

STANDARD FILE



2 pgs

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20-067039

**Notice of Substitute Trustee's Sale**

**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)

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| <b>Deed of Trust Date:</b> April 2, 2009   | <b>Original Mortgagor/Grantor:</b> JAIME DE LA CRUZ AND MICHELLE DE LA CRUZ                   |
| <b>Original Beneficiary / Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR MORTGAGE.COM, INC., ITS SUCCESSORS AND ASSIGNS | <b>Current Beneficiary / Mortgagee:</b> NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING        |
| <b>Recorded in:</b><br><b>Volume:</b> n/a<br><b>Page:</b> n/a<br><b>Instrument No:</b> 2009055073  | <b>Property County:</b> TRAVIS  |
| <b>Mortgage Servicer:</b> NEWREZ LLC F/K/A NEW PENN FINANCIAL 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 \$124,208.00, executed by JAIME DELA CRUZ and payable to the order of Lender.

**Property Address/Mailing Address:** 1111 YORK CASTLE DR, PELUGERVILLE, TX 78660

**Legal Description of Property to be Sold:** LOT 41, BLOCK Q, WINDERMERE PHASE D, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 84, PAGE 20A, PLAT RECORDS, TRAVIS COUNTY, TEXAS..

**Date of Sale:** April 05, 2022**Earliest time Sale will begin:** 1:00 PM

**Place of sale of Property:** THE AREA UNDER THE REAR PORTICO OF THE COURTHOUSE LOCATED ON THE WEST SIDE OF COURTHOUSE IMMEDIATELY SOUTH OF AND SLIGHTLY EAST OF 11TH & SAN ANTONIO STREET, REFERRED TO AS THE SALLYPORT 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 Angela Zavala, Michelle Jones, Richard Zavala, Jr or Sharlet Watts whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 or Angela Zavala, Michelle Jones, Richard Zavala, Jr or Sharlet Watts 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, Angela Zavala, Michelle Jones, Richard Zavala, Jr or Sharlet Watts whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 or Angela Zavala, Michelle Jones, Richard Zavala, Jr or Sharlet Watts 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 Angela Zavala, Michelle Jones, Richard Zavala, Jr or Sharlet Watts whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 or Angela Zavala, Michelle Jones, Richard Zavala, Jr or Sharlet Watts 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.

*Angela Zavala*

Angela Zavala, Michelle Jones, Richard Zavala, Jr or Sharlet Watts OR Angela Zavala, Michelle Jones, Richard Zavala, Jr or Sharlet Watts, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,  
10700 Abbotts Bridge Road, Suite 170, Duluth, Georgia  
30097; PH: (470) 321-7112



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

Dana DeBeauvoir, County Clerk  
Travis County, Texas

202240039

Jan 27, 2022 11:25 AM

Fee: \$3.00

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