

19-367213

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)**

Deed of Trust Date: August 10, 2007	Original Mortgagor/Grantor: JASON GARCIA
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR WALTER MORTGAGE COMPANY., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: THE BANK OF NEW YORK MELLON, AS INDENTURE TRUSTEE, FOR MID-STATE CAPITAL CORPORATION 2010-1 TRUST
Recorded in: Volume: 233 Page: 570 Instrument No: 54393	Property County: DE WITT
Mortgage Servicer: NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING	Mortgage Servicer's Address: 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 \$210,557.00, executed by JASON GARCIA and payable to the order of Lender.

Property Address/Mailing Address: 618 O CONNOR, YOAKUM, TX 77995

Legal Description of Property to be Sold: THIS IS THE DESCRIPTION OF 1.606 ACRES OF LAND IN DEWITT COUNTY, TEXAS LOCATED IN THE JOHN MAY LEAGUE, ABSTRACT NO. 34, WITHIN THE CORPORATE LIMITS OF THE CITY OF YOAKUM. THIS 1.606 ACRES IS BETTER KNOWN AS LOTS 17-23 IN BLOCK 4 OF THE DUNCAN, WOODLEY & SCHENCH ADDITION TO SAID CITY ACCORDING TO THE PLAT OF SAID ADDITION RECORDED IN VOLUME 32, PAGE 411 OF THE DEWITT COUNTY DEED RECORDS. LOTS 17-21 WERE CONVEYED TO MARY JANE GARCIA AND HUSBAND, JOE GARCIA, IN DEED FROM MARY YBARRA, DATED MAY 19, 1993, RECORDED IN VOLUME 363, PAGE 260 OF THE SAID DEED RECORDS. LOTS 22 AND 23 WERE CONVEYED TO JOE GARCIA AND WIFE, MARY JANE GARCIA, IN DEED DATED MAY 19, 1993 FROM DORIS ANN RODRIGUEZ, RECORDED IN VOLUME 363, PAGE 258 OF THE SAID DEED RECORDS. THIS 1.606 ACRE TRACT IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD SET IN THE SOUTHWESTERLY LINE OF A PUBLIC ROAD KNOWN AS O'CONNOR STREET (FORMERLY PLUME STREET) MARKING THE NORTH CORNER OF LOT 23 IN BLOCK 4 OF THE DUNCAN, WOODLEY & SCHENCH ADDITION, THE SAME BEING THE EAST CORNER OF LOT 8 IN BLOCK 6 OF THE LANDER ADDITION ACCORDING TO THE PLAT OF SAID ADDITION RECORDED IN VOLUME 32, PAGE 412 OF THE SAID DEED RECORDS. THIS IRON ROD IS ALSO THE NORTH CORNER OF THIS 1.606 ACRE TRACT BEING DESCRIBED;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PUBLIC ROAD, THE SAME BEING THE NORTHEASTERLY LINE OF LOTS 23, 22, 21, 20, 19, 18 AND 17, SOUTH 44 DEG. 56 MIN. 10 SEC. EAST 350.00 FEET TO A 5/8" IRON ROD SET FOR THE EAST CORNER OF LOT 17 AND THE NORTH CORNER OF LOT 16 IN THE SAID BLOCK 4. THIS IRON ROD IS MARKING THE EAST CORNER OF THIS 1.606 ACRE TRACT BEING DESCRIBED;



THENCE ALONG THE COMMON LINE BETWEEN LOTS 16 AND 17, SOUTH 43 DEG. 28 MIN. 30 SEC. WEST 200.00 FEET TO A 5/8" IRON ROD SET IN THE NORTHEASTERLY LINE OF A 20 FOOT WIDE PUBLIC ALLEY MARKING THE WEST CORNER OF LOT 16 AND THE SOUTH CORNER OF LOT 17. THIS IRON ROD IS ALSO MARKING THE SOUTH CORNER OF THIS 1.606 ACRE TRACT BEING DESCRIBED;

THENCE ALONG THE NORTHEASTERLY LINE OF THE SAID ALLEY, THE SAME BEING THE SOUTHWESTERLY LINE OF LOTS 17, 18, 19, 20, 21, 22 AND 23, NORTH 44 DEG. 56 MIN. 10 SEC. WEST 350.00 FEET TO A 5/8" IRON ROD SET FOR THE NORTH TERMINATING CORNER OF THE ALLEY AND THE WEST CORNER OF LOT 23 LOCATED IN THE SOUTHEASTERLY LINE OF LOT 5 IN BLOCK 6 OF THE AFORESAID LANDER ADDITION. THIS IRON ROD IS MARKING THE WEST CORNER OF THE 1.606 ACRE TRACT BEING DESCRIBED;

THENCE ALONG THE NORTHWESTERLY: LINE OF LOT 23 IN BLOCK 4 OF THE DUNCAN, WOODLEY & SCHENCH ADDITION, THE SAME BEING THE SOUTHEASTERLY LINE OF LOTS 5, 6, 7 AND 8 IN BLOCK 6 OF THE LANDER ADDITION, NORTH 43 DEG. 28 MIN. 30 SEC. EAST 200.00 FEET TO THE PLACE OF BEGINNING CONTAINING WITHIN THESE METES AND BOUNDS 1.606 ACRES OF LAND.

THE FOREGOING FIELDNOTES AND THE ATTACHED PLAT WERE PREPARED FROM MEASUREMENTS MADE ON THE GROUND UNDER MY DIRECTION JULY 24, 2007.

Date of Sale: April 06, 2021	Earliest time Sale will begin: 12:00 PM
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Place of sale of Property: DeWitt County Courthouse, 307 North Gonzales Street, Cuero, TX 77954

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, *THE BANK OF NEW YORK MELLON, AS INDENTURE TRUSTEE, FOR MID-STATE CAPITAL CORPORATION 2010-1 TRUST*, the owner and holder of the Note, has requested Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Jodi Steen, Janice Stoner, Barbara Sandoval, Martha Boeta, Ramon Perez, Garrett Sanders, Megan Ysassi, Amy Ortiz, Maryna Danielian whose address is 1 Mauchly Irvine, CA 92618 or Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Janice Stoner or Jodi Steen 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 *THE BANK OF NEW YORK MELLON, AS INDENTURE TRUSTEE, FOR MID-STATE CAPITAL CORPORATION 2010-1 TRUST* 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, Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Jodi Steen, Janice Stoner, Barbara Sandoval, Martha Boeta, Ramon Perez, Garrett Sanders, Megan Ysassi, Amy Ortiz, Maryna Danielian whose address is 1 Mauchly Irvine, CA 92618 or Jo Woolsey,

Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Janice Stoner or Jodi Steen 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 Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Jodi Steen, Janice Stoner, Barbara Sandoval, Martha Boeta, Ramon Perez, Garrett Sanders, Megan Ysassi, Amy Ortiz, Maryna Danielian whose address is 1 Mauchly Irvine, CA 92618 or Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Janice Stoner or Jodi Steen whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

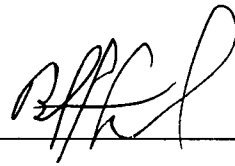
Limitation of Damages: If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against Mortgagor, the Mortgagee, or the Mortgagee's attorney.

Filed for Record

This, the 25 day of Feb 2021
at 3:05 o'clock P M

NATALIE CARSON, COUNTY CLERK OF
DeWitt County, Texas

Brenda Lopez
DEPUTY



SUBSTITUTE TRUSTEE

Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Jodi Steen, Janice Stoner, Barbara Sandoval, Martha Boeta, Ramon Perez, Garrett Sanders, Megan Ysassi, Amy Ortiz, Maryna Danielian, Trustee

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