

**NOTICE OF ACCELERATION AND NOTICE OF 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.**

**DEED OF TRUST INFORMATION:**

**Date:** 05/02/2022  
**Grantor(s):** DARRICK ALLEN HAYS AND JENNIFER HAYS, HUSBAND AND WIFE  
**Original Mortgagee:** MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR ARK-LA-TEX FINANCIAL SERVICES, LLC DBA BENCHMARK MORTGAGE, ITS SUCCESSORS AND ASSIGNS  
**Original Principal:** \$325,000.00  
**Recording Information:** Instrument 2022 1528  
**Property County:** Rains  
**Property:** (See Attached Exhibit "A")  
**Reported Address:** 339 N 1ST ST, POINT, TX 75472-5527

**MORTGAGE SERVICING INFORMATION:**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

**Current Mortgagee:** NewRez LLC d/b/a Shellpoint Mortgage Servicing  
**Mortgage Servicer:** Shellpoint Mortgage Servicing  
**Current Beneficiary:** NewRez LLC d/b/a Shellpoint Mortgage Servicing  
**Mortgage Servicer Address:** 75 Beattie Place, Suite 300, Greenville, SC 29601

**SALE INFORMATION:**

**Date of Sale:** Tuesday, the 5th day of August, 2025  
**Time of Sale:** 1:00PM or within three hours thereafter.  
**Place of Sale:** At the West most side of the Rains County Courthouse 167 East Quitman street in Rains County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Rains County Commissioner's Court, at the area most recently designated by the Rains County Commissioner's Court.

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Harriett Fletcher, Sheryl LaMont, Sharon St. Pierre, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Harriett Fletcher, Sheryl LaMont, Sharon St. Pierre, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.

FILED FOR RECORD  
2025 JUL 10 PM 2:36  
JANIS CLARK, CLERK  
COUNTY CLERK  
RAINS COUNTY, TEXAS  
BY: M. Sharpe



4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

**Substitute Trustee(s):** Harriett Fletcher, Sheryl LaMont, Sharon St. Pierre, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

**Substitute Trustee Address:** 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

Document Prepared by:  
Bonial & Associates, P.C.  
14841 Dallas Parkway, Suite 350, Dallas, TX 75254  
AS ATTORNEY FOR THE HEREIN  
IDENTIFIED MORTGAGEE AND/OR  
MORTGAGE SERVICER

#### Certificate of Posting

I am Sheryl LaMont whose address is 14841 Dallas Parkway, Suite 350, Dallas, TX 75254. I declare under penalty of perjury that on July 10, 2025 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Rains County Clerk and caused it to be posted at the location directed by the Rains County Commissioners Court.

By: 

#### Exhibit "A"

BEING A 1.00 ACRE TRACT OR PARCEL OF LAND SITUATED IN THE A.S. SUMMERLIN SURVEY, ABSTRACT NO. 292, RAINS COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN CALLED 1 ACRE TRACT OF LAND DESCRIBED AS TRACT TWO, CONVEYED FROM PHILLIP KERR, ET AL, TO AARON FOUNTAIN, BY GENERAL WARRANTY DEED, AS RECORDED IN FILE NO. 2020-2336, OFFICIAL PUBLIC RECORDS, RAINS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" INCH IRON SET CAPPED (BY-LINE) IN THE WEST MARGIN OF FIRST STREET, AT THE SOUTHEAST CORNER OF THE REMAINDER OF A CALLED 1.5 ACRE TRACT OF LAND, DESCRIBED AS TRACT ONE, CONVEYED TO AARON FOUNTAIN, BY GENERAL WARRANTY DEED, AS RECORDED IN FILE NO. 2020-2336, OFFICIAL PUBLIC RECORDS, RAINS COUNTY, TEXAS, AND AT THE NORTHEAST CORNER OF SAID 1 ACRE TRACT, FROM WHICH A 1/2" IRON ROD FOUND BEARS NORTH 00 DEG 13 MIN 03 SEC WEST, A DISTANCE OF 104.81 FEET;

