

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

2022 OCT 20 AM 8:12

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 September 28, 2016 and recorded under Vol. 1882, Page 529, or Clerk's File No. 00083731, in the real property records of HILL County Texas, with David Hurd and spouse, Rebecca Hurd as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Lenox Financial Mortgage Corporation DBA Weslend Financial Corp., its successors and assigns as Original Mortgagee.

Deed of Trust executed by David Hurd and spouse, Rebecca Hurd securing payment of the indebtedness in the original principal amount of \$101,821.00 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 David Hurd . 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:

FIELD NOTES FOR THE SURVEY OF A CERTAIN LOT, TRACT, OR PARCEL OF LAND BEING ALL OF LOT 9 OF THE MURDOCH MEADOWS SUBDIVISION IN HILL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

SALE INFORMATION

Date of Sale: 12/06/2022

Earliest Time Sale Will Begin: 11:00 AM

Location of Sale: The place of the sale shall be: HILL County Courthouse, Texas at the following location: The east door of the Hill 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 David Stockman, Brenda Wiggs, Guy Wiggs, Michelle Schwartz, Donna Stockman, Kathy Arrington, Janet Pinder, Brandy Bacon, Jamie Dworsky, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Xome, 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 10/17/2022.

/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: _____

C&M No. 44-22-1867

EXHIBIT "A"

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Field notes for the survey of a certain lot, tract, or parcel of land being all of Lot 9 of the Murdoch Meadows Subdivision in Hill County, Texas, according to plat recorded in Slide AB-113 of the Official Plat Records of Hill County. Said land is all that certain tract described in a deed from Bill Murdoch et ux, Betty Murdoch to James B. Hall et ux, Mary A. Hall recorded in Volume 647, Page 387 of the Deed Records of Hill County, more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the south line of Wildflower Lane for the northeast corner of said Lot 9;

THENCE S28°04'30"E, 383.09 feet to a 1/2" iron rod found at a fence corner in the north line of that certain tract described in a deed to Paul R. McNally recorded in Volume 876, Page 307 of the Official Public Records of Hill County for the southeast corner of said Lot 9;

THENCE with the north line of said McNally tract and generally along a fence, S62°03'02"W 129.76 feet to a 1/2" iron rod found for the southwest corner of said Lot 9;

THENCE N28°04'30"W 358.17 feet to a 1/2" iron rod set in the south line of a cul-de-sac at the end of Wildflower Lane for the northwest corner of said Lot 9;

THENCE with the south line of said cul-de-sac and along a curve to the left having a radius of 50.00 feet, N32°09'08"E for a chord distance of 49.61 feet, an arc distance of 51.91 feet, to a 1/2" iron rod set for the end of said curve;

THENCE with the south line of Wildflower Lane, N61°55'30"E 86.70 feet to the place of beginning, containing 1.123 acres of land.