

21-018119

**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)**

<b>Deed of Trust Date:</b> November 12, 2016	<b>Original Mortgagor/Grantor:</b> JENNIFER L. PHARR AND NICKOLAS DEAN PHARR
<b>Original Beneficiary / Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR 360 MORTGAGE GROUP, LLC., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
<b>Recorded in:</b> <b>Volume:</b> N/A <b>Page:</b> N/A <b>Instrument No:</b> 165641	<b>Property County:</b> LAMPASAS
<b>Mortgage Servicer:</b> NEWREZ LLC F/K/A NEW PENN FINANCIAL LLC D/B/A SHELLPOINT MORTGAGE SERVICING	<b>Mortgage Servicer's Address:</b> 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 \$185,280.00, executed by JENNIFER L PHARR and payable to the order of Lender.

**Property Address/Mailing Address:** 366 COUNTY RD 3364, KEMPNER, TX 76539

**Legal Description of Property to be Sold:** FIELD NOTES FOR A TRACT OF LAND IN LAMPASAS COUNTY, TEXAS, PART OF THE M.B. WINNARD SURVEY, ABSTRACT NO. 1569, AND THE DAY LAND AND CATTLE COMPANY SURVEY, ABSTRACT NO. 1288, ADN THE LAND HERIN DESCRIBED BEING PART OF LOT 7, OF THE REPLAT OF LOTS 7-19, BINION CREEK ESTATES, PHASE 1, AN ADDITION TO LAMPASAS COUNTY, TEXAS, BEING OF RECORD IN CABINET 1, SLIDE 282, AND 283, PLAT RECORDS OF LAMPASAS COUNTY, TEXAS.

BEGINNING AT A 3/8" IRON RED FOUND IN THE WEST MARGIN OF COUNTY ROAD 323 AND THE NORTH MARGIN OF A 50.0 ROAD, BEING THE SOUTHEAST CORNER OF SAID LOT 7 FOR THE SOUTHEAST CORNER OF THIS.

THENCE WITH SAID NORTH MARGIN S.67° 39' 15"W. 484.78 FEET TO A 3/8" IRON ROD FOUND, FOR THE SOUTHWEST CORNER AT THIS.

THENCE N. 33° 21' 59" W. 290.37 FEET TO A 3/8" IRON ROD FOUND, FOR THE NORTHWEST CORNER OF THIS.

THENCE N. 69° 39' 40" E. 510.76 FEET TO A 3/8" IRON ROD FOUND IN THE WEST MARGIN OF COUNTY, ROAD 323, FOR THE NORTHEAST CORNER OF THIS.

THENCE S 24° 12' 15" E. 9.72 FEET TO A 3/8" IRON ROD FOUND BEGINNING A CURVE TO THE LEFT, FOR A CORNER OF THIS



THENCE WITH SAID CURVE, 253.46 FEET (LONG CHORD BEARS S. 28°47'07" E. 253.19 FEET HAVING A RADIUS OF 1585.02 FEET) TO A 3/8" IRON ROD FOUND, FOR A CORNER OF THIS

THENCE CONTINUING WITH SAID WEST MARGIN, S. 33°21' 59" E. 5.93 FEET, TO THE PLACE OF BEGINNING CONTAINING 3.122 ACRES OF LAND.

11017-007-000-00

BEING PROPERTY CONVEYED BY WARRANTY DEED FROM HARRY TORRES AND KEENA G. TORRES, HUSBAND AND WIFE TO JENNIFER L. DURBY, AN UNMARRIED WOMAN, RECORDED JUNE 17, 2016, IN (BOOK) CLERK'S FILE NO: 163547 AND, LAMPASAS COUNTY, TEXAS.

<b>Date of Sale:</b> May 03, 2022	<b>Earliest time Sale will begin:</b> 12:00 PM
-----------------------------------	--

**Place of sale of Property:** Lampasas County Courthouse, 501 E. 4th Street, Lampasas, TX 76550 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 Kristopher Holub, Aarti Patel, Amy Ortiz, Dylan Ruiz, Violet Nunez, Beatriz Sanchez, Edward Luby, Nancy Parker, Roberta Avery-Hamilton, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Sara Edgington, Thomas Gilbraith whose address is 1 Mauchly Irvine, CA 92618 OR Michelle Jones, Angela Zavala, Richard Zavala, Jr or Sharlet Watts 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, Kristopher Holub, Aarti Patel, Amy Ortiz, Dylan Ruiz, Violet Nunez, Beatriz Sanchez, Edward Luby, Nancy Parker, Roberta Avery-Hamilton, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Sara Edgington, Thomas Gilbraith whose address is 1 Mauchly Irvine, CA 92618 OR Michelle Jones, Angela Zavala, Richard Zavala, Jr or Sharlet Watts 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 Kristopher Holub, Aarti Patel, Amy Ortiz, Dylan Ruiz, Violet Nunez, Beatriz Sanchez, Edward Luby, Nancy Parker, Roberta Avery-Hamilton, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Sara Edgington, Thomas Gilbraith whose address is 1 Mauchly Irvine, CA 92618 OR


