### NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

Filed for Record in: Wilson 009090905366397 by Honorable Eva Martinez

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, As a Recording please send written notice of the active duty military service to the sender of this notice immediately.

Total Fees

2.00

Date, Time, and Place of Sale.

Date: February 07, 2017 Receipt Number - 200572

Frances Cherry:

Time:

The sale will begin at 1:00PM or not later than three hours after that time.

Place

THE MOST NORTH-EASTERLY DOOR OF THE WILSON COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

- 2. Terms of Sale. Cash.
- 3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated November 07, 2013 and recorded in Document VOLUME 1760, PAGE 514 real property records of WILSON County, Texas, with WILLIE MERCY DIXSON AND JULIE R DIXSON, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS") AS NOMINEE, mortgagee.
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by WILLIE MERCY DIXSON AND JULIE R DIXSON, securing the payment of the indebtednesses in the original principal amount of \$360,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WELLS FARGO BANK, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.
- 5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.
- 6. Mortgage Servicer Information. 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 lien securing the Property referenced above. WELLS FARGO BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o WELLS FARGO BANK, N.A. 3476 STATEVIEW BLVD. FORT MILL, SC 29715

BRUCE NEYLAND OR KAREN WORK

Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP

4004 Belt Line Road, Suite 100

Addison, Texas 75001

aren

Certificate of Posting

My name is , and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on

I filed at the office of the WILSON County Clerk and caused to be posted at the

WILSON County courthouse this notice of sale.

Declarants Name:

Date

## EXHIBIT "A"

FIELD NOTES DESCRIBING A 1.10 ACRE TRACT OF LAND SITUATED IN THE JUAN DELGADO SURVEY, ABSTRACT 8, WILSON COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND CALLED 3.33 ACRES, CONVEYED TO RICHARD BLEVINS, BY DEED RECORDED IN VOLUME 1637, PAGE 854, OFFICIAL RECORDS, WILSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: NOTE: ALL SET PINS ARE 1/2" DIAMETER REBAR WITH ORANGE PLASTIC CAP STAMPED "TRI-COUNTY".

BEGINNING AT A 1/2" DIAMETER IRON PIN FOUND IN THE NORTHWEST LINE OF A TRACT OF LAND CALLED 16.70 ACRES, DESCRIBED IN VOLUME 1568. PAGE 207, OFFICIAL RECORDS, WILSON COUNTY, TEXAS, FOR THE EAST CORNER OF A CEMETERY, THE SOUTH CORNER OF THE 3.33 ACRE TRACT AND THE HEREIN DESCRIBED TRACT.

THENCE, N. 31 DEG. 33' 20" W, 266.86 FEET WITH THE NORTHEAST LINE OF THE CEMETERY AND THE SOUTHWEST LINE OF THE 3.33 ACRE TRACT, TO A BRIDGE SPIKE FOUND IN THE SOUTHEAST LINE OF A TRACT OF LAND CALLED 70 ACRES, CONVEYED TO LOU ROBINSON, BY PARTITION DEED RECORDED IN VOLUME 48, PAGE 316, DEED RECORDS, WILSON COUNTY, TEXAS, FOR THE NORTH CORNER OF THE CEMETERY TRACT, THE WEST CORNER OF THE 3.33 ACRE TRACT AND THE HEREIN DESCRIBED TRACT.

THENCE, N. 61 DEG. 09' 47" E. 178.98 FEET WITH THE SOUTHEAST LINE OF THE 70 ACRE TRACT AND THE NORTHWEST LINE OF THE 3.33 ACRE TRACT, TO AN IRON PIN SET FOR THE WEST CORNER OF A 1.11 ACRE TRACT OF LAND, THIS DAY SURVEYED AND THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT.

THENCE, S. 31 DEG. 36' 29' E. 270.46 FEET CROSSING THE 3.33 ACRE TRACT, TO AN IRON PIN SET IN THE NORTHWEST LINE OF THE 16.70 ACRE TRACT AND THE SOUTHEAST LINE OF THE 3.33 ACRE TRACT, FOR THE SOUTH CORNER OF THE 1.11 ACRE TRACT AND THE EAST CORNER OF THE HEREIN DESCRIBED TRACT.

THENCE, S. 62 DEG. 18' 32' W. 179.43 FEET WITH THE NORTHWEST LINE OF THE 16.70 ACRE TRACT AND THE SOUTHEAST LINE OF THE 3.33 ACRE TRACT, TO THE PLACE OF BEGINNING AND CONTAINING 1.10 ACRES OF LAND, MORE OR LESS, ACCORDING TO A SURVEY MADE ON THE GROUND ON NOVEMBER 7, 2011, BY TRI-COUNTY SURVEYING INC.

NOS00000006366397

#### NOTICE OF FORECLOSURE SALE

### **FEBRUARY 7, 2017**

County Clerk

On: Dec 28,2016 at 04:40P

As a Recording

Total Fees

2,00

Receipt Number - 200535 By Judy Flemins,

Lender: Recorded in:

Deed of Trust ("Deed of Trust"):

Robert E. Harvey, IV

September 4, 2014

Hector Vidal

Barbara Ann Brietzke

Secures:

Dated:

**Grantor:** 

Trustee:

Volume 1811, Page 33, Official Public Records of Wilson County, Texas Promissory Note ("Note") in the original principal amount of

\$250,000.00, executed by Hector Vidal ("Borrower") and payable to the

order of Lender

**Modifications** 

and Renewals:

Unrecorded extension dated January 26, 2016 (as used herein, the terms

"Note" and "Deed of Trust" mean the Note and Deed of Trust as so

modified, renewed, and/or extended)

#### Legal Description:

0.662 acres out of the Jose Maria Balmesada Survey No. 9, A-2 in Wilson County, Texas, being out of that certain 3.204 acre tract described in Deed dated June 14, 1978, executed by Sam J. Pullman to Lloyd Carter, et ux, said 0.662 acres being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin found in the southwest line of US 87 set for the east corner of the said 3.204 acre parent tract and the east corner of this tract;

THENCE with the fence and the southeast line of said 3.204 acre parent tract, S. 61 deg. 01 min. W., a distance of 175.00 feet to an iron pin set for the south corner of this tract;

THENCE N. 25 deg. 26 min. W., a distance of 165.00 feet to an iron pin set for the west corner of this tract;

THENCE N. 62 deg. 01 min. E, a distance of 175.00 feet to an iron pin set in the southwest line of US 87 and northeast line of said 3.204 acre parent tract for the north corner of this tract;

THENCE with the southwest line of US 87 and the northeast line of said 3.204 acre parent tract, S. 25 deg. 26 min. E., a distance of 164.00 feet to the PLACE OF BEGINNING.