THENCE SOUTH 00 DEG 13 MIN 03 SEC EAST, ALONG THE WEST MARGIN OF FIRST STREET AND WITH THE EAST LINE OF SAID 1 ACRE TRACT, A DISTANCE OF 98.52 FEET TO A 1/2" IRON ROD SET CAPPED (BY-LINE) AT THE NORTHEAST CORNER OF A CALLED 1.458 ACRE TRACT OF LAND, DESCRIBED AS TRACT THREE, CONVEYED TO AARON FOUNTAIN BY GENERAL WARRANTY DEED, AS RECORDED IN FILE NO. 2020-2336, OFFICIAL PUBLIC RECORDS, RAIN COUNTY, TEXAS, AND AT THE SOUTHEAST CORNER OF SAID 1 ACRE TRACT, FROM WHICH A 1/2" IRON ROD FOUND BEARS NORTH 88 DEG 05 MIN 30 SEC EAST, A DISTANCE OF 7.34 FEET;

THENCE SOUTH 88 DEG 05 MIN 30 SEC WEST, WITH THE NORTH LINE OF SAID 1.458 ACRE TRACT AND WITH THE SOUTH LINE OF SAID 1 ACRE TRACT, A DISTANCE OF 437.68 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID 1.458 ACRE TRACT, IN AN EAST LINE OF A CALLED 2.474 ACRE TRACT OF LAND CONVEYED TO THE CITY OF POINT, TEXAS, BY WARRANTY DEED, AS RECORDED IN FILE NO. 2016-2232, OFFICIAL PUBLIC RECORDS, RAINS COUNTY, TEXAS, AND AT THE SOUTHWEST CORNER OF SAID 1 ACRE TRACT;

THENCE NORTH 01 DEG 15 MIN 48 SEC WEST, WITH AN EAST LINE OF SAID 2.474 ACRE TRACT AND WITH THE WEST LINE OF SAID 1 ACRE TRACT, A DISTANCE OF 31.98 FEET TO A 1/2" IRON ROD FOUND CAPPED (COOPER) AT A NORTHEAST CORNER OF SAID 2.474 ACRE TRACT AND IN THE SOUTH LINE OF LOT 9, CRESTVIEW ADDITION, AS RECORDED IN VOLUME 168, PAGE 546, PLAT RECORDS, RAINS COUNTY, TEXAS, FROM WHICH A 3/8" IRON ROD FOUND BEARS SOUTH 86 DEG 15 MIN 35 SEC WEST, A DISTANCE OF 182.16 FEET;

THENCE NORTH 86 DEG 39 MIN 59 SEC EAST, OVER AND ACROSS SAID 1 ACRE TRACT AND WITH THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 10.74 FEET TO A 3/8" IRON ROD FOUND AT THE EAST CORNER OF SAID LOT 9 AND AT THE SOUTH CORNER OF LOT 10, OF SAID ADDITION;

THENCE NORTH 02 DEG 53 MIN 18 SEC WEST, OVER AND ACROSS SAID 1 ACRE TRACT AND WITH THE EAST LINE OF SAID LOT 10, A DISTANCE OF 70.98 FEET TO A 1/2" IRON ROD SET CAPPED (BY-LINE) FOR CORNER IN THE SOUTH LINE OF SAID 1.5 ACRE TRACT AND IN THE NORTH LINE OF SAID 1 ACRE TRACT, FROM WHICH A 3/8" IRON ROD FOUND BEARS NORTH 02 DEG 3N 18 SEC WEST, A DISTANCE OF 145.93 FEET AND A 5/8" IRON ROD FOUND BEARS NORTH 01 DEG 46 MIN 37 SEC WEST, A DISTANCE OF .75 FEET;

THENCE NORTH 88 DEG 43 MIN EAST, WITH THE SOUTH LINE OF SAID 1.5 ACRE TRACT AND WITH NORTH LINE OF SAID 1 ACRE TRACT, A DISTANCE OF 430.73 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.00 ACRES OF LAND.