Michelle Jones, Angela Zavala, Richard Zavala, Jr or Sharlet Watts 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

Kristopher Holub, Aarti Patel, Amy Ortiz, Dylan Ruiz, Violet Nunez, Beatriz Sanchez, Edward Luby, Nancy Parker, Roberta Avery-Hamilton, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Sara Edgington, Thomas Gilbraith OR Michelle Jones, Angela Zavala, Richard Zavala, Jr or Sharlet Watts, Trustee

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

FILED  
10<sup>th</sup> day of March 20, 22  
Connie Hartmann  
COUNTY CLERK, LAMPASAS COUNTY, TEXAS  
BY:  DEPUTY

Copy

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

LAMPASAS County

Deed of Trust Dated: November 7, 2008

Amount: \$120,000.00

Grantor(s): DANNA SEALE

Original Mortgagee: ARK-LA-TEX FINANCIAL SERVICES LLC, A TEXAS LLC

Current Mortgagee: TIAA FSB

Mortgagee Servicer and Address: c/o LOANCARE, P.O. Box 2026, Flint, MI 48501

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

Recording Information: Document No. 135459

Legal Description: BEING LOT TWO (2), BLOCK ONE (1), JOE MCLEAN ADDITION #1, ACCORDING TO THE PLAT IN CABINET 1, SLIDES 89-91, PLAT RECORDS, LAMPASAS COUNTY, TEXAS

Whereas, an Order to Proceed with Expedited Foreclosure under the Texas Rule Civil Procedure 736 was entered on September 13, 2019 under Cause No. 21373 in the 27th Judicial District Court of LAMPASAS County, Texas

Date of Sale: May 3, 2022 between the hours of 12:00 PM and 3:00 PM.

Earliest Time Sale Will Begin: 12:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the LAMPASAS County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.


KRISTOPHER HOLUB OR ANGELA ZAVALA, RICHARD ZAVALA, JR, SHARLET WATTS, MICHELLE JONES, JUANITA COX, JIMMY CARROLL BREWER, DYLAN RUIZ, VIOLET NUNEZ, BEATRIZ SANCHEZ, EDWARD LUBY, NANCY PARKER, ROBERTA AVERY-HAMILTON, CARY CORENBLUM, JOSHUA SANDERS, ALEENA LITTON, MATTHEW HANSEN, SARA EDGINGTON, THOMAS GILBRAITH, AARTI PATEL, AMY ORTIZ OR STEPHEN RAWLINGS have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust. 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. 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.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

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.

  
Anthony Adam Garcia, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2019-002059

  
c/o Auction.com, LLC  
1 Mauchly  
Irvine, California 92618

FILED  
17th day of March 2022  
C. Idemman  
COUNTY CLERK, LAMPASAS COUNTY, TEXAS  
BY: R. Zvala DEPUTY

22TX373-0278  
10627 W FM 580, LAMPASAS, TX 76550

*Copy*

## NOTICE OF FORECLOSURE SALE

Property:

The Property to be sold is described as follows:

SEE EXHIBIT "A"

Security Instrument:

Deed of Trust dated October 17, 2016 and recorded on October 18, 2016 as Instrument Number 165196 in the real property records of LAMPASAS County, Texas, which contains a power of sale.

Sale Information:

May 03, 2022, at 12:00 PM, or not later than three hours thereafter, at the west entrance to the Lampasas County Courthouse, or as designated by the County Commissioners Court.

Terms of Sale:

Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured:

The Deed of Trust executed by CHARLENE MOLER AND NICOLAS ALEXANDER MOLER secures the repayment of a Note dated October 17, 2016 in the amount of \$201,848.00. FREEDOM MORTGAGE CORPORATION, whose address is c/o Freedom Mortgage Corporation, 907 Pleasant Valley Avenue, Suite 3, Mt. Laurel, NJ 08054, is the current mortgagee of the Deed of Trust and Note and Freedom Mortgage Corporation is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee:

In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

**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.**

FILED  
20th day of Apr 20 22  
C. Hartmann  
COUNTY CLERK, LAMPASAS COUNTY, TEXAS  
BY: [Signature] DEPUTY

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.

