

POSTED
11:02 A.M. P.M.

AUG 31 2023

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

GWINDA JONES, COUNTY CLERK
ERATH COUNTY, TEXAS
CW Deputy

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.

Matter No.: 115729-TX

Date: August 30, 2023

County where Real Property is Located: Erath

ORIGINAL MORTGAGOR: LADONNA K. GREEN AND RONALD C. GREEN, WIFE AND HUSBAND

ORIGINAL MORTGAGEE: OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION

CURRENT MORTGAGEE: NewRez LLC D/B/A Shellpoint Mortgage Servicing

MORTGAGE SERVICER: NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing

DEED OF TRUST DATED 6/9/2006, RECORDING INFORMATION: Recorded on 6/19/2006, as Instrument No. 65566 in Book 1285 Page 0253

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): BEING A 5.000 ACRE TRACT OUT OF THE CHARLES S. BROWN SURVEY, ABSTRACT NO. 59 IN ERATH COUNTY, TEXAS, AND

BEING A PART OF THE REMAINDER OF A CALLED 50 ACRE TRACT DESCRIBED IN A DEED TO K. G. NELSON AND WIFE, ILA

P. NELSON RECORDED IN VOLUME 522, PAGE 499 OF THE DEED RECORDS OF SAID COUNTY, AND MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT "A"

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 10/3/2023, the foreclosure sale will be conducted in Erath County in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than 10:00 AM, or not later than three (3) hours after that time, by one of the Substitute Trustees who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness superior to the Deed of Trust.

NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing is acting as the Mortgage Servicer for NewRez LLC D/B/A Shellpoint Mortgage Servicing who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing, as Mortgage Servicer, is representing the Mortgagee, whose address is:

NewRez LLC D/B/A Shellpoint Mortgage Servicing
c/o NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing
75 Beattie Place




Matter No.: 115729-TX

Suite 300
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.

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 GUY WIGGS, DONNA STOCKMAN, DAVID STOCKMAN, MICHELLE SCHWARTZ, KATHY ARRINGTON, JANET PINDER, BRANDY BACON, JAMIE DWORSKY, RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, PATRICK ZWIERS, DANA KAMIN, LISA BRUNO, KRISTOPHER HOLUB, AUCTION.COM, BRENDA WIGGS, PAUL A. HOEFKER** or either one of them, as Substitute Trustee, to act, either singly or jointly, under and by virtue of said Deed of Trust and hereby request said Substitute Trustees, or any one of them to sell the property in said Deed of Trust described and as provided therein. The address for the Substitute Trustee as required by Texas Property Code, Section 51.0075(e) is Auction.com, 1 Mauchly, Irvine, CA 92618.

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.

By: 

Paul A. Hoefker, Attorney
Aldridge Pite, LLP
8880 Rio San Diego Drive, Suite 725
San Diego, California 92108

Return to:
ALDRIDGE PITE, LLP
8880 RIO SAN DIEGO DRIVE, SUITE 725
P.O. BOX 17935
SAN DIEGO, CA 92108-0935
FAX #: 619-590-1385
866-931-0036

EXHIBIT A

TS# 115729-TX

Being a 5.000 acre tract out of the Charles S. Brown Survey, Abstract No. 59 in Erath County, Texas, and being a part of the remainder of a called 50 acre tract described in a deed to K. G. Nelson and wife, **Pa P. Nelson recorded in Volume 522, Page 499 of the Deed Records of said County, and being more fully described as follows:**

BEGINNING at a 1/2" Iron set in the westerly line of the remainder of the called 50 acre tract mentioned above, same being in the easterly right of way line of County Road No. 196, and from which a 3/8" Iron found in place at the Northwest corner of a called 20.00 acre tract now or formerly owned by B.J. Stasey, recorded in Volume 750, Page 382 of said Records, and same being the Southwest corner of the remainder of said 50 acres bears South 14°11'30" East 538.03 feet;

THENCE North 14°11'30" West, along the westerly line of the remainder of said 50 acre tract and said right of way, a distance of 56.23 feet to a 1/2" Iron set for an angle point in said line;

THENCE North 04°08'18" West, along said line and said remainder, a distance of 91.44 feet to a 3/8" Capped Iron found in place at an angle point in said line;

THENCE North 00°58'58" East, along said line and said remainder, a distance of 518.80 feet to a 3/8" Capped Iron found in place for the Northwest corner of this tract, and from which a 3/8" Iron rod found in place for the Northwest corner of said remainder tract bears North 05°36'11" East 257.99 feet;

THENCE North 53°47'30" East, across said remainder, a distance of 252.71 feet to a 1/2" Iron set for the Northeast corner of this tract;

THENCE South 36°12'30" East, a distance of 449.15 feet to a 1/2" Iron set for the Southeast corner of this tract;

THENCE South 45°24'20" West, a distance of 642.82 feet to the place of beginning and containing 5.000 acres