

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

YOAKUM County

Deed of Trust Dated: November 24, 2003

Amount: \$51,500.00

Grantor(s): LYNN KELLEY and WILLIAM MATTA

Original Mortgagee: NATIONAL CITY MORTGAGE CO.

Current Mortgagee: U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MASTR ASSET BACKED SECURITIES TRUST 2004-HE1, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-HE1

Mortgagee Servicer and Address: c/o SELECT PORTFOLIO SERVICING, INC., 3217 South Decker Lake Drive, Salt Lake City, UT 84119

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

Recording Information: Document No. 223697

Legal Description: SEE EXHIBIT A

Date of Sale: February 2, 2021 between the hours of 1:00 PM and 4:00 PM.

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the YOAKUM County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

RONALD BYRD OR ~~JONATHAN SCHENDEL~~, ~~RAMIRO GUEVAS~~, ~~KRISTIE ALVAREZ~~, ~~CHARLES GREEN~~ OR ~~SHAWN SCHILLER~~ have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust. 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. 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.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. **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.**

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.



KIM ELLEN LEWINSKI, ATTORNEY AT LAW
HUGHES, WATERS & ASKANASE, L.L.P.
1201 Louisiana, Suite 2800
Houston, Texas 77002
Reference: 2020-001149



c/o Tejas Trustee Services
14800 Landmark Blvd, Suite 850
Addison, TX 75254

FILED 12-11 2020 AT 11 O'CLOCK A.-M.
SUMMER LOVELACE, COUNTY CLERK, YOAKUM COUNTY, TX
BY Rosalee Ruesca DEPUTY

EXHIBIT A

A 2.26 acre, more or less, tract of land being the West part of the South 320.90 feet of Tract 22, Mead Tracts, a subdivision of the SW/4 of Section 894, Block D, John H. Gibson Survey, Yoakum County, Texas, said 2.26 acre tract being more particularly described as follows:

BEGINNING at a ½" iron rod found at the Southwest corner of said Tract 22, for the Southwest corner of this tract;

THENCE in a Northeasterly direction, along the West line of said Tract 22 and along the arc of a circular curve to the right (radius = 1356.00 feet, Long Chord = N.6°50'52"E. 323.27 feet), a distance of 324.04 feet to a ½" iron rod with cap marked "NEWTON SURVEYING" set previously for the Southwest corner of the North 340 feet of said Tract 22, the Northwest corner of said South 320.90 feet of Tract 22, and the Northwest corner of this tract;

THENCE N.89°54'00"E., along the North line of said South 320.90 feet of Tract 22, a distance of 280.88 feet to a ½" iron rod with cap marked "NEWTON SURVEYING" set for the Northwest corner of the E/2 of the South 320.90 feet of Tract 22 as described in deed from Harold L. Mead et ux to J. C. Futch, Jr. et ux, Dortha Fay Futch dated December 28, 1965, and recorded in Volume 263, page 124, Yoakum County Deed Records, and for the Northeast corner of this tract, from which a ½" iron rod with cap marked "NEWTON SURVEYING" set previously at the Northeast corner of said E/2 of the South 320.90 feet bears N.89°54'00"E. 318.43 feet;

THENCE S.0°00'06"W. along the West line of said Futch tract, 320.90 feet to a ½" iron rod with cap marked "NEWTON SURVEYING" set in the South line of said Tract 22, for the Southeast corner of this tract;

THENCE S.89°54'00"W. 318.42 feet to the place of beginning.