And being the same property described in Deed dated September 4, 2014, executed by Barbara Ann Brietzke to Hector Vidal, recorded in Volume 1811, Page 29 of the Official Public Records of Wilson County, Texas.

Property:

The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described

above, and all rights and appurtenances thereto.

**Substitute Trustee:** 

Substitute Trustee's

DOMINIC CARVAJAL

Address:

1433 THIRD STREET, FLORESVILLE, TEXAS 78114

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, Substitute 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 Substitute Trustee.

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.

DOMINIC CARVAJAL, SUBSTITUTE TRUSTEE

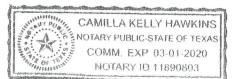
STATE OF TEXAS

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COUNTY OF WILSON

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This instrument was acknowledged before me on DECEMBER 28, 2016, by DOMINIC CARVAJAL.



Amulla folle To Notary Public, State of Texas

Filed for Record in: Wilson County by Honorable Eva Martinez

County Clark

On: Dec 27,2016 at 10:29A

As a Recording

Total Fees

2.00

**WILSON** County

Deed of Trust Dated: November 26, 2002

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Amount: \$219,998.00

Grantor(s): DEBORA SHAW and MICHAEL DAN SHAW

Receipt Humber - 200418 By, Mary Santos,

Original Mortgagee: OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION Current Mortgagee: U.S. Bank NA, successor trustee to Bank of America, NA, successor in interest to LaSalle Bank NA, as trustee, on behalf of the holders of Bear Stearns Asset Backed Securities Trust 2004-1, Asset-Backed Certificates, Series 2004-1

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

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. 00015686

Legal Description: LOT NO. 1, OAK PARK DEVELOPMENT, ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 12 OF THE MAP AND PLAT RECORDS OF WILSON COUNTY, TEXAS.

Date of Sale: February 7, 2017 between the hours of 12:00 PM and 3:00 PM.

Earliest Time Sale Will Begin: 12:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the WILSON 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.

DEBORAH MARTIN OR TROY MARTIN, ALEXIS MARTIN, CASSIE MARTIN, TERRI MARTIN OR SHELBY MARTIN 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 seg.), 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 AUTHORIZED AGENT OF THE MORTGAGE OR MORTGAGE SERVICER

tacon

HUGHES, WATTERS & ASKANASE, L.L.P.

TI Law

1201 Louisiana, Suite 2800 Houston, Texas 77002 Reference: 2016-016487

Aaron Espinoza, Attorne<del>y</del>

c/o Tejas Trustee Services 4100 Midway Rd Ste 1040 Carrollton, TX 75007

DEBORAH MARTIN OR TROV MARTIN, ALEXIS MARTIN, TERRI MARTIN OR SHELBY MARTIN

My Harin Hunde a

Our File Number: 16-17167

Name: ALBERTO R PENA AND JESSICA P PENA, HUSBAND AND WIFE

Filed for Record in: Wilson Counts bs Honorable Eva Martinez

County Clark

NOTICE OF TRUSTEE'S SALE

WHEREAS, on May 26, 2015, ALBERTO R. PENA AND JESSICA P. PENA, HUSBAND AND WIFE On: Dec 22,2016 at 08:54A executed a Deed of Trust/Security Instrument conveying to RUTH W. GARNER, as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. SOLELY AS NOMINEE FOR SENTE MORTGAGE, INC., in the payment of a debt therein described, said Deed of Trust/Security Instrument being recorded under County Clerk Number 00045174, in Book 1852, at Page 768, in the 2.00 DEED OF TRUST OR REAL PROPERTY records of WILSON COUNTY, TEXAS; and - 200354

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, Santos: and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust/Security Instrument; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on TUESDAY, FEBRUARY 7, 2017, between ten o'clock AM and four o'clock PM and beginning not earlier than 12:00 PM or not later than three hours thereafter, I will sell said Real Estate at the County Courthouse in WILSON COUNTY, TEXAS to the highest bidder for cash. The sale will be conducted in the area of the Courthouse designated by the Commissioners' Court, of said county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this notice was

Said Real Estate is described as follows:

LOT 199, ABREGO LAKE SUBDIVISION, UNIT SIX, WILSON COUNTY, TEXAS, AS PER PLAT OF RECORD IN VOLUME 11, PAGES 41-43, MAP OR PLAT RECORDS OF WILSON COUNTY, TEXAS

Property Address:

117 MEDORA BRANCH DR

FLORESVILLE, TX 78114

Mortgage Servicer: CENLAR FSB

Noteholder:

PINGORA LOAN SERVICING, LLC

425 PHILLIPS BOULEVARD

**EWING, NJ 08618** 

The Mortgage Servicer is authorized to represent the Noteholder by virtue of a servicing agreement with the Noteholder. 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

## ACTIVE MILITARY SERVICE NOTICE

Assert and protect your rights as a member of the armed forces of the United States. If you 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.