T. Miller

Miller, George & Suggs, PLLC  
Dustin C. George, Attorney at Law  
Tracey Midkiff, Attorney at Law  
Jonathan Andring, Attorney at Law  
5601 Democracy Drive, Suite 265  
Plano, TX 75024

Angela Zavala

Substitute Trustee(s): Maryna Danielian, Kristopher Holub, Aarti Patel, Stacey Sanders, Amy Ortiz, Garrett Sanders, Dylan Ruiz, David Ackel, Violet Nunez, Erika Aguirre, Beatriz Sanchez, Sara Edgington, Michelle Jones, Angela Zavala, Richard Zavala, Jr., Sharlet Watts, Jr and Auction.com employees, including but not limited to those listed herein  
c/o Miller, George & Suggs, PLLC  
5601 Democracy Drive, Suite 265  
Plano, TX 75024

Certificate of Posting

I, Angela Zavala, declare under penalty of perjury that on the 7<sup>th</sup> day of April, 2022, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of LAMPASAS County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

MOLER  
Loan Number: 400216100736126  
MIN:100350291007361263  
Case Number: 49-49-6-1320414

## EXHIBIT "A"

BEING 5.03 ACRES OF THE O.D. PRUITT SURVEY (ALSO KNOWN AS THE NORTHWEST 1/4 OF THE H.T. & B. R.R. CO. SURVEY NO. 12), ABST. NO. 1016 IN LAMPASAS COUNTY, TEXAS, AND BEING ALL OF A 1.40 ACRE TRACT OF LAND DESCRIBED AS TRACT ONE AND ALL OF A 3.57 ACRE TRACT OF LAND DESCRIBED AS TRACT TWO IN A DEED FROM JANE HARRIS KENYON TO MICHAEL KRUEGER, ET UX. DATED AUGUST 18, 1993, AS RECORDED IN VOL. 301, PAGE 106 OF THE DEED RECORDS OF LAMPASAS COUNTY, TEXAS; SAID 5.03 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF F.M. HWY. 580 FOR THE NORTHWEST CORNER OF SAID 3.57 ACRE TRACT AND THE NORTHEAST CORNER OF A 131 ACRE TRACT OF LAND DESCRIBED IN A DEED TO DANIEL C. TAYLOR TRUST, AS RECORDED IN VOL. 355, PAGE 156 OF SAID DEED RECORDS, FROM WHENCE A 1.25 INCH IRON PIPE FOUND BRS. NORTH 00° 54' 34" WEST, 0.38 FEET;

THENCE WITH THE SOUTH RIGHT OF WAY LINE OF SAID F.M. HWY. 580 AND THE NORTH LINE OF SAID 3.57 ACRE TRACT AS FOLLOWS:

379.83 FEET ALONG THE ARC OF A CIRCULAR CURVE WITH A RADIUS OF 5694.58 FEET (LONG CHORD = SOUTH 60° 18' 58" EAST, 379.76 FEET) TO A 1/2 INCH IRON PIN SET;

SOUTH 60° 47' 00" EAST, 45.66 FEET TO A POINT FROM WHENCE A 2.5 INCH PIPE CORNER POST BRS. SOUTH 01° 49' 19" WEST. 2.08 FEET;

THENCE SOUTH 01° 48' 49" WEST, WITH THE EAST LINE OF SAID 3.57 ACRE TRACT AND ALONG THE GENERAL COURSE OF A FENCE. 328.00 FEET TO A 4.5 INCH PIPE POST FOUND IN CONCRETE FOR THE SOUTHEAST CORNER OF SAID 3.57 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 1.40 ACRE TRACT;

THENCE SOUTH 37° 26' 29" WEST, WITH THE EAST LINE OF SAID 1.40 ACRE TRACT AND ALONG THE GENERAL COURSE OF A FENCE, 321.15 FEET TO A 2.5 INCH PIPE CORNER POST FOUND IN CONCRETE FOR THE SOUTHEAST CORNER OF SAID 1.40 ACRE TRACT;

THENCE NORTH 87° 48' 04" WEST, WITH THE SOUTH LINE OF SAID 1.40 ACRE TRACT AND ALONG THE GENERAL COURSE OF A FENCE, 144.73 FEET TO A 2.5 INCH PIPE CORNER POST FOUND IN CONCRETE FOR THE SOUTHWEST CORNER OF SAID 1.40 ACRE TRACT, BEING ON THE EAST LINE OF SAID 131 ACRE TRACT;

THENCE NORTH 02° 20' 07" WEST, WITH THE WEST LINE OF SAID 1.40 ACRE TRACT, WITH THE EAST LINE OF SAID 131 ACRE TRACT, AND ALONG THE GENERAL COURSE OF A FENCE, 238.82 FEET TO A 3 INCH PIPE POST FOUND IN CONCRETE FOR THE NORTHWEST CORNER OF SAID 1.40 ACRE TRACT AND THE SOUTHWEST CORNER OF SAID 3.57 ACRE TRACT;



2  
CR

THENCE NORTH 01° 01' 17" WEST, WITH THE WEST LINE OF SAID 3.57 ACRE TRACT, WITH THE EAST LINE OF SAID 131 ACRE TRACT, AND ALONG THE GENERAL COURSE OF A FENCE, 549.08 FEET TO THE PLACE OF BEGINNING, AS SURVEYED ON THE GROUND OR APRIL 22, 2009, BY MAPLES & ASSOCIATES, INC., AND AS SHOWN ON AN ACCOMPANYING PLAT OF EVEN SURVEY DATE HEREWITH.



cm