRY COUNTY, TEXAS, ACCORDING TO THE MAP, PLAT AND/OR DEDICATION DEED RECORDED IN VOLUME 86, PAGE 23 OF THE DEED RECORDS OF TERRY COUNTY, TEXAS.

FILED FOR RECORD	
BY	<i>Jeffery Va</i>
10:20	
O'CLOCK	DEC 29 2022 A.M.
COUNTY CLERK-TERRY COUNTY, TEXAS	

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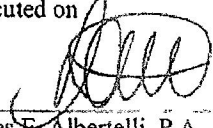
6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.002, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. Nationstar Mortgage LLC d/b/a Mr. Cooper, as Mortgage Servicer, is representing the current Mortgagee whose address is:

Nationstar Mortgage LLC  
350 Highland Drive  
Lewisville, TX 75067-4177

7. **Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code § 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint Phillip Traynor Esq OR Ronald Byrd whose address is 1320 Greenway Drive, Suite 300, Irving, TX 75038 OR COVIOUS HOLDINGS ,Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**

12/21/2022  
Executed on



James E. Albertelli, P.A.  
Phillip Traynor, Esq.  
Gabrielle Davis, Esq.  
Larissa Brito de Senna, Esq.  
2201 W. Royal Ln, Suite 155  
Irving, TX 75063

12-29-22  
Executed on



**SUBSTITUTE TRUSTEE**  
Agency Sales & Posting  
Ronald Byrd  
1320 Greenway Drive, Suite 300  
Irving, TX 75038

**CERTIFICATE OF POSTING**

My name is Ronald Byrd, and my address is 1320 Greenway Drive, Suite 300, Irving, TX 75038. I declare under penalty of perjury that on 12-29-22 I filed at the office of the Terry County Clerk and caused to be posted at the Terry County courthouse this notice of sale.

Ronald Byrd  
Declarants Name: Ronald Byrd  
Date: 12-29-22