WITNESS MY HAND this 22nd day of December, 2016.

orah Martin, Alexis Martin, Cassie Marțin, Deanna Ray, Patricia Sanders, Frederick Britton, Doug Woodard, Aarti Patel, Jonathan Schendel, Richard Holton, Irene Salazar, Vanessa Ramos, Pamela Thomas, Maryna Danielian, Chris LaFond, Dan Hart. Substitute Trustees

Marinosci & Law Group 14643 Dallas Parkway, Suite 750 Dallas, Texas 75254 (972) 331-2300



# AFFIDAVIT OF POSTING SUBSTITUTE TRUSTEE'S NOTICE OF SALE

| STATE OF T           | TEXAS )(   |
|----------------------|--|
| COUNTY O             | FWILSON )(   |
| KNOW ALL             | MEN BY THESE PRESENTS, THAT:   |
| ¥                    | BEFORE ME, the undersigned authority, personally appeared  |
| Gay1e                | Richey , who after being by me duly sworn, said  |
| upon her oatl        | 1:   |
|                      | "I, <u>Gayle Richey</u> , do solemnly swear (or affirm) that I posted a copy of the attached Substitute Trustee's Notice of Sale on the <u>13th</u> day of <u>December</u> , 2016, such date being at least twenty-one days preceding the date of sale set forth in the attached Substitute Trustee's Notice of Sale, and that I accomplished and performed the just-mentioned date by posting a copy of the attached Substitute Trustee's Notice of Sale at the door of the county courthouse in Wilson County, Texas, which is the county in which the property described in the attached notice is located. |
|                      | Signature Layle Richery  |
|                      | Printed Name Gayle Richey, Deputy Clerk  |
| SWORN TO<br>December | AND SUBSCRIBED BEFORE ME, this day of, do which witness my hand and seal of office.  |
|                      |  |
|                      |  |
| *,                   | Notary Public State of Texas Printed Name: Geneviere Sancher   |
|                      | My Commission Expires: 10-20-20  |
|                      | GENEVIEVE SANCHEZ Notary Public, State of Texas Comm. Expires 10-20-2020 Notary ID 130870020   |

#### **NOTICE OF TRUSTEE'S SALE**

THE STATE OF TEXAS

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**COUNTY OF WILSON** 

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Filed for Record in: Wilson County by Honorable Eva Martinez

County Clerk

On: Dec 13,2016 at 04:49P As a Recording

Total Fees

2.00

Receipt Number - 200065 By, Gayle Richey,

**Deed of Trust:** 

Date: December 8, 2016

Date: May 11, 2016

Grantor: Merri Catherine Harmon and Johnny Ervin, Jr.

Beneficiary: Wilson County Ltd.

Recorded in: Volume 1911, Page 194, Official Public Records, Wilson

County, Texas.

Property: Lot 70 of Terrace Hill Farms, Unit II, a recorded subdivision of Wilson County, Texas as shown in Volume 8, Page 23-25, Plat Records, Wilson County, Texas

Date of Sale: January 3, 2017

Time of Sale: The earliest time at which the sale will occur is 11:00 p.m. and no later

than 2:00 p.m.

Place of sale of Property: Wilson County Courthouse, 1420 3rd Street, Floresville

Texas.

**Designated Area:** The most westerly door facing 3<sup>rd</sup> Street, bearing the address 1420

3<sup>rd</sup> Street, Floresville, Texas 78114

Because of the default by Grantor under the terms of the Deed of Trust and the Note secured thereby, as Substitute Trustee, I will sell the property by public auction tot he highest bidder for cash at the place and date above specified to satisfy the debt secured by the Deed of Trust.

The property is being sold subject to all matter of record which are prior to the Deed of Trust, which affect title thereto, and which are a superior interest therein.

Substitute Trustee - S. E. Rutledge or Janet Reed

or Zachary Potts or James Nelson

For more information:

P.O. Box 1249 San Marcos, Texas 78667-1249 512-396-5115

# AFFIDAVIT OF POSTING SUBSTITUTE TRUSTEE'S NOTICE OF SALE

| STATE OF TEX                  | AS )(                 |   |   |   |
|-------------------------------|-----------------------|---|---|---|
| COUNTY OF W                   | ILSON )(              |   |   | ₹   |
| KNOW ALL ME                   | N BY THESE P          | RESENTS, THA  | AT:   |   |
| BE                            | FORE ME, the u        | ındersigned autl  | nority, personal  | ly appeared   |
| Gayle Rich                    | ıey                   | , who   | after being by m  | ne duly sworn, said   |
| upon her oath:                | 9                     |   | ¥   |   |
| tha Sal bein the acc cop of t | t I posted a copy     | of the attached day of y-one days precedute Trustee's Note that it is a substitute Trustee's Trustee's Trustee's Trustee's Trustee's Wilson | Substitute Trus December, 2016 eding the date of otice of Sale, and st-mentioned da stee's Notice of S County, Texas, | , such date I sale set forth in I that I Ite by posting a Sale at the door which is the |
|                               |                       | Signature   | Saye t  | ichen   |
|                               | *,                    | Printed Name_   | Gayle Ri  | chey, Deputy Clerk  |
| SWORN TO ANI<br>December      | D SUBSCRIBED<br>,2016 |   |   | day of<br>I and seal of office.   |
|                               |                       |   |   |   |
|                               | *                     | Notary Public<br>Printed Name:<br>My Commissio  | Geneviere<br>on Expires: 10   | State of Texas<br>Skalher<br>-30-20   |
|                               |                       |   | Notary<br>Comm  | IEVIEVE SANCHEZ Public, State of Texas Expires 10-20-2020                               |

#### NOTICE OF TRUSTEE'S SALE

Filed for Record in: by Honorable Eva Martinez

County Clerk

On: Dec 13,2016 at 04:49F

As a Recording

Total Fees

Receipt Number - 200045 Gaale Richear

THE STATE OF TEXAS COUNTY OF WILSON

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**Deed of Trust:** 

Date: December 8, 2016

Date: April 7, 2016

Grantor: Raveta Angela Johnson and Mary Elizabeth Butler

Beneficiary: Wilson County Ltd.

Recorded in: Volume 1905, Page 362, Official Public Records, Wilson

County, Texas.

