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220 CR 1082
WIERGATE, TX 75977

00000009034463

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: August 03, 2021

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

   Place: THE EAST DOOR OF THE NEWTON 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 January 23, 2007 and recorded in Document VOLUME 542, PAGE 279 real property records of NEWTON County, Texas, with ANTHONY COOPER AND EVELYN COOPER, grantor(s) and JIM WALTER HOMES, mortgagee.

4. **Obligations Secured**. Deed of Trust or Contract Lien executed by ANTHONY COOPER AND EVELYN COOPER, securing the payment of the indebtednesses in the original principal amount of $71,066.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. THE BANK OF NEW YORK MELLON, AS INDENTURE TRUSTEE, FOR MID-STATE CAPITAL CORPORATION 2010-1 TRUST 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

POSTED
JUL 01 2021
TIME 4:00pm
BY: Michele Medley
SANDRA K. DUCKWORTH, COUNTY CLERK

NTSS00000009034463

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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 herby remove the original trustee and all successor substitute trustees and appoints in their steed MARGIE ALLEN, OR KYLE BARCLAY 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 Tommy Jackson, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 7-1-21 I filed at the office of the NEWTON County Clerk and caused to be posted at the NEWTON County courthouse this notice of sale.

Tommy Jackson

Declarants Name: Tommy Jackson

Date: 7-1-21

EXHIBIT "A"

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN NEWTON COUNTY, TEXAS, OUT OF THE J. MCGUIRE SURVEY, ABSTRACT NO. 708 AND BEING ALL THAT CERTAIN CALLED 54/100 ACRE TRACT (FIRST TRACT DESCRIBED IN DOCUMENT) AND BEING ALL THAT CERTAIN CALLED 1/2 ACRE TRACT (SECOND TRACT), BOTH CONVEYED TO EVELYN COOPER IN THE DOCUMENT RECORDED IN VOLUME 532 ON PAGE 832 OF THE OFFICIAL PUBLIC RECORDS OF NEWTON COUNTY, TEXAS, TO WHICH REFERENCE IS HEREBY MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT A 28" PINE (REPORTED TO BE THE SOUTHWEST CORNER OF THE AFORESAID REFERRED 54/100 ACRE TRACT AND THE SOUTHEAST CORNER OF THE SAID 1/2 ACRE TRACT BY THIRD PARTY IN FIELD);

THENCE, ALONG THE REPORTED AND RECOGNIZED SOUTH BOUNDARY LINE OF THE SAID 1/2 ACRE TRACT (REPORTED TO BE NORTH OF WATERLINE AND WATER METERS BY THIRD PARTY IN FIELD), WEST AT 166.00 FEET (CALLED EAST 60 VRS.) A 1/2" IRON PIN FOUND IN A DIRT PATH (USED AS A CONNECTING ROUTE BETWEEN CR 1081 AND CR 1082) FOR THE SOUTHWEST CORNER OF THE SAID 1/2 ACRE TRACT;

TEHNCE, ALONG THE REPORTED AND RECOGNIZED WEST BOUNDARY LINE OF THE SAID 1/2 ACRE TRACT AND ALONG THE SAID DIRT PATH, N 03 DEGREES 04' 24" E AT 127.20 FEET (DISTANCE USED TO CALCULATE 1/2 ACRE TRACT) (CALLED S 34 DEGREES W 39 VRS.) A 1/2" IRON PIN SET FOR THE NORTHWEST CORNER OF THE SAID 1/2 ACRE TRACT BEING 20.18 FEET SOUTH OF THE APPROXIMATE CENTERLINE OF THE SAID CR 1081;

THENCE, ALONG THE NORTH BOUNDARY LINE OF THE SAID 1/2 ACRE TRACT AND THE SAID 54/100 ACRE TRACT AND BEING 20.18 FEET SOUTH OF AND PARALLEL TO THE SAID CR 1081, S 88 DEGREES 47' 10" E AT 333.34 FEET (CALLED WEST NO DISTANCE FOR 1/2 ACRE TRACT AND EAST 60 VRS. FOR 54/100 ACRE TRACT) A 1/2" IRON PIN SET FOR THE NORTHEAST CORNER OF THE SAID 54/100 ACRE TRACT;

THENCE, ALONG THE EAST BOUNDARY LINE OF THE SAID 54/100 ~~ACRE TRACT,~~ S 21 DEGREES 09' 08" E AT 128.62 FEET (BEARING AND DISTANCE USED TO CALCULATE 54/100 ACRE) (CALLED SOUTH 45 VRS.) A POINT FOR THE SOUTHEAST CORNER OF THE SAID 54/100 ACRE TRACT, FROM WHICH A 1/2" IRON PIN FOUND FOR REFERENCE BEARS EAST 9.50 FEET;

THENCE, ALONG THE REPORTED AND RECOGNIZED SOUTH BOUNDARY LINE OF THE SAID 54/100 ACRE TRACT, WEST AT 220.50 FEET (DISTANCE USED TO CALCULATE 54/100 ACRE) (CALLED WEST NO DISTANCE) THE POINT AND PLACE OF BEGINNING AND CONTAINING 1.019 ACRE OF LAND, MORE OR LESS, OF WHICH 0.037 ACRE LIES WITHIN CR 1081.

THE BEARINGS FOR THIS TRACT ARE BASED ON THE SOUTH BOUNDARY LINE OF THE SAID 54/100 ACRE TRACT.