**Return to:** Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 350, Dallas, TX 75254



**NOTICE OF TRUSTEE'S SALE**

**Date:** July 11, 2025  
**Trustee:** PHILIP D. ALEXANDER  
**Lender:** CHRIS FLETCHER and MISTY ADAMS

FILED FOR RECORD

2025 JUL 11 PM 3:18

JEANUY SAWYER  
COUNTY CLERK  
RAINS COUNTY, TEXAS  
*M. Ferguson*

**Note**

**Date:** November 19, 2013  
**Amount:** SIXTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$67,000.00)  
**Maker:** ARMANDO AYALA  
**Lender:** CHRIS FLETCHER and MISTY ADAMS

**Deed of Trust**

**Date:** November 19, 2013  
**Grantor:** ARMANDO AYALA  
**Lender:** CHRIS FLETCHER and MISTY ADAMS

**Recording information:** Volume 567, Page 0696, Official Public Records of Rains County, Texas

**Property:**

**BEING** a 2.469 acre tract and being all that certain lot, tract, or parcel of land situated in the Bonifacio De O'Sinea Survey, Abstract No. 175, Rains County, Texas, and being part of a called 9.480 acre tract of land described in a deed from Floyd C. Greene and wife, Peggy Greene, to Mike Davis and wife, Mary Davis, as recorded in Volume 334, Page 646, Rains County Real Records, and being more particularly described as follows:

**BEGINNING** at a found concrete monument on the east line of State Highway No. 19 at the northeast corner of said 9.480 acre on the west line of a called 60 acre tract of land described in deed to Bilton as recorded in Volume 314, Page 222, R.C.R.R.;

**THENCE** South 00 degrees 27 minutes 00 seconds West, along the east line of said 9.480 acre tract and along the west line of said 60 acre tract, a distance of 770.12 feet to a 1/2-inch iron rod found at the northeast corner of a called 2.000 acre tract of land described in deed to Davis as recorded in Volume 338, Page 770, R.C.R.R. for corner;

**THENCE** North 87 degrees 13 minutes 44 seconds West, along the north line of said 2.000 acre tract, a distance of 232.99 feet to a 1/2-inch iron rod found on the west line of said 9.480 acre tract and on the east line of said State Highway No. 19 at the northwest corner of said 2.000 acre tract for corner;

**THENCE** North 15 degrees 02 minutes 22 seconds East, along said west line of 9.480 acre tract and along said east line of State Highway No. 19, a distance of 223.34 feet to a found concrete monument at the beginning of a curve to the left for corner;

**THENCE** along the west line of said 9.480 acre tract and the east line of said State Hwy. No. 19 and said curve having a radius of 5195.06 feet, an arc distance of 559.96 feet to a found concrete monument at the northwest corner of said 9.480 acre tract, said curve having a chord bearing of North 12 degrees 19 minutes 56 seconds East and a chord distance of 559.69 feet;

**THENCE** South 86 degrees 36 minutes 07 seconds East, along the north line of said 9.480 acre tract and the south line of said State Hwy. No. 19, a distance of 61.38 feet of the POINT OF BEGINNING, and containing 2.469 acres of land.

NOTE: Basis of Bearing is the east line of said 9.480 acre tract (334/646 R.C.R.R.).

Being the same land described in a Warranty Deed with Vendor's Lien dated November 19, 2013 from Chris Fletcher, a single person; and Misty Adams, a single person, to Armando Ayala, recorded in Volume 567, Page 0693, Official Public Records of Rains County, Texas.

**County:** Rains

**Date of Sale (first Tuesday of month):** August 5, 2025

**Time of Sale:** Between the hours of 10:00 a.m. and 1:00 p.m.

**Place of Sale:** West most side of the Rains County Courthouse which is located at 167 East Quitman Street, Emory, Texas 75440, or as designated by the County Commissioners.

PHILIP D. ALEXANDER is the Trustee pursuant to the Deed of Trust. Lender has instructed Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS." The sale will begin at the Time of Sale or not later than three hours thereafter. This sale will be conducted subject to the right of rescission contained in section 51.016 of the Texas Property Code.



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**PHILIP D. ALEXANDER, Trustee**