

24-246545

#7
11:30am
FILED FOR RECORD
JUN 18 2025

Notice of Substitute Trustee's Sale

Crawley
DAWSON COUNTY CLERK

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: September 4, 2014	Original Mortgagor/Grantor: JAMES P. GARCIA
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR BANK OF AMERICA, N.A., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
Recorded in: Volume: 751 Page: 283 Instrument No: N/A	Property County: DAWSON
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 \$128,250.00, executed by JAMES P GARCIA and payable to the order of Lender.

Property Address/Mailing Address: 1711 N 2ND ST, LAMESA, TX 79331

Legal Description of Property to be Sold: TRACT 1:

ALL OF LOTS SEVEN (7), EIGHT (8), NINE (9), TEN (10), ELEVEN (11), AND TWELVE (12), AND A PORTION OF LOTS THIRTEEN (13), AND FOURTEEN (14), OF THE NORET'S ADDITION TO THE CITY OF LAMESA, DAWSON COUNTY, TEXAS, AS PER PLAT RECORDED IN VOLUME 1, PAGE 105 OF THE PLAT RECORDS OF DAWSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3/4" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT 7, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE S.75°35'00"W., ALONG THE SOUTH LINE OF SAID LOTS, AT 325.00 FEET PASS A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 13, IN ALL 335.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N.31°36'20"W. 146.54 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET IN THE NORTH LINE OF SAID LOT 14, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE N.75°35'00"E., ALONG THE NORTH LINE OF SAID LOTS, A DISTANCE OF 379.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET AT THE NORTHEAST CORNER OF SAID LOT 7, FOR THE NORTHEAST CORNER OF THIS TRACT;



THENCE S.14°08'00"E., ALONG THE EAST LINE OF SAID LOT 7, A DISTANCE OF 140.00 FEET TO THE PLACE OF BEGINNING.

TRACT 2:

A PORTION OF LOTS SIXTEEN (16) AND SEVENTEEN (17), ALL OF LOTS EIGHTEEN (18), NINETEEN (19), TWENTY (20), TWENTY-ONE (21) AND THE WEST THIRTY-FIVE FEET (W/35.0') OF LOT TWENTY-TWO (22), NORET'S ADDITION TO THE CITY OF LAMESA, DAWSON COUNTY, TEXAS, AS PER PLAT RECORDED IN VOLUME 1, PAGE 105 OF THE PLAT RECORDS, DAWSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SPINDLE FOUND FOR THE NORTHEAST CORNER OF SAID WEST 35.0 FEET OF LOT 22 FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S.14°08'00"E. 140.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET IN THE SOUTH LINE OF SAID LOT 22 AT THE SOUTHEAST CORNER OF SAID WEST 35.0 FEET OF LOT 22, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE S.75°35'00"W., ALONG THE SOUTH LINE OF SAID LOTS, A DISTANCE OF 248.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N.40°25'30"W. 155.77 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET IN THE NORTH LINE OF SAID LOT 16 FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE N.77°51'34"E., ALONG THE NORTH LINE OF SAID LOTS, A DISTANCE OF 317.00 FEET TO THE PLACE OF BEGINNING.

TRACT 3:

A 2.27 ACRE TRACT OF LAND OUT OF THE NORTH ONE-HALF (N/2) OF SURVEY ONE (1) IN BLOCK THIRTY-SIX (36), TOWNSHIP FIVE (5) NORTH, CERTIFICATE NO. 2686, ABSTRACT 158, T.& P. R.R. CO. SURVEY, DAWSON COUNTY, TEXAS, BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED FROM NELSON HOGG, ET UX TO JAMES CHARLES LEONARD RECORDED IN VOLUME 349, PAGE 339, DEED RECORDS OF DAWSON COUNTY, TEXAS, AND ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED FROM GARLAND G. NIX, ET UX TO CHARLES LEONARD, RECORDED IN VOLUME 376, PAGE 447, DEED RECORDS OF DAWSON COUNTY, TEXAS, AND ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED FROM JEFF STRINGER TO CHARLES LEONARD RECORDED IN VOLUME 424, PAGE 499, DEED RECORDS OF DAWSON COUNTY, TEXAS, SAID 2.27 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 " INCH IRON WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE NORTHEAST CORNER OF SAID NIX TO LEONARD TRACE, FOR THE NORTHEAST CORNER OF THIS TRACT, FROM WHICH THE SOUTHWEST CORNER OF BLOCK 4, D,W, ADAMS FIRST ADDITION BEARS S.14°08'00" E. 502.00 FEET AND N. 75°35'00" E, 40.00 FEET (POSTION ESTABLISHED FROM PREVIOUS WORK DONE IN SAID D.W. ADAMS FIRST ADDITION):

