

FILED FOR RECORD
COLORADO COUNTY, TX
2024 OCT 31 PM 3: 30

D.H.

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 July 13, 2012 and recorded under Vol. 701, Page 185, or Clerk's File No. 2660, in the real property records of COLORADO County Texas, with Laurie D Toepperwein an unmarried woman as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Nationstar Mortgage LLC, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Laurie D Toepperwein an unmarried woman securing payment of the indebtedness in the original principal amount of \$65,000.00 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 Laurie D Toepperwein. U.S. BANK TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCAF ACQUISITION TRUST 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. Selene Finance is acting as the Mortgage Servicer for the Mortgagee. Selene Finance, is representing the Mortgagee, whose address is: 3501 Olympus Blvd. 5th Fl. Ste. 500, Dallas, TX 75019.

Legal Description:

BEING A PORTION OF SUBDIVISIONAL LOT NUMBERS 1, 2, 3, 15, AND ALL OF SUBDIVISIONAL LOT NO. 16, IN BLOCK 45, IN THE CITY OF COLUMBUS, COLORADO 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: 12/03/2024

Earliest Time Sale Will Begin: 10:00 AM

Location of Sale: The place of the sale shall be: COLORADO County Courthouse, Texas at the following location: In the foyer, inside the main entrance, of the Colorado County Annex Building, 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 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 Megan L. Randle, Ebbie Murphy, Debby Jurasek, Jennyfer Sakiewicz, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ASAP, 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 10/25/2024.

/s/ Will Morphis SBOT No. 24131905, 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: Megan Randle

C&M No. 44-24-02443

EXHIBIT A

Being a portion of Subdivisional Lot Numbers 1, 2, 3, 15, and all of Subdivisional Lot No. 16, in Block 45, in the City of Columbus, Colorado County, Texas, described by metes and bounds as follows, to-wit:

BEGINNING at a 5/8" iron rod set in the West line of Live Oak Street for the Northeast corner of the herein described tract; said 5/8" iron rod being South a distance of 78.86 feet from the Northeast corner of said Subdivisional Lot No. 1 in said Block 45;

THENCE South along the said West line of Live Oak Street a distance of 89.82 feet to a 5/8" iron rod set for the Southeast corner of the herein described tract;

THENCE West a distance of 166.67 feet to a 5/8" iron rod set in the West line of said Subdivisional Lot No. 15 for the Southwest corner of the herein described tract;

THENCE North a distance of 92.38 feet to a chain link fence corner post for the Northwest corner of the herein described tract;

THENCE S 89° 03' 00" E along an existing chain link fence a distance of 166.69 feet to the PLACE OF BEGINNING, all according to and as surveyed by Robert A. Zajicek, Registered Professional Land Surveyor, Registration No. 2303.