Property: Lot 73 of Terrace Hill Farms, Unit II, a recorded subdivision of Wilson County, Texas as shown in Volume 8, Page 23-25, Plat Records, Wilson County, Texas

Date of Sale: January 3, 2017

Time of Sale: The earliest time at which the sale will occur is 11:00 p.m. and no later than 2:00 p.m.

Place of sale of Property: Wilson County Courthouse, 1420 3rd Street, Floresville Texas.

**Designated Area:** The most westerly door facing 3<sup>rd</sup> Street, bearing the address 1420 3<sup>rd</sup> Street, Floresville, Texas 78114

Because of the default by Grantor under the terms of the Deed of Trust and the Note secured thereby, as Substitute Trustee, I will sell the property by public auction tot he highest bidder for cash at the place and date above specified to satisfy the debt secured by the Deed of Trust.

The property is being sold subject to all matter of record which are prior to the Deed of Trust, which affect title thereto, and which are a superior interest therein.

Substitute Trustee - S. E. Rutledge or Janet Reed

or Zachary Potts or James Nelson

For more information:

P.O. Box 1249 San Marcos, Texas 78667-1249 512-396-5115



Filed for Record in:
Wilson Counts
by Honorable Eva Martinez

County Clerk

On: Dec 13,2016 at 10:16A





#### 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 of another state or ast a Hidalson 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 ("Property") to be sold is described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

2. *Instrument to Be Foreclosed.* The instrument to be foreclosed is the deed of trust described more fully as follows:

Deed of Trust dated February 14, 2011, from V. O. CARDEN, JR. and LINDA L. CARDEN, as grantors, conveying the Property in trust to BRAD S. AKIN, as trustee, for the benefit of NIXON STATE BANK ("Beneficiary"), recorded under Clerk's File No. 00001035, Real Property Records, Wilson County, Texas ("Deed of Trust").

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

Date: JANUARY 3, 2017

Time: The sale will begin no earlier than 12:00 p.m. or no later than three hours thereafter.

Place: At the most north-easterly door of the Wilson County Courthouse, being the courthouse door facing the office of the Wilson County Tax Assessor-Collector, in Floresville, Wilson County, Texas, 2 Library Lane, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

The Beneficiary may postpone, withdraw, or reschedule the sale for another day. In that case, the Substitute Trustee need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

4. *Terms of Sale*. The sale will be conducted as a public auction to the highest bidder FOR CASH, subject to the provisions of the Deed of Trust permitting the Beneficiary thereunder

Notice of Foreclosure Sale V. O. Carden, Jr. and Linda L. Carden, Grantor Heritage Bank, Lender Page 1 of 3

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to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust 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 shall not cover any part of the Property that has been released of public record from the lien of the Deed of Trust. 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 Deed of Trust, the Beneficiary has the right to direct the Substitute 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. 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 Substitute 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 Substitute Trustee.

- 5. *Type of Sale*. The sale is a non-judicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust.
- 6. Obligations Secured. The Deed of Trust secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to that certain real estate lien note ("Note") dated February 14, 2011, in the original principal amount of SIXTY-EIGHT THOUSAND AND 00/100 DOLLARS (\$68,000.00), executed by V. O. CARDEN, JR. AND LINDA L. CARDEN and payable to the order of NIXON STATE BANK. HERITAGE BANK, as successor-in-interest to Nixon State Bank, is the current owner and holder of the Note and Obligations and is the current Beneficiary under the Deed of Trust.
- 7. Pursuant to the Deed of Trust, Beneficiary made, constituted and appointed in writing, RONALD A. MURRAY, STACI A. GRIFFIN, KYLE L. DICKSON, TROY MARTIN, DEBORAH MARTIN AND CHRIS LAFOND, as substitute trustees (each being a "Substitute Trustee") in that certain *Appointment of Substitute Trustee* dated November 16, 2016; to exercise the power of sale under the Deed of Trust for the purpose of enforcing the collection of the Obligations.
- 8. Default and Request to Act. Default has occurred under the Deed of Trust, and although demand was made upon V. O. CARDEN, JR. AND LINDA L. CARDEN, the default

Notice of Foreclosure Sale V. O. Carden, Jr. and Linda L. Carden, Grantor Heritage Bank, Lender Page 2 of 3 was not cured, and the Beneficiary has requested a Substitute Trustee conduct this sale. Notice is given that before the sale the Beneficiary may appoint other substitute trustees to conduct the sale.

Questions concerning the sale may be directed to the attention of Substitute Trustee, Staci A. Griffin c/o Murray | Lobb, PLLC, at 700 Gemini, Suite 115, Houston, Texas 77058, phone number (281) 488-0630.

DATED this the

day of December, 2016.

Signature

Staci A. Griffin, Substitute Trustee

c/o Murray | Lobb, PLLC 700 Gemini, Suite 115, Texas 77058 Harris County, Texas

> Notice of Foreclosure Sale V. O. Carden, Jr. and Linda L. Carden, Grantor Heritage Bank, Lender Page 3 of 3

## EXHIBIT 66 A 39

### METES AND BOUNDS DESCRIPTION OF A 9.810 ACRE TRACT

Being a 9.810 zero trust situated in the J. C. Margan Survey No. 124, Abstract 215, Wilson County, Texas and being out of a 14.592 eero trust as described in a conveyance from F. T. Hutton and wife, Bonny Hutton to Matthia Kenstantinova Pontreorre (2004 North 2004), Trustes of the Pontreorre Revearable Living Trust deard July 10, 2004 recorded in Volume 1357, Page 38, Official Public Records of Wilson County, Texas; said 9.810 zero trust surveyed by Jeffrey B. Berger, R.P.L.S. No. 5558 and being more particularly described as follows:

EEGINING at a 1/2" steel rod found on the northwest line of 306-1/5 acre times at described in a conveyence to John Rendy Poscy recorded in Volume 665, Page 136, Deed Records of Wilson County, Texas, and the southeast line of said J. C. Morgan Survey No. 124, at the east comes of a 45.09 acre tract as described in a conveyance to Liedds Ann Lavaridge Corden recorded in Volume 1185, Page 159, Official Public Records of Wilson County, Texas, for the south counter of said 14,592 acre tract and the herein described tract.