THENCE S.14°08'00"E. 137.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE SOUTHEAST CORNER OF SAID NIX TO LEONARD TRACT AND FOR A CORNER OF THIS TRACT;

THENCE S.75°35'00"W. 104.25 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET IN THE EAST LINE OF SAID HOGG TO LEONARD TRACT, FOR THE SOUTHWEST CORNER OF SAID STRINGER TO LEONARD TRACT AND FOR A CORNER OF THIS TRACT;

THENCE S.14°08'00"E. 19.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE SOUTHEAST CORNER OF SAID HOGG TO LEONARD TRACT AND FOR THE MOST EASTERLY--SOUTHEAST CORNER OF THIS TRACT;

THENCE S.75°35'00"W. 209.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE SOUTHWEST CORNER OF SAID HOGG TO LEONARD TRACT AND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N.14°08'00"W. 268.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE NORTHWEST CORNER OF SAID HOGG TO LEONARD TRACT AND FOR THE MOST WESTERLY-NORTHWEST CORNER OF THIS TRACT;

THENCE N.75°35'00"E. 209.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET IN THE WEST LINE OF SAID NIX TO LEONARD TRACT, FOR THE NORTHEAST CORNER OF SAID HOGG TO LEONARD TRACT AND FOR A CORNER OF THIS TRACT;

THENCE N.14°08'00"W. 25.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE NORTHWEST CORNER OF SAID NIX TO LEONARD TRACT AND FOR THE MOST NORTHERLY-NORTHWEST CORNER OF THIS TRACT;

THENCE N.75°35'00" E. 208.50 FEET TO THE PLACE OF BEGINNING..

Date of Sale: August 5, 2025	Earliest time Sale will begin: 1:00 PM
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Place of sale of Property: Dawson County Courthouse, 400 South 1st Street, Lamesa, TX 79331 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 Shelley Nail, Donna Trout, Zane Nail, Zia Nail, Zoey Fernandez, Charles Green, Kristopher Holub, Ramiro Cuevas, Patrick Zwiers, Lisa Bruno, Auction.com LLC whose address is 1 MAUCHLY IRVINE, CA 92618 OR Shelley Nail, Donna Trout, Zane Nail, Zia Nail or Zoey Fernandez 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, Shelley Nail, Donna Trout, Zane Nail, Zia Nail, Zoey Fernandez, Charles Green, Kristopher Holub, Ramiro Cuevas, Patrick Zwiers, Lisa Bruno, Auction.com LLC whose address is 1 MAUCHLY IRVINE, CA 92618 OR Shelley Nail, Donna Trout, Zane Nail, Zia Nail or Zoey Fernandez 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 Shelley Nail, Donna Trout, Zane Nail, Zia Nail, Zoey Fernandez, Charles Green, Kristopher Holub, Ramiro Cuevas, Patrick Zwiers, Lisa Bruno, Auction.com LLC whose address is 1 MAUCHLY IRVINE, CA 92618 OR Shelley Nail, Donna Trout, Zane Nail, Zia Nail or Zoey Fernandez 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 dark ink, appearing to be 'Shelley Nail', written over a horizontal line.

SUBSTITUTE TRUSTEE

Shelley Nail, Donna Trout, Zane Nail, Zia Nail, Zoey Fernandez, Charles Green, Kristopher Holub, Ramiro Cuevas, Patrick Zwiers, Lisa Bruno, Auction.com LLC OR Shelley Nail, Donna Trout, Zane Nail, Zia Nail or Zoey Fernandez, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,
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