

434 8TH ST  
ROCKDALE, TX 76567

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**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: October 06, 2020

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: THE EAST ENTRANCE OF THE MILAM COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

**2. Terms of Sale.** Cash.

**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated December 18, 1998 and recorded in Document VOLUME 790, PAGE 792 real property records of MILAM County, Texas, with LAWRENCE RUSSELL AND JOSEPHINE RUSSELL, grantor(s) and JIM WALTER HOMES, INC., mortgagee.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by LAWRENCE RUSSELL AND JOSEPHINE RUSSELL, securing the payment of the indebtednesses in the original principal amount of \$45,480.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust VIII is the current mortgagee of the note and Deed of Trust or Contract Lien.

**5. Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

**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 § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. NEWREZ LLC F/K/A NEW PENN FINANCIAL, LLC d/b/a SHELLPOINT MORTGAGE SERVICING, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o NEWREZ LLC F/K/A NEW PENN FINANCIAL, LLC d/b/a SHELLPOINT MORTGAGE SERVICING  
55 BEATTIE PLACE  
MAILSTOP 015  
GREENVILLE, SC 29601

Filed 3 day of Sept  
in 2020, At 9:10 A M.  
JODI MORGAN  
County Clerk, Milam County, Texas  
By Jennifer Rochell  
Deputy



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**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.**

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead PETE FLOREZ, ZACHARY FLOREZ, ORLANDO ROSAS, FLORENCE ROSAS, BOBBY BROWN, MARYNA DANIELIAN, KRISTOPHER HOLUB, AARTI PATEL, GARRETT SANDERS, KATHLEEN ADKINS JOHN LATHAM, JOHN W. LATHAM, BRETT ADAMS, TOBEY LATHAM, OR MICHAEL LATHAM whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Israel Saucedo

**Certificate of Posting**

My name is \_\_\_\_\_, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the MILAM County Clerk and caused to be posted at the MILAM County courthouse this notice of sale.

\_\_\_\_\_

Declarants Name: \_\_\_\_\_

Date: \_\_\_\_\_

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MILAM

**EXHIBIT "A"**

A TRACT OR PARCEL OF LAND CONTAINING 5,000 SQUARE FEET OUT OF THE NORTHEASTERLY PORTION OF AN ORIGINAL TRACT CONVEYED TO JEWEL CLARK IN INSTRUMENT DATED NOVEMBER 24, 1993 AND RECORDED IN VOLUME 241, PAGE 141 OF THE DEED RECORDS OF MILAM COUNTY, TEXAS IN THE CITY OF ROCKDALE OUT OF THE D.A. THOMPSON SURVEY IN MILAM COUNTY, SAID 5,000 SQUARE FEET TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO-WIT :

BEGINNING AT A 3/8 INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID 70 X 560 FOOT TRACT DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 241, PAGE 141 OF THE MILAM COUNTY DEED RECORDS IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID 8TH STREET (30 FT. IN WIDTH);

THENCE SOUTH 19 DEGREES 21 MINUTES 00 SECONDS EAST WITH THE EAST LINE OF SAID ORIGINAL TRACT DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 241, PAGE 141 OF THE DEED RECORDS OF MILAM COUNTY, TEXAS A DISTANCE OF 100.00 FEET TO A 3/8 INCH IRON ROD SET AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT LOCATED NORTH IS DEGREES 21 MINUTES WEST A DISTANCE OF 460 FEET FROM THE ORIGINAL SOUTHEAST CORNER OF SAID TRACT DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 241, PAGE 141 OF THE MILAM COUNTY DEED RECORDS;

THENCE SOUTH 70 DEGREES 39 MINUTES 00 SECONDS WEST PERPENDICULAR TO THE AFOREMENTIONED LINE AND CROSSING OVER INTO SAID PARENT TRACT A DISTANCE OF 50.00 FT. TO A 3/8 INCH IRON ROD SET AT THE SOUTHWEST CORNER MARKING A RE-ENTRANT CORNER OF THE RESIDUAL OF SAID ORIGINAL 70 X 560 FOOT TRACT;

THENCE NORTH 19 DEGREES 21 MINUTES 00 SECONDS WEST PARALLEL TO AND PERPENDICULARLY DISTANT TO THE SOUTHWEST LINE OF SAID 70 X 560 FOOT TRACT A DISTANCE OF 100.00 FEET TO A 1/2 INCH IRON ROD FOUND AT THE NORTHWEST CORNER IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID 8 TH STREET;

THENCE NORTH 70 DEGREES 39 MINUTES 00 SECONDS EAST WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID 8TH STREET A DISTANCE OF 50.00 FT. TO THE PLACE OF BEGINNING AND CONTAINING 5,000 SQUARE FEET AND BEING KNOWN AS 111 - 8 TH STREET, ROCKDALE, TEXAS ZIP CODE 76567.