

SEP 05 2025

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEEMANDY SAWYER, COUNTY CLERK
RAINS COUNTY, TEXAS
BY: M Sawyer

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., 20405 State Highway 249, Suite 170, Houston, TX 77070

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated February 11, 2021 and recorded under Clerk's File No. 2021-0388, in the real property records of RAINS County Texas, with Kerry Barton, a single man as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Sublime Financial, LLC, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Kerry Barton, a single man securing payment of the indebtedness in the original principal amount of \$125,000.00 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 Kerry Barton. 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:

ALL THOSE CERTAIN LOTS, TRACTS OR PARCELS OF LAND LYING AND SITUATED IN RAINS COUNTY, TEXAS AND BEING LOT NO. ONE HUNDRED EIGHT (108) AND ONE HUNDRED NINE (109) OF RABB ESTATES, REVISED AN ADDITION ON LAKE TAWAKONI, RAINS COUNTY, TEXAS ACCORDING TO THE MAP AND PLAT OF RECORD IN VOLUME 140, PAGE 577 DEED RECORDS OF RAINS COUNTY, TEXAS.

SALE INFORMATION**Date of Sale: 11/04/2025****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 167 East Quitman Street, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's 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



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.

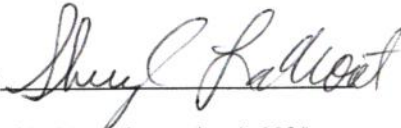
WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, **I HEREBY APPOINT AND DESIGNATE Harriett Fletcher, Sheryl LaMont, Sharon St. Pierre, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ServiceLink Auction, 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.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

Executed on September 4, 2025.

/s/ Will Morphis SBOT No. 24131905, Attorney at Law
Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

Posted and filed by:



Printed Name: Sheryl LaMont, September 5, 2025

C&M No. 44-25-00453

NOTICE OF TRUSTEE'S SALE

FILED FOR RECORD

Date: September 25, 2025
Trustee: PHILIP D. ALEXANDER
Lender: DONNA LYNN FLETCHER
Note

2025 SEP 25 PM 2: 26

MANDY SAWYER
COUNTY CLERK
RAINS COUNTY, TEXAS
BY *M. Ferguson*

Date: May 26, 2023
Amount: ONE HUNDRED SEVENTY-SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$177,500.00)
Maker: JOSE S. HERNANDEZ, JR. and ELISABETH MICHELLE MORENO
Lender: DONNA LYNN FLETCHER

Deed of Trust

Date: May 26, 2023
Grantor: JOSE S. HERNANDEZ, JR. and ELISABETH MICHELLE MORENO
Lender: DONNA LYNN FLETCHER

Recording information: Document Number 2023-1160, Official Public Records of Rains County, Texas

Property:

BEING a 0.192 acre tract and being all that certain lot, tract or parcel of land situated in the R. Sunigas Survey, Abstract no. 206, in the City of Point, Rains County, Texas, and being all of a called 0.190 acre tract described in a deed from J B. Northcutt et ux, Cora C. Northcutt to Cheryl Goodman as recorded in Volume 330, Page 713, Rains County Real Records, and being more particularly described as follows;

BEGINNING at a 1/2 inch iron rod set at the northwest corner of said 0.190 acre tract and on the south line of Avenue D, for a corner, from which point a 1/2 inch iron rod found at the northeast corner of a tract described in a deed to Pena as recorded in Volume 343, Page 633, Rains County Real Records, bears North 88 degrees 38 minutes 55 seconds West a distance of 2.81 feet, for a reference;

THENCE South 88 degrees 38 minutes 55 seconds East (Directional Control Line) along the north line of said 0.190 acre tract and the south line of Avenue D a distance of 89.88 feet to a 1/2 inch iron rod found at the northeast corner of said 0.190 acre tract and on the west line of Private Road, for a corner;

THENCE South 00 degrees 12 minutes 33 seconds East along the east line of said 0.190 acre tract and the west line of said Private Road a distance of 94.75 feet to a 1/2 inch iron rod found at the southeast corner of said 0.190 acre tract, for a corner;

THENCE North 88 degrees 38 minutes 55 seconds West along the south line of said 0.190 acre tract a distance of 87.07 feet to a 1/2 inch iron rod set at the southwest corner of said 0.190 acre tract, for a corner;

THENCE North 01 degrees 54 minutes 21 seconds West along the west line of said 0.190 acre tract a distance of 94.86 feet to the POINT OF BEGINNING and containing 0.192 acres of land, also being known as 344 Avenue D, Point.

Being the same land described in a Warranty Deed with Vendor's Lien dated May 26, 2023 from Donna Lynn Fletcher, a single person, to Jose S. Hernandez, Jr. and Elisabeth Michelle Moreno, recorded in Document Number 2023-1159, Official Public Records of Rains County, Texas.

County: Rains

Date of Sale (first Tuesday of month): November 4, 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.



PHILIP D. ALEXANDER, Trustee