




<b>LIMESTONE COUNTY</b> Kerrie Cobb 200 West State Street Suite 102 Groesbeck, TX 76642 Phone: (254)729-5504	<b>DOCUMENT #:</b> FC-2021-0013 <b>RECORDED DATE:</b> 06/10/2021 02:30:51 PM 	
<b>OFFICIAL RECORDING COVER PAGE</b>		Page 1 of 9
<b>Document Type:</b> FORECLOSURE <b>Transaction Reference:</b> <b>Document Reference:</b>	<b>Transaction #:</b> 845637 - 1 Doc(s) <b>Document Page Count:</b> 8 <b>Operator Id:</b> Meagan	
<b>RETURN TO:</b> () ABSTRACTS/TRUSTEES OF TEXAS PO BOX 9932 AUSTIN, TX 78766	<b>SUBMITTED BY:</b> ABSTRACTS/TRUSTEES OF TEXAS PO BOX 9932 AUSTIN, TX 78766	
DOCUMENT # : FC-2021-0013 RECORDED DATE: 06/10/2021 02:30:51 PM		
<p>I hereby certify that this document was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Limestone County.</p> <div style="display: flex; align-items: center;">  <div>   <b>Kerrie Cobb</b>            Limestone County Clerk         </div> </div>		

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ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD, 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.

**NOTICE OF SALE BY SUBSTITUTE TRUSTEE**

STATE OF TEXAS §  
COUNTY OF LIMESTONE § KNOW ALL MEN BY THESE PRESENTS:  
§

**Note:** Retail Installment Contract dated October 15, 1999 executed and delivered by Charlie Sheppard, Luease Sheppard and Chris Sheppard to Jim Walter Homes, Inc.

**Security Instrument:** Mechanic's Lien Contract with Power of Sale, dated October 15, 1999, executed and delivered by Charlie Sheppard, Luease Sheppard and Chris Sheppard to Jim Walter Homes, Inc., to secure payment of that certain Retail Installment Contract, recorded in Volume 1021, Page 203, in Limestone County, Texas.

**Order Approving Abandonment of Real Property Pursuant to Section 351.051 of the Texas Estates Code** Order Approving Abandonment of Real Property Pursuant to Section 351.051 of the Texas Estates Code entered may 17, 2021 in Cause No. 8905; styled *In Re: The Estate of Luease Sheppard, Deceased*, in the County Court of Limestone County, Texas.

**Original Creditor:** Jim Walter Homes, Inc.

**Current Holder:** U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust X

**Current Owner:** U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust X

**Mortgage Servicer:** New Rez LLC d/b/a Shellpoint Mortgage Servicing ("Servicer"), 75 Beattie Pl. #300, Greenville, SC 29601

**Appointed Substitute Trustees:** JIM MILLS, SUSAN MILLS, ED HENDERSON, DENISE MORGAN, KORY MORGAN, RUSSELL SLATON, LORI GARNER, MARGOT FOSTER

**Note: Each substitute trustee is authorized** TRUSTEES OF TEXAS, 9065 JOLLYVILLE, SUITE 203A, AUSTIN, TX 78759

**PROPERTY ADDRESS:**  
3363 W Hwy 84  
Mexico, TX 76667

**RP FILE NO. SHELL02-67**

**BORROWER:** Sheppard, Charlie & Luease & Sheppard, Chris

*individually, to act alone without the joinder of the other trustees.*

The Substitute Trustees are authorized to sell the Premises at public venue to the highest bidder or bidders, for cash.

AND  
MOLLIE MCCOSLIN, LORI GARNER, SHERYL LAMONT, ROBERT LAMONT, HARRIETT FLETCHER, ALLAN JOHNSTON, SHARON ST. PIERRE, RONNIE HUBBARD  
SERVICE LINK, 3220 EL CAMINO REAL, IRVINE, CA 92602

AND  
MARYNA DANIELIAN, KRISTOPHER HOLUB, AARTI PATEL, STACEY SANDERS, AMY ORTIZ, GARRETT SANDERS, DYLAN RUIZ, DAVID ACKEL, VIOLET NUNEZ, ERIKA AGUIRRE, BEATRIZ SANCHEZ, SARA EDGINGTON, SHARON ST. PIERRE, RONNIE HUBBARD, ALLAN JOHNSTON, SHERYL LAMONT  
AUCTION.COM, 1 MAUCHLY, IRVINE, CA 92618

