

JUL 30 2020

## Notice of Substitute Trustee's Sale

COUNTY &amp; DISTRICT CLERK, KINNEY CO.

Notice Concerning Military Duty: 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. Tex. Prop. Code § 51.002(i)

<b>Deed of Trust Date:</b> January 25, 2005	<b>Original Mortgagor/Grantor:</b> ALFRED C. GOMEZ
<b>Original Beneficiary / Mortgagee:</b> UNION PLANTERS BANK, N.A., A NATIONAL ASSOCIATION.	<b>Current Beneficiary / Mortgagee:</b> NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
<b>Recorded in:</b> <b>Volume:</b> A150 <b>Page:</b> 797 <b>Instrument No:</b> n/a	<b>Property County:</b> KINNEY
<b>Mortgage Servicer:</b> NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING	<b>Mortgage Servicer's Address:</b> 55 Beattie Place, Suite 110, MS#001, Greenville, SC 29601

\* 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.

**Secures:** Note in the original principal amount of \$69,426.00, executed by ALFREDO GOMEZ and payable to the order of Lender.

**Property Address/Mailing Address:** 305 N. SWEENEY ST., BRACKETTVILLE, TX 78832

**Legal Description of Property to be Sold:** THE SOUTH ONE-HALF (1/2), OF LOTS THIRTEEN (13) AND FORTY-ONE (41), BLOCK SIXTY-ONE (61), OF THE BRACKETT ADDITION, SITUATED IN THE CITY OF BRACKETTVILLE, KINNEY COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME A-37, PAGE 228, DEED RECORDS OF KINNEY COUNTY TEXAS..

<b>Date of Sale:</b> October 6th, 2020	<b>Earliest time Sale will begin:</b> 10:00 AM
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**Place of sale of Property:** THE MAIN ENTRANCE OF THE COURTHOUSE, FACING JAMES STREET ON THE NORTHEAST SIDE OF THE BUILDING OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE

OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**Appointment of Substitute Trustee:** Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING*, the owner and holder of the Note, has requested Calvin Speer, Melody Speer, Wendy Speer whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 or Nancy Gomez, Leo Gomez, Calvin Speer, Wendy Speer, Melody Speer whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

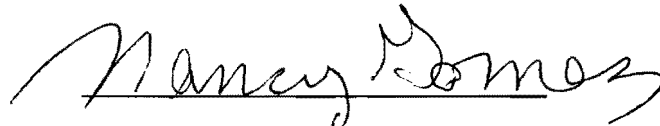


**Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Calvin Speer, Melody Speer, Wendy Speer whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 or Nancy Gomez, Leo Gomez, Calvin Speer, Wendy Speer, Melody Speer whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Calvin Speer, Melody Speer, Wendy Speer whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 or Nancy Gomez, Leo Gomez, Calvin Speer, Wendy Speer, Melody Speer whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

**Limitation of Damages:** 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 Mortgagor, the Mortgagee, or the Mortgagee's attorney.

A handwritten signature in cursive script that reads "Nancy Gomez". The signature is written in black ink and is positioned above a horizontal line.

SUBSTITUTE TRUSTEE

Calvin Speer, Melody Speer, Wendy Speer or Nancy Gomez,  
Leo Gomez, Trustee

c/o Robertson, Anschutz, Schneid & Crane LLC, 10700  
Abbott's Bridge Road, Suite 170, Duluth, Georgia 30097; PH:  
(470)321-7112