

19-406822

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: November 17, 2017	Original Mortgagor/Grantor: BRIAN KRISTOPHER ELLISON AND MELISSA ELLISON
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR JEFFERSON BANK, ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
Recorded in: Volume: 920 Page: 845 Instrument No: 2017-20173928	Property County: SCURRY
Mortgage Servicer: NEWREZ LLC F/K/A NEW PENN FINANCIAL 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 \$109,761.00, executed by BRIAN KRISTOPHER ELLISON and payable to the order of Lender.

Property Address/Mailing Address: 8551 CAMP SPRINGS RD, HERMLEIGH, TX 79526

Legal Description of Property to be Sold: BEING A 1.012 ACRE TRACT OF LAND IN THE NE/4 OF SECTION 16, BLOCK 3, H&TC RR. COMPANY SURVEY, SCURRY COUNTY, TEXAS AND BEING A PART OF THAT TRACT OF LAND CONVEYED TO LAWRENCE DONOVAN BY DEED RECORDED IN VOLUME 725, PAGE 478, OFFICIAL PUBLIC RECORDS OF SCURRY COUNTY, TEXAS, SAID 1.012 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 60D NAIL SET IN CAMP SPRINGS ROAD FOR THE NORTHEAST CORNER OF THIS TRACT AND BEING THE NORTHEAST CORNER OF SAID DONOVAN TRACT, FROM WHICH POINT A 1/2" IRON ROD/CAP FOUND IN PAVEMENT FOR THE NORTHEAST CORNER OF SAID SECTION 16 BEARS N 74°43'37" E A DISTANCE OF 2210.56 FEET;
 THENCE S 16°45'50" E ALONG THE EAST LINE OF SAID DONOVAN TRACT AND THIS TRACT AND BEING A WEST LINE OF A TRACT OF LAND CONVEYED TO JIMMIE K. SPENCE BY DEED RECORDED IN VOLUME 526, PAGE 610, OFFICIAL PUBLIC RECORDS OF SCURRY COUNTY, TEXAS AT A DISTANCE OF 35.00 FEET PASS A 1/2" IRON ROD/CAP MARKED "STEWART SURVEYING" SET, CONTINUING ALONG SAID EAST LINE FOR A TOTAL DISTANCE OF 213.39 FEET TO A 1/2" IRON ROD/CAP MARKED "STEWART SURVEYING" SET FOR THE SOUTHEAST CORNER OF THIS TRACT;
 THENCE S 74°43'37" W ALONG THE SOUTH LINE OF THIS TRACT FOR A DISTANCE OF 206.67 FEET TO A 1/2" IRON ROD/CAP MARKED "STEWART SURVEYING" SET FOR THE SOUTHWEST CORNER OF THIS TRACT;
 THENCE N 16°45'50" W ALONG THE WEST TINE OF THIS TRACT A DISTANCE OF 3.39 FEET PASS THE



SOUTHEAST CORNER OF A 1.012 ACRE TRACT OF LAND CONVEYED TO ROBYN BECKHAM BY DEEDS RECORDED IN VOLUME 723, PAGE 434 AND VOLUME 724, PAGE 334, OFFICIAL PUBLIC RECORDS OF SCURRY COUNTY CONTINUING FOR A TOTAL DISTANCE OF 213.39 FEET TO A 60D NAIL SET IN CAMP SPRINGS ROAD FOR THE NORTHWEST CORNER OF THIS TRACT, FROM WHICH POINT THE NORTHWEST CORNER OF THE NE/4 OF SAID SECTION 16 BEARS S 74°43'37" W A DISTANCE OF 210.00 FEET AND FROM SAID 60D NAIL SET A 1/2 IRON ROD/CAP MARKED "STEWART SURVEYING" SET BEARS S 16°45'50" E A DISTANCE OF 35.00 FEET; THENCE N 74°43'37" E ALONG THE NORTH LINE OF THIS TRACT AND BEING THE NORTH LINE OF SAID SECTION 16 FOR A DISTANCE OF 206.67 FEET TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT ALL OIL, GAS AND OTHER MINERALS IN, ON AND UNDER THE ABOVE DESCRIBED PROPERTY; SAME HAVING BEEN PREVIOUSLY RESERVED.

SUBJECT TO ANY AND ALL VALID AND SUBSISTING COVENANTS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHTS-OF-WAY PROPERLY FOUND OF RECORD.

Date of Sale: October 04, 2022	Earliest time Sale will begin: 1:00 PM
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Place of sale of Property: Scurry County Courthouse, 1806 25th Street, Snyder, TX 79549 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, *NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING*, the owner and holder of the Note, has requested Terry Browder, Laura Browder, Marsha Monroe, Jamie Osborne, Jonathan Schendel, Ramiro Cuevas, Patrick Zwiers, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Terry Browder, Laura Browder, Marsha Monroe or Jamie Osborne 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 *NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING* 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, Terry Browder, Laura Browder, Marsha Monroe, Jamie Osborne, Jonathan Schendel, Ramiro Cuevas, Patrick Zwiers, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Terry Browder, Laura Browder, Marsha Monroe or Jamie Osborne 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 Terry Browder, Laura Browder, Marsha Monroe, Jamie Osborne, Jonathan Schendel, Ramiro Cuevas,

Patrick Zwiers, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Terry Browder, Laura Browder, Marsha Monroe or Jamie Osborne 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.



SUBSTITUTE TRUSTEE

Terry Browder, Laura Browder, Marsha Monroe, Jamie Osborne, Jonathan Schendel, Ramiro Cuevas, Patrick Zwiers, Auction.com OR Terry Browder, Laura Browder, Marsha Monroe or Jamie Osborne, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,
10700 Abbott's Bridge Road, Suite 170, Duluth, Georgia
30097; PH: (470)321-7112