

## NOTICE OF FORECLOSURE SALE

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 OR 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.

1. *Property to Be Sold.* The property to be sold is described as follows: THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF TEXAS, COUNTY OF LIBERTY, DESCRIBED AS FOLLOWS:

LOT THREE 3, BLOCK FOUR 4, OF WALNUT CREEK SUBDIVISION, AN ADDITION IN THE THEODORE DORSETT SURVEY, A-27, LIBERTY COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 9, PAGES 96 AND 97 OF THE MAP RECORDS OF LIBERTY COUNTY, TEXAS.

APN: 007815-00403-000

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 07/26/2017 and recorded in Document 2017014846 real property records of Liberty County, Texas.

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: 05/04/2021  
Time: 10:00 AM  
Place: Liberty County, Texas at the following location: SOUTH SIDE OF THE COURTHOUSE-1923 SAM HOUSTON-ON THE FRONT STEPS OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee 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 deed of trust.

5. *Obligations Secured.* The Deed of Trust executed by CHESTER THOMAS BAUTHAZAR AND ROSALINA BAUTHAZAR, provides that it secures the payment of the indebtedness in the original principal amount of \$142,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. PHH MORTGAGE CORPORATION is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is PHH MORTGAGE CORPORATION c/o PHH MORTGAGE CORPORATION, 1 Mortgage Way, Mail Stop SV-22, Mt. Laurel, NJ 08054 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Substitute Trustee(s) Appointed to Conduct Sale.* In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

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.

Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Ketter Mackie, Attorney at Law  
Michael Zientz, Attorney at Law  
Cori Liane Long, Attorney at Law  
Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Parkway Office Center, Suite 900  
14150 Dallas Parkway  
Dallas, TX 75254

953 FILED A  
MAR 25 2021  
CLERK OF COUNTY CLERK  
LIBERTY COUNTY, TEXAS

Certificate of Posting  
I, Tommy Jackson, whose address is 60 AVT Title Services, L.L.C., 5177 Richmond Avenue, Suite 1230, Houston, TX 77056, I declare under penalty of perjury that on 3-25-21, I filed this Notice of Foreclosure Sale at the office of the Liberty County Clerk and caused it to be posted at the location directed by the Liberty County Commissioners Court.

**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE**

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.

**DEED OF TRUST INFORMATION:**

**Date:** 05/20/2013  
**Grantor(s):** CRYSTAL S SHEPHERD, UNMARR  
**Original Mortgagee:** GREEN TREE SERVICING LLC  
**Original Principal:** \$59,000.00  
**Recording Information:** Instrument 2013008057  
**Property County:** Liberty  
**Property:** (See Attached Exhibit "A")  
**Reported Address:** 801 JUNCTION AVE, CLEVELAND, TX 77327

**MORTGAGE SERVICING INFORMATION:**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

**Current Mortgagee:** The Bank of New York Mellon, as Indenture Trustee, for Mid-State Capital Corporation 2006-1 Trust  
**Mortgage Servicer:** Shellpoint Mortgage Servicing  
**Current Beneficiary:** The Bank of New York Mellon, as Indenture Trustee, for Mid-State Capital Corporation 2006-1 Trust  
**Mortgage Servicer Address:** 55 Beattie Place, Suite 110, Greenville, SC 29601

**SALE INFORMATION:**

**Date of Sale:** Tuesday, the 4th day of May, 2021  
**Time of Sale:** 10:00AM or within three hours thereafter.  
**Place of Sale:** AT THE FRONT STEPS OF THE COURTHOUSE, ON THE SOUTH SIDE, WITH AN ADDRESS OF 1923 SAM HOUSTON in Liberty County, Texas. Or, if the preceding area(s) is/are no longer the area(s) designated by the Liberty County Commissioner's Court, at the area most recently designated by the Liberty County Commissioner's Court.

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Tommy Jackson, Ron Harmon, Keata Smith or Carolyn Ciccio, Braden Barnes, Michael Burns, Tori Jones, or Suzanne Suarez, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Tommy Jackson, Ron Harmon, Keata Smith or Carolyn Ciccio, Braden Barnes, Michael Burns, Tori Jones, or Suzanne Suarez, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.

4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Substitute Trustee(s): Tommy Jackson, Ron Harmon, Keata Smith or Carolyn Ciccio, Braden Barnes, Michael Burns, Tori Jones, or Suzanne Suarez, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

Document Prepared by:  
Bonial & Associates, P.C.  
14841 Dallas Parkway, Suite 425, Dallas, TX 75254  
AS ATTORNEY FOR THE HEREIN  
IDENTIFIED MORTGAGEE AND/OR  
MORTGAGE SERVICER

**Certificate of Posting**

I am Tommy Jackson whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on 3-25-21 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Liberty County Clerk and caused it to be posted at the location directed by the Liberty County Commissioners Court.

By: Tommy Jackson

Exhibit "A"

LOT 1 AND 2 BLOCK 1, EDWARDS ADDITION, A SUBDIVISION LOCATED IN THE CITY OF CLEVELAND IN LIBERTY COUNTY, TEXAS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

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at of Book

MAR 25 2021

LEE H. CHAYBERS  
COUNTY CLERK, LIBERTY COUNTY, TEXAS  
BY W DEPUTY