

FILED
at 3:40 o'clock P M
FEB 25 2021

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

TRINITY COUNTY CLERK
TRINITY CO., TEXAS
[Signature]

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 March 16, 2004 and recorded under Vol. 722, Page 166, in the real property records of TRINITY County Texas, with Coy Rogers and wife, Frances Rogers as Grantor(s) and Walter Mortgage Company as Original Mortgagee.

Deed of Trust executed by Coy Rogers and wife, Frances Rogers securing payment of the indebtedness in the original principal amount of \$38,300.00 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 Coy Rogers and Frances Rogers. U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust VII 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:

A 1.01 ACRE TRACT OF LAND OUT OF A 15 ACRE TRACT CONVEYED TO RUFUS AND OLLIE RUGERS, BY DEED RECORDED IN VOLUME 157, PAGE 140 DEED RECORDS, FELIX W. GOFF SURVEY, ABSTRACT NUMBER 241, TRINITY COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS IN EXHIBIT "A":

SALE INFORMATION

Date of Sale: 04/06/2021

Earliest Time Sale Will Begin: 1:00 PM

Location of Sale: The place of the sale shall be: TRINITY County Courthouse, Texas at the following location: On the center steps of the Trinity County Courthouse, 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 Rebecca Hammond, Robert LaMont, Harriett Fletcher, Sheryl LaMont, David Sims, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, Evan Press, Amy Oian, Beatrice Carrillo, John Mccarthy, Kevin Mccarthy, Zach Mccarthy, 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 02/22/2021.

/s/ Lisa Collins SBOT No. 24115338, 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: Sharon St. Pierre

Printed Name: Sharon St. Pierre 2.25.21

C&M No. 44-20-1341

EXHIBIT A

A 1.01 ACRE TRACT OF LAND OUT OF A 15 ACRE TRACT CONVEYED TO RUFUS AND OLLIE ROGERS, BY DEED RECORDED IN VOLUME 157, PAGE 140 DEED RECORDS, MELIX W. GOFF SURVEY, ABSTRACT NUMBER 241, TRINITY COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGIN AT A POUND TWO INCH PIPE FOR THE SOUTHEAST CORNER OF THE SAID 15 ACRE TRACT, THENCE, N 0° 28' 43" E, 156.10 FEET, WITH THE EAST LINE OF THE SAID 15 ACRES, FOR THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED 1.01 ACRE TRACT OF LAND;

THENCE, WEST, 115.26 FEET TO A ONE-HALF INCH IRON ROD, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED 1.01 ACRE TRACT OF LAND;

THENCE, N 27° 37' 46" W, 306.14 FEET, TO A ONE-HALF INCH IRON PIPE FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 1.01 ACRE TRACT OF LAND;

THENCE, S 79° 00' 37" E, 260.16 FEET, TO A ONE-HALF INCH IRON ROD, IN THE EAST LINE OF THE SAID 15 ACRES, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED 1.01 ACRE TRACT OF LAND;

THENCE, S 0° 28' 43" E, 221.64 FEET, WITH THE SAID EAST LINE OF THE 15 ACRES, TO THE TRUE POINT OF BEGINNING, CONTAINING 1.01 ACRES OF LAND MORE OR LESS;