AND  
PETE FLOREZ, ZACHARY FLOREZ, ORLANDO ROSAS OR BOBBY BROWN  
XOME, 750 TX-121, SUITE 100, LEWISVILLE, TX 75067

AND  
LORI GARNER, MOLLIE MCCOSLIN, SHERYL LAMONT, ROBERT LAMONT, HARRIETT FLETCHER, ALLAN JOHNSTON, SHARON ST. PIERRE, RONNIE HUBBARD  
COVIS REALTY BID, 3225 RAINBOW DRIVE, SUITE 248-B, RAINBOW CITY, AL 35906

AND  
T. J. RINEY, H. HOOPER, S.G. HARVEY, B.K. PACKARD, M. SANTOYO  
5420 LBJ FREEWAY, SUITE 220, DALLAS, TX 75225

**Property to be sold:** 3363 W Hwy 84, Mexia, TX 76667, and as further described in Exhibit A attached hereto, along with the improvements on such real property and any after acquired permanent improvements or title to such improvements and/or real property (the "Premises" as described in §9.604 of the Texas Uniform Commercial Code).

**Date of Sale:** Tuesday, July 6, 2021.

**Time of Sale:** The sale will begin no earlier than **10:00 AM** and no later than three (3) hours thereafter.

**Location of Sale:** At the **County Courthouse in Limestone County**, Texas, at the front door of the courthouse, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Limestone County, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's

<b>PROPERTY ADDRESS:</b> 3363 W Hwy 84 Mexia, TX 76667	<b>RP FILE NO.</b> SHELI.02-67	<b>BORROWER:</b> Sheppard, Charlie & Lucase & Sheppard, Chris
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Court.

**Terms of Sale:**

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Mechanic's Lien Contract with Power of Sale permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Mechanic's Lien Contract with Power of Sale at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Security Instrument, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Security Instrument. The sale shall not cover any part of the property that has been released of public record from the lien of the Security Instrument. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Security Instrument, the beneficiary 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 Mechanic's Lien Contract with Power of Sale. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

**Type of Sale:**

The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Charlie Sheppard Luease Sheppard and Chris Sheppard.

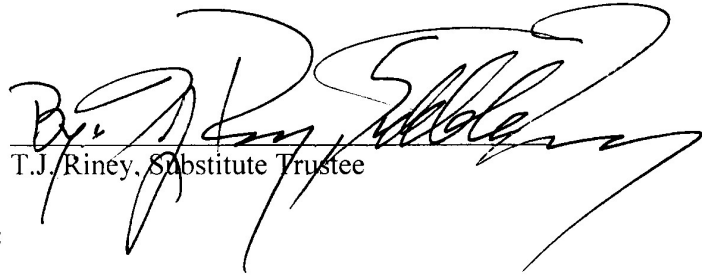
**Default and Notice:**

Default has been made in payment of the Note and Security Instrument and the Note is now unpaid, delinquent and in default. All required notices have been given to Charlie Sheppard Luease Sheppard and Chris Sheppard and any and all other necessary parties with regard to the defaulted indebtedness. Servicer has requested

<b>PROPERTY ADDRESS:</b> 3363 W Hwy 84 Mexia, TX 76667	REFILE NO. SHEL1.02-67	<b>BORROWER:</b> Sheppard, Charlie & Luease & Sheppard, Chris
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the undersigned, substitute trustee, to post, file and give notice of foreclosure of the Security Instrument and the lien thereof in accordance with applicable Texas law and the terms and provisions of the Security Instrument.

Dated: May 24, 2021.

  
T.J. Riney, Substitute Trustee

**AFTER RECORDING, PLEASE RETURN TO:**

Riney Packard, PLLC  
Attn: T.J. Riney  
Two Lincoln Centre  
5420 LBJ Freeway, Suite 220  
Dallas, Texas 75240

<b>PROPERTY ADDRESS:</b> 3363 W Hwy 84 Mexia, TX 76667	<b>RP FILE NO. SHELL02-67</b>	<b>BORROWER:</b> Sheppard, Charlie & Luease & Sheppard, Chris
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Sheppard, Charlie & Luease & Sheppard, Chris

### EXHIBIT "A"

All that certain lot, tract, or parcel of land, lying and being situated in Limestone County, Texas, a part of the Pedro Varela Survey, and being out of the Ed Ellis lands located on Highway 84, about five miles West of Mexia, Limestone County, Texas described as follows:

BEING designated as "PLOT E" according to the map and plat of said lands as drawn by J. R. Ferris, Surveyor, described by metes and bounds as follows to-wit:

BEGINNING at the Northeast corner of "Plot D" as shown by said J. R. Ferris map and plat, on the South boundary line of said highway 84, as starting point, stake for corner

Thence South, running with the East line of said "Plot D", to a distance of 280 feet, stake in Southeast corner of said "Plot D" for corner

Thence East, running parallel with the south line of said Highway 84, to a distance of 150 feet, stake for corner ;

Thence North running parallel with the East line of "Plot D" and West line of this Tract, to a distance of 280 feet, stake on south line of Highway 84 for corner.

Thence West with the south line of Highway 84, to a distance of 150 feet to the Place of beginning, containing one (1) acre of land, more or less.

<b>PROPERTY ADDRESS:</b> 3363 W Hwy 84 Mexia, TX 76667	<b>RP FILE NO. SHELL02-67</b>	<b>BORROWER:</b> Sheppard, Charlie & Luease & Sheppard, Chris
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Filed 5/17/2021 3:43 PM  
Kerrie Cobb, County Clerk  
Limestone County, Texas  
By: Lederle Salazar,  
Deputy Clerk

**CAUSE NO. 8905**

**IN RE: THE ESTATE OF LUEASE ) IN THE COUNTY COURT**  
**SHEPPARD, )**  
**)**  
**DECEASED ) LIMESTONE COUNTY, TEXAS**

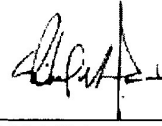
**ORDER APPROVING ABANDONMENT OF REAL PROPERTY**  
**PURSUANT TO SECTION 351.051 OF THE TEXAS ESTATES CODE**

On this day the Court considered the Application to Abandon Real Property pursuant to Section 351.051 of the Texas Estates Code and finds the following:

1. The citation has been issued and served as required by law;
2. Claimant, NewRez LLC, F/K/A New Penn Financial, LLC, as servicer for U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust X, presented its Claim to the Dependent Administrator of the Estate of Luease Sheppard, Deceased, in the sum of \$45,095.83, which was allowed by the Dependent Administrator on April 1, 2021 and approved by this Court on April 15, 2021. After review of the Payoff, Internal Appraisal and Marketing Plan attached to the Application, and Claimant’s Supplemental Attorney Fee affidavit, the Court finds there is no realizable equity in the property.
3. The personal representative has not been able to pay the maturities which have accrued on the debt according to the terms of the Note and Deed of Trust; that said Note is in default and has been for quite some time;
4. There are no other debts of the Estate that have a preference over the Note and Deed of Trust of each Claimant;
5. The property which is the subject of each Claimant’s Note and Deed of Trust is described in the attached Exhibit A.

**IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED,** by the Court that the Administrator is hereby allowed to abandon the property from Administration and that the Secured Party is hereby allowed to foreclose its interest in the real property without further order of this Court.

SIGNED this \_\_\_\_\_ day of 17th day of May, 2021, 2021



\_\_\_\_\_  
PRESIDING JUDGE

APPROVED:

/s/ Hayden Hooper

\_\_\_\_\_  
Hayden Hooper, Dependent Administrator



## EXHIBIT A

All that certain lot, tract, or parcel of land, lying and being situated in Limestone County, Texas, a part of the Pedro Varela Survey, and being out of the Ed Ellis lands located on Highway 84, about five miles West of Mexia, Limestone County, Texas described as follows:

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Thence East, running parallel with the south line of said Highway 84, to a distance of 150 feet, stake for corner,

Thence North running parallel with the East line of "Plot D" and West line of this Tract, to a distance of 280 feet, stake on south line of Highway 84 for corner:

Thence West with the south line of Highway 84, to a distance of 150 feet to the Place of beginning, containing one (1) acre of land, more or less