

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated July 22, 2016 and recorded under Clerk's File No. 2016-1485, in the real property records of RAINS County Texas, with Jason Barker, a single man as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Aspire Financial, Inc. dba Texaslending.com, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Jason Barker, a single man securing payment of the indebtedness in the original principal amount of \$128,534.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Jason Barker. NewRez LLC d/b/a Shellpoint Mortgage Servicing is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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. Shellpoint Mortgage Servicing is acting as the Mortgage Servicer for the Mortgagee. Shellpoint Mortgage Servicing, is representing the Mortgagee, whose address is: 75 Beattie Place, Suite 300, Greenville, SC 29601.

Legal Description:

BEING 5.511 ACRES OF LAND, SITUATED IN THE JESSE YARBER SURVEY, ABSTRACT NO. 281, RAINS COUNTY, TEXAS, BEING PART OF THAT CALLED 7.265 ACRE TRACT OF LAND DESCRIBED IN A DEED TO RAYMUND P. MEEK AND IDILLA O. MEEK, RECORDED IN VOLUME 555, PAGE 697 OF THE RAINS COUNTY REAL RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

SALE INFORMATION

Date of Sale: 07/05/2022

Earliest Time Sale Will Begin: 1:00 PM

Location of Sale: The place of the sale shall be: RAINS County Courthouse, Texas, at the following location: At the east most side of the Rains County Courthouse Annex located at 220 West Quitman Street, if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner Court

TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the



MAILED
COURT CLERK
RAINS COUNTY TEXAS
BY [Signature]
DEPUTY
2022 MAY 12 PM 12:51
FILED FOR RECORD

mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "AS IS," "WHERE IS" condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the Deed of Trust.

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.

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.

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 Harriett Fletcher, David Sims, Robert LaMont, Sheryl LaMont, Aurora Campos, Ramiro Cuevas, Allan Johnston, Patrick Zwiars, Sharon St. Pierre, Ronnie Hubbard, Shawn Schiller, Irene Lindsay, Jonathan Harrison, Al Davis, Beatrice Carrillo, Dana Kamin, Darla Boettcher, Kevin Mccarthy, Lisa Bruno, Murphy Howle, Shannah Walker, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee.**

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:
Codilis & Moody, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Executed on 05/10/2022.

/s/ Danya F. Gladney SBOT No. 24059786, Attorney at Law
Codilis & Moody, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Posted and filed by:



Printed Name: Harriett Fletcher, May 12, 2022

C&M No. 44-22-0659

EXHIBIT "A"

BEING 5.511 Acres of land, situated in the Jesse Varber Survey, Abstract No. 281, Rains County, Texas, being part of that called 7.265 Acre tract of land described in a deed to Raymond P. Meek and Idilla O. Meek, recorded in Volume 555, Page 697 of the Rains County Real Records, and being further described as follows:

BEGINNING at Point for the Southeast corner of said 7.265 Acre tract, being the Southwest corner of that called 2.714 Acre tract, described in a deed to Steven Scott Theorin, recorded in Volume 557, Page 390, in the North line of that called 11.73 Acre tract, recorded in Volume 424, Page 56, and being near the Centerline of RS County Road 4252, from which, a 1/2" Iron Rod found bears N 0° 16'37"E-30.32 feet;

THENCE with the South line of said 7.265 Acre tract, and said County Road as follows:

North 84 degrees 33 minutes 28 seconds West, a distance of 38.60 feet and

North 84 degrees 15 minutes 39 seconds West, a distance of 340.07 feet to a Point for the Southwest corner of said 7.265 Acre tract, in the North line of that 5.00 Acre tract, described in a deed to Lloyd D. Miller, recorded on 10/02/2015, and being the Southeast corner of that called 2 Acre tract, described in a deed to Steven C. Schell, recorded in Volume 536, Page 368;

THENCE North 07 degrees 59 minutes 13 seconds West, with the West line of said 7.265 Acre tract and the East line of said 2 Acre tract, a distance of 361.29 feet to a 1/2" Iron Rod found in the West line of said 7.265 Acre tract, the Northeast corner of said 2 Acre tract, and the Southeast corner of that called 1.754 Acre tract, described in a deed to Raymond P. Meek and Idilla O. Meek, recorded in Volume 567, Page 150;

THENCE Northeasterly across said 7.265 Acre tract as follows:

North 34 degrees 47 minutes 33 seconds East, a distance of 204.19 feet,

North 45 degrees 01 minutes 06 seconds East, a distance of 103.32 feet,

North 84 degrees 50 minutes 50 seconds East, a distance of 90.56 feet, to a Point for Corner, being an ell corner of said 7.265 Acre tract;

THENCE North 67 degrees 20 minutes 39 seconds East, with the North line of said 7.265 Acre tract, a distance of 163.22 feet to a 1/2" Iron Rod found for the Northeast corner of said 7.265 Acre tract, and being the Northwest corner of said 2.174 Acre tract

THENCE South 00 degrees 16 minutes 37 seconds West, with the East line of said 7.265 Acre tract, and the West line of said 2.714 Acre tract, a distance of 707.19 feet to the Place of Beginning, containing 5.511 Acres of land.

The above Field Notes were prepared from an actual on the ground survey, made under the direction and supervision of H. Keith Rutledge, R.P.L.S. #5449, dated June 15, 2016.