THENCE North 29" 30" 21" West 9£6.49 feet (Basis of Beerings) generally along a burbed wire sense with the common line of said 14.592 acre treat and said 45.09 acre treat up a 1/2" steel rod with a red plattle cap stamped "RPLS 5558" set for the west corner of the heroto described tract;

THENCE North 61° 35′ 45″ East 436.51 feet over and zeroes said 14.592 are tract to a 1/2″ steel red with a red plastic cap stamped "RPLS 5558" set on the southwort line of the remaining parties of a 11.15 erro tract as described in a conveyance to Andelusia Ranch Ltd. and Stonley A. Sourca, Jr. recorded in Volume 3101, Page 445, Official Public Records of Wilson County, Towns and the northeast line of said 14.592 acre tract, and said J. C. Margan Survey No. 124, for the north coverer of the herein described tract:

THENCE South 39° 20° 55° East 972.64 feet generally along a harbed wire fence with the common line of taid 4.592 acre tract, said remaining parties of a 11.15 acre tract, and a 4.20 acre tract as described in a conveyance to the Suckdule Buttene Cree Company, I.e., recorded in Volume 785, Page 552, Deed Records of Wilson County, Texas and said northeast line of the J. C. Morgan Survey No. 124 to a wood fence corner post on the southwest line of said 4.20 acre tract for the east corner of mid 14.592 care truet, said J. C. Morgan Survey, and the herein described fract.

THENCE South 59\* 46' 37" West 436.05 feet generally along a barbed wiso force with the common line of said 14.592 ocre trust and said 306-1/5 acre trust, and said southern line of the J. C. Morgan Survey No. 124 to the POINT OF BEGINNING and containing 9.810 acres, more or less.

Together with a 40-feet wide ingress-ogness and online measurest over and series a 2.00 acre tract and a 14.592 acre tract as described in a conveyance from F. T. Hutten and wife, Bornay Flutten to Natalia Konstantinova Pontectorvo Revocable Living Trus dated July 2.004 recorded in Volume 1357, Page 39, Official Public Records of Wilson County, Texas; taid 40-feet wide ingress-egress and utility bestment nurveyed by Jeffrey B. Berger, R.P.L.S. No. 5550 and being more particularly described as follows:

REGINNING at a 1/2" steel rod found on the southwest line of U. S. Highway No. 37 at the northwest corner of said 2.00 tere tract, and said 14.592 cere tract and the northeast corner of a 45.09 zero tract as described in a conveyance to Linda Ann Leveridge Carden recorded in Volume 1188, Page 159, Official Public Records of Wilson County, Texas, for the northwest corner of the herein described eastment;

THENCE South 73° 29' 51" East 57.59 feet with said southwest lime of U. S. Highway No. 87 to a point for the course of the herein described ensencent

THENCE over trid ecross said 2,00 acro tract and said 14,592 acro tract, South 29° 30′ 21° East 619.32 feet with a line being 40.00 feet northeast of and parallel with the southwest line of said 2.00 acro tract and said 14,592 acro tract to a point on the northwest line of a 9.810 acro tract turreyed this same date, for the east course of the herian described eastmoont, and South 61° 35′ 45′ West 40.01 feet with said northwest line of a 9.810 acro tract nurveyed his same can to a 12° steel rud with a rod plastic cep stamped "RPLS 5558" sat at the west corner of said 9.810 acro tract surveyed this same date, for the south occurs of the herein described eastmont;

THENCE North 25° 30' 21" West 659.99 feet (Basis of Beerings) generally along a barbed wire feace and a pipe mij tence with the common line of mid 14.592 are tract, said 2.00 are tract, and said 45.09 are tract to the BOINT OF BEGINNING and armining V.557 beron, more or loss.

Bearings are besed on said deed recorded in Volume 1957, Page 38, Official Public Records of Wilson County, Texas.
 A survey plat was prepared this same date as a part of this survey.

. §

STATE OF TEXAS COUNTY OF WILSON

December 29, 2010

It is hereby stated that the above description was prepared from an octual survey on the ground of the described 9.010 sere tract and the 40-foot wide ingress-egross ensement made under my supervision.

Participal Registr Stated Profesional Land Surveyor

Seres To THE HEACES 5550 5550 8 7 8

#### **Notice of Foreclosure Sale**

Tuesday, January 3, 2017

Filed for Record in: Wilson Counts bs Honorable Eva Martinez

County Clerk

On: Dec 12,2016 at 04:04P

As a Recording

Total Fees

Receipt Wumber - 200025 By, Krystle Hidalso,

Dated:

Deed of Trust ("Deed of Trust"):

Erick Madrigal

March 26, 2012

Trustee:

Grantor:

William L. Knobles

Lender:

Rural Properties, LTD.

Recorded in:

Volume 1653, Page 565, of the Official Public Records of Wilson

County, Texas

Legal Description:

Lot 7, HOMESTEAD SUBDIVISION, William McNener Survey

No. 10, A-237 Wilson County, Texas, according to a map and plat of said subdivision recorded in Volume 8, Pages 33-34 of the Map

and Plat Records of Wilson County, Texas.

Secures:

Real Estate Lien Note ("Note") in the original principal amount of

\$27,500.00, executed by Erick Madrigal ("Borrower") and payable

to the order of Lender

Substitute Trustee:

Christopher H. Moore, A. Robert Raetzsch, William L. Knobles,

David J. Eveld and/or Stephen K. Ganske, each of whom may act alone, without the joinder of the others, in carrying out the duties

and responsibilities of Substitute Trustee

Substitute Trustee's

Address:

202 N. Camp St., Seguin, Texas, 78155

#### Foreclosure Sale:

Date:

Tuesday, January 3, 2017

Time:

The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the

Foreclosure Sale will begin is 10:00 a.m. and not later than three

hours thereafter.

Place:

The most north-westerly door of the Wilson County Courthouse

(being the courthouse door facing the office of the Wilson County Tax Assessor) in Floresville Texas; or at such other area at the Courthouse which may be designated by the Wilson County

Commissioners Court.

{Client Files/1876/2/00104842.DOC/}

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 Rural Properties, LTD.'s bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Rural Development, Ltd., the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Rural Development, Ltd.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Rural Development, Ltd.'s rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Rural Development, Ltd. passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure 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 Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Rural Development, Ltd.. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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, Substitute 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 Substitute Trustee.

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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) DENTIFIED 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.

Christopher H. Moore, A. Robert Raetzsch, William L. Knobles, David J. Eveld and/or Stephen K. Ganske

202 N. Camp St. Seguin, Texas 78155 Tel. (830) 379-9445 Fax (866) 465-6451

Filed for Record in: Wilson County by Honorable Eva Martinez County Clerk

On: Dec 12,2016 at 02:14P

As a Recordina

Total Fees : 2.00

Receipt Humber - 200009 Ba, Krastle Hidalao,

# NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DATE: \2 9, 2016

#### **DEED OF TRUST:**

Date: May 11, 2016

Grantor:

THOMAS J. MICELI

Beneficiary: COMMAND DECISIONS, INC.

Trustee:

ROBERT BLACK

Substitute Trustee:

ROBERT E. BLACK, JIM MILLS, SUSAN MILLS,

EMILY NORTHERN, ALEXANDRA ZOGRAFOS HOLUB, SID BEMUS, GEORGIA MCINVALE, CHRIS LAFOND, KYLE

WALKER, or any of them

#### Substitute Trustee's Address:

ROBERT E. BLACK 2499 S. Capital of Texas Hwy, Ste. A-205 Austin, Travis County, Texas 78746 (512) 477-1964

JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ALEXANDRA ZOGRAFOS HOLUB, SID BEMUS, GEORGIA MCINVALE, CHRIS LAFOND and KYLE WALKER P.O. Box 9932 Austin, Travis County, Texas 78766 (512) 340-0331

Recorded in: Volume 1925, Page 745, Document No. 00056883, Real Property

Records, Wilson County, Texas

#### PROPERTY:

Tract 2, being 17.891 acres, more or less, out of the Jesse Mapping Survey, No. 27, Abstract 209, in Wilson County, Texas, being more particularly described in Deed of Trust recorded under Document No. 00056883, Volume 1925, Page 745, Official Public Records of Wilson County, Texas.

DATE OF SALE OF PROPERTY (first Tuesday of month, between 10:00 a.m. and 4:00 p.m.): 3<sup>rd</sup> day of January, 2016

#### PLACE OF SALE OF PROPERTY (including county):

County Courthouse of Wilson County, Floresville, Texas, at area designated by County Commissioners for said sales.

The earliest time at which a sale will occur is 1:00 p.m., provided the sale must begin at such time or not later than three hours after that time.

Because of default in performance of the obligations of the Deed of Trust, Substitute

Trustee will sell the property by public auction to the highest bidder for cash at the place and
date specified to satisfy the debt secured by the Deed of Trust.

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 services to the sender of this notice immediately.

JIM MILLS, SUSAN MILLS, EMILY
NORTHERN, ALEXANDRA ZOGRAFOS
HOLUB, SID BEMUS, GEORGIA
MCINVALE, CHRIS LAFOND and KYLE

WALKER P.O. Box 9932 Austin, Texas 78766 (512) 340-0331

Filed for Record in: Wilson County by Honorable Eva Martinez

County Clerk

On: Dec 12,2016 at 02:14P

As a Recording

## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DATE: 12-9, 2016

Total Fees : 2.

Receipt Number - 200009 By, Krystle Hidalao,

#### **DEED OF TRUST:**

Date: April 9, 2012

Grantor:

JEFFREY REEVES and KOLBY OLIVER

Beneficiary:

SCENIC WATER RANCHES, LTD., success in interest to Creekside

Equity Partners, Ltd.

Trustee:

TIM KLEINSCHMIDT

Substitute Trustee:

ROBERT E. BLACK, JIM MILLS, SUSAN MILLS,

EMILY NORTHERN, ALEXANDRA ZOGRAFOS HOLUB, SID

BEMUS, GEORGIA MCINVALE, CHRIS LAFOND, KYLE

WALKER, or any of them

#### Substitute Trustee's Address:

ROBERT E. BLACK 2499 S. Capital of Texas Hwy, Ste. A-205 Austin, Travis County, Texas 78746 (512) 477-1964

JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ALEXANDRA ZOGRAFOS HOLUB, SID BEMUS, GEORGIA MCINVALE, CHRIS LAFOND and KYLE WALKER P.O. Box 9932 Austin, Travis County, Texas 78766 (512) 340-0331

Recorded in: Volume 1657, Page 684, Document No. 00012531, Real Property Records, Wilson County, Texas

#### PROPERTY:

Tract 24, Hillside Estates Subdivision, a recorded subdivision in Wilson County, Texas, according to plat recorded in Volume 10, Page 81-82, Plat Records of Wilson County,

Texas.

DATE OF SALE OF PROPERTY (first Tuesday of month, between 10:00 a.m. and 4:00 p.m.): 3<sup>rd</sup> day of January, 2017

## PLACE OF SALE OF PROPERTY (including county):

County Courthouse of Wilson County, Floresville, Texas, at area designated by County Commissioners for said sales.

The earliest time at which a sale will occur is 1:00 p.m., provided the sale must begin at such time or not later than three hours after that time.

Because of default in performance of the obligations of the Deed of Trust, Substitute

Trustee will sell the property by public auction to the highest bidder for cash at the place and
date specified to satisfy the debt secured by the Deed of Trust.

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 services to the sender of this notice immediately.

JIM MILLS, SUSAN MILLS, EMILY
NORTHERN, ALEXANDRA ZOGRAFOS
HOLUB, SID BEMUS, GEORGIA
MCINVALE, CHRIS LAFOND and KYLE
WALKER

WALKER P.O. Box 9932 Austin, Texas 78766 (512) 340-0331

# NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Filed for Record in: Wilson County by Honorable Eva Martinez

County Clerk

On: Dec 12:2016 at 02:14P

As a Recording

Total Fees

2.00

Receipt Number - 200009 Bar Krastle Hidalaor

#### DEED OF TRUST:

Date: December 5, 2013

Grantor:

ADAM VALADEZ, JR., and APRIL J. VALADEZ

Grantor's County: WILSON

Beneficiary: CREEKSIDE EQUITY PARTNERS, LTD.

Trustee:

**GRACE KUNDE** 

Substitute Trustee:

ROBERT E. BLACK, JIM MILLS, SUSAN MILLS,

EMILY NORTHERN, ALEXANDRA ZOGRAFOS HOLUB, SID BEMUS, GEORGIA MCINVALE, CHRIS LAFOND, KYLE

WALKER, or any of them

Substitute Trustee's Address:

ROBERT E. BLACK 2499 S. Capital of Texas Hwy, Ste. A-205 Austin, Travis County, Texas 78746 (512) 477-1964

JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ALEXANDRA ZOGRAFOS HOLUB, SID BEMUS, GEORGIA MCINVALE, CHRIS LAFOND and KYLE WALKER P.O. Box 9932 Austin, Travis County, Texas 78766 (512) 340-0331

Recorded in: Volume 1771, Page 44, Document No. 00031899, Real Property Records, Wilson County, Texas

#### PROPERTY:

Tract 20, Hillside Estates Subdivision, a recorded subdivision in Wilson County, Texas, according to plat recorded in Volume 10, Page 81-82, Plat Records of Wilson County,

Texas.

DATE OF SALE OF PROPERTY (first Tuesday of month, between 10:00 a.m. and 4:00 p.m.): 3rd day of January, 2017.

## PLACE OF SALE OF PROPERTY (including county):

County Courthouse of Wilson County, Floresville, Texas, at area designated by County Commissioners for said sales.

The earliest time at which a sale will occur is 1:00 p.m., provided the sale must begin at such time or not later than three hours after that time.

Because of default in performance of the obligations of the Deed of Trust, Substitute

Trustee will sell the property by public auction to the highest bidder for cash at the place and
date specified to satisfy the debt secured by the Deed of Trust.

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 services to the sender of this notice immediately.

JIM MILLS, SUSAN MILLS, EMILY
NORTHERN, ALEXANDRA ZOGRAFOS
HOLUB, SID BEMUS, GEORGIA

MCINVALE, CHRIS LAFOND and KYLE WALKER P.O. Box 9932 Austin, Texas 78766

(512) 340-0331



C&S No. 44-16-3534 / Conventional / No Selene Finance LP

Filed for Record in: Honorable Eva Martinez

Counts Clark

On: Dec 12,2016 at 11:15A

As a Recording

#### NOTICE OF TRUSTEE'S SALE

Total Fees

2,00

Assert and protect your rights as a member of the armed forces of the United States If Nousare 161788 your spouse is serving on active military duty, including active military duty as a member of the rexastry, 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. Sender is: Codilis & Stawiarski, PC, 650 North Sam Houston Parkway East, Suite 450, Houston, Texas 77060

**Date of Security Instrument:** 

June 07, 2005

Grantor(s):

Amy Heinsohn and husband. Eric S. Heinsohn

**Original Trustee:** 

Troy Gotschall

Original Mortgagee:

Long Beach Mortgage Company, a Corporation

Recording Information: Vol. 1284, Page 299, or Clerk's File No. 00004330, in the Official Public Records of WILSON

County, Texas.

Current Mortgagee:

Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee

for Pretium Mortgage Acquisition Trust

Mortgage Servicer:

Selene Finance LP, whose address is C/O 9990 Richmond Avenue

Suite 400S Houston, TX 77042-4546 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.

Date of Sale:

01/03/2017

Earliest Time Sale Will Begin:

tee, Deborah Martin as Successor Substitute Trustee, Mary C. (Chris) LaFond as

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.

Legal Description:

LOT 71, RANCH COUNTRY SUBDIVISION, (UNIT III), CONTAINING 1.718 ACRES, MORE OR LESS, AS SHOWN ON PLAT RECORDED IN VOLUME 5, PAGE 4, PLAT RECORDS OF WILSON COUNTY, TEXAS.

Place of Sale of Property: The foreclosure sale will be conducted in the area designated by the WILSON County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where the 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.

For Information:

Codilis & Stawiarski, P.C. 650 N. Sam Houston Parkway East Suite 450 Houston, TX 77060 (281) 925-5200

Troy Martin as Substitute Tru Successor Substitute Trustee, &r. Cathy Cagle as Successor Substitute Trustee c/o Servicelink Default Abstract Solutions

1320 Greenway Drive, Suite 300

Irving, TX 75038



# NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

Filed for Record in: Wilson County by Honorable Eva Martinez

County Clerk

On: Dec 12,2016 at 11:12A

As a Recording

**DEED OF TRUST INFORMATION:** 

Date:

10/09/1991

Grantor(s):

AVELINO PAIZ, SR., AN UNMARRIED PERSON

Original Mortgagee:

MORTGAGE AND TRUST, INC.

Original Principal:

\$30,984.00

Recording Information:

Book 788 Page 208 Instrument 31348

**Property County:** Property:

Receipt Number - 199986

Total Fees

Frances Cherry,

7.00

1.383 ACRES OF LAND, DESIGNATED AS LOT 26, COUNTRY ACRES SUBDIVISION,

OUT OF THE SUSANNAH LARRISON LEAGUE SURVEY #109 WILSON COUNTY, TEXAS, ACCORDING TO PLAT OF RECORD IN VOLUME 3, PAGE 9, MAP RECORDS OF WILSON COUNTY, TEXAS.

Reported Address:

153 COUNTRY ACRES DR, ADKINS, TX 78101

# MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee:

U.S. Bank National Association, as trustee for the CWMBS Reperforming Loan REMIC Trust Certificates, Series 2006-R1

Mortgage Servicer:

Wells Fargo Bank, N. A.

Current Beneficiary:

U.S. Bank National Association, as trustee for the CWMBS Reperforming Loan REMIC Trust

Certificates, Series 2006-R1

Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

**SALE INFORMATION:** 

Date of Sale:

Tuesday, the 3rd day of January, 2017 12:00PM or within three hours thereafter.

Time of Sale: Place of Sale:

AT THE MOST NORTH-EASTERLY DOOR OF THE WILSON COUNTY COURTHOUSE, BEING THE COURTHOUSE DOOR FACING THE OFFICE OF THE WILSON COUNTY TAX ASSESSOR-COLLECTOR, IN FLORESVILLE, WILSON COUNTY, TEXAS, WHICH BEARS THE ADDRESS OF 2 LIBRARY LANE in Wilson County, Texas, or, if the preceding

area is no longer the designated area, at the area most recently designated by the Wilson

County Commissioner's Court.

Substitute Trustee(s):

Patricia Sanders, Jonathan Schendel, Doug Woodard, Dan Hart, Aarti Patel, Maryna Danielian, Frederick Britton, Pamela Thomas, Troy Martin, Deborah Martin, Irene Salazar, Deanna Ray, Vanessa Ramos, Richard Holton, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act

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

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 Patricia Sanders, Jonathan Schendel, Doug Woodard, Dan Hart, Aarti Patel, Maryna Danielian, Frederick Britton, Pamela Thomas, Troy Martin, Deborah Martin, Irene Salazar, Deanna Ray, Vanessa Ramos, Richard Holton, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, have been approinted 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. Patricia Sanders, Jonathan Schendel, Doug Woodard, Dan Hart, Aarti Patel, Maryna Danielian, Frederick Britton, Pamela Thomas, Troy Martin, Deborah Martin, Irene Salazar, Deanna Ray, Vanessa Ramos, Richard Holton, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, 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.

Very truly yours,



# Notice of [Substitute] Trustee Sale

Filed for Record in:
Wilson County
by Honorable Eva Martinez
County Clerk

On: Dec 08,2016 at 01:13P

As a Recording

Assert and protect your rights as a member of the armed forces of the United States. If you are or your. On 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.

1. Date, Time, and Place of Sale.

Date: 01/03/2017

Time: The sale will begin at 12:00 PM or not later than three hours after that time

<u>Place:</u> The most North-Easterly door of the Wilson County Courthouse, being the Courthouse door facing the Office of the Wilson County Tax Assessor-Collector, in Floresville, Wilson County, Texas, which bears the address of 2 Library Lane or any other area designated by the County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where

OR AS DESIGNATED BY THE COUNTY COMMISSIONERS

Property Address: 433 Ringaskiddy Circle, Floresville, TX 78114

2. Terms of Sale: Cash

- 3. Instrument to be Foreclosed: The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated 03/03/2004 and recorded 03/16/2004 in Document 00012764, Book OP Vol 1211 Page 147, real property records of Wilson County Texas, with William J. Kimes and Lise D. Kimes, Husband and Wife, grantor(s), and Alethes, LLC d/b/a Amerinet, as Lender; Mortgage Electronic Registration Systems, Inc., as Beneficiary.
- 4. Appointment of Substitute Trustee: The undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by the above referenced Deed of Trust.
- 5. Obligation Secured: Deed of Trust or Contract Lien executed by William J. Kimes and Lise D. Kimes, Husband and Wife, securing the payment of the indebtedness in the original principal amount of \$208,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. The Bank of New York Mellon Trust Company, N.A. as successor in interest to all permitted successors and assigns of The JPMorgan Chase Bank, as Trustee for Specialty Underwriting and Residential Finance Trust Mortgage Loan Asset-Backed Certificates, Series 2004-AA1 is the current mortgagee of the note and the deed of trust or contract lien.

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# Notice of [Substitute] Trustee Sale

- 6. **Default:** A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.
- 7. Property to be sold: The property to be sold is described as follows:

LOT 127, ESTATES AT SHANNON RIDGE SUBDIVISION, UNIT II, WILSON COUNTY, TEXAS, AS SHOWN ON THAT CERTAIN MAP OR PLAT THEREOF, RECORDED AT VOLUME 7, PAGE 62, MAP AND PLAT RECORDS OF WILSON COUNTY, TEXAS.

8. Mortgage Servicer Information: The Mortgage Service 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 lien securing the property referenced above. Ocwen Loan Servicing, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

C/O Ocwen Loan Servicing, LLC 1661 Worthington Rd., Suite 100 West Palm Beach, FL 33409 Phone: 1-800-746-2936

# Notice of [Substitute] Trustee Sale

9. 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 the Mortgagor, the Mortgagee, or the Mortgagee's attorney.

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

Date: December 5, 2016

Stephanie Spurlock, Laterrika Thompkins, Camisha Scott, Keisha Lyons, Melisa Jones, Iman Walcott, Tanesha Humphrey – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Irene Salazar, Deanna Ray, Vanessa Ramos, Richard Holton, Jill Nichols, Frederick Britton, Jack Burns, II, Patricia Sanders, Zana Jackson, Pamela Thomas, Kristopher Holub, Patrick Zwiers, Kelley Burns, Kristie Alvarez, Chance Oliver, Max Murphy or Bret Allen – Substitute Trustee(s)

C/O Power Default Services, Inc. Northpark Town Center 1000 Abernathy Rd. NE; