

JAN 12 2023

SUSAN STRICKLAND  
COUNTY CLERK, VAN ZANDT CO., TX  
BY \_\_\_\_\_ DEP

C&amp;M No. 44-22-3229/ FILE NOS

## NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

**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 November 22, 2017 and recorded under Clerk's File No. 2017-010688, in the real property records of VAN ZANDT County Texas, with Ann Radulescu Walker AKA Ann L. Walker and Charles Wayne Walker, wife and husband as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Ditech Financial LLC, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Ann Radulescu Walker AKA Ann L. Walker and Charles Wayne Walker, wife and husband securing payment of the indebtedness in the original principal amount of \$65,700.00 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 Ann Radulescu Walker, Charles Wayne Walker. 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:

**BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND LOCATED IN THE R. POLLY SURVEY, A-685, VAN ZANDT COUNTY, TEXAS, BEING DESCRIBED AS ALL OF A CALLED 1.99 ACRE TRACT OF LAND DESCRIBED IN DEED TO ANN L. & CHARLES W. WALKER RECORDED IN VOLUME 1576, PAGE 19, OF THE DEED RECORDS VAN ZANDT CONTY, TEXAS (DRVZCT), SAID LOT TRACT OR PARCEL OF LAND AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:**

### SALE INFORMATION

**Date of Sale: 03/07/2023**

**Earliest Time Sale Will Begin: 10:00 AM**

**Location of Sale:** The place of the sale shall be: VAN ZANDT County Courthouse, Texas at the following location: On the steps to the north entrance of the Van Zandt 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 Randy Daniel, Jonathan Harrison, Aurora Campos, Ramiro Cuevas, Patrick Zwiers, Shawn Schiller, Dana Kamin, Angie Uselton, Darla Boettcher, Irene Lindsay, Jami Hutton, Jeffrey Fleming, Judith A. Frappier, Lauren Christoffel, Lisa Bruno, Michael Harrison, Paul Barrett, Tonya Washington, 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 01/10/2023.

/s/ Olufunmilola Oyekan SBOT No. 24084552, 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. 44-22-3229

## EXHIBIT A

BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND LOCATED IN THE R. POLLY SURVEY, A- 685, VAN ZANDT COUNTY, TEXAS, BEING DESCRIBED AS ALL OF A CALLED 1.99 ACRE TRACT OF LAND DESCRIBED IN DEED TO ANN L. & CHARLES W. WALKER, RECORDED IN VOLUME 1576, PAGE 19, OF THE DEED RECORDS VAN ZANDT COUNTY, TEXAS (DRVZCT), SAID LOT TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE SOUTHWEST LINE OF P.M. 1395, BEING THE EAST CORNER OF THE WILLIAM E. AND ALMA F. GLEGHORN RESIDUE OF A 8.90 ACRE TRACT AS DESCRIBED IN DEED TO RECORDED IN VOLUME 591, PAGE 31 OF THE DRVZCT, THE NORTH CORNER OF THIS TRACT;

THENCE, S 52° 22' 11" E (CONTROL LINE), 151.35 FEET ALONG THE SOUTHWEST LINE OF P.M. 1395, BEING THE NORTHEAST LINE OF THIS TRACT TO A 3/8" IRON ROD FOUND AT THE NORTH CORNER OF THE RODERICK J. JR., MCINNIS 2.53 ACRE TRACT AS DESCRIBED IN DEED RECORDED IN DOCUMENT # 2007-045363 OF THE DRVZCT, THE EAST CORNER OF THIS TRACT;

THENCE, S 28° 54' 32" W, 584.85 FEET ALONG THE COMMON LINE OF THE MCINNIS 2.53 ACRE TRACT AND THIS TRACT TO A 3/8" IRON ROD FOUND IN THE NORTHEAST LINE OF THE JOHN & CAROL BYNUM 41.00 ACRE TRACT AS DESCRIBED IN DEED RECORDED IN DOCUMENT # 2004-00013237 OF THE DRVZCT, BEING THE SOUTH CORNER OF THIS TRACT;

THENCE, ALONG THE COMMON LINE OF THE BYNUM 41.00 ACRE TRACT AND THIS TRACT AS FOLLOWS; N 26° 42' 43" W, 214.18 FEET TO A 3/8" IRON ROD FOUND; N 04° 57' 09" W, 12.38 FEET TO A 3/8" IRON ROD FOUND AT THE SOUTH CORNER OF THE GLEGHORN RESIDUE TRACT, BEING THE WEST CORNER OF THIS TRACT;

THENCE, N 33° 10' 11" E, 457.90 FEET ALONG THE COMMON LINE OF THE GLEGHORN TRACT AND THIS TRACT TO THE POINT OF BEGINNING AND CONTAINING 1.99 ACRES OF LAND MORE OR LESS.

BASIS OF BEARINGS: TEXAS COORDINATE SYSTEM NORTH CENTRAL ZONE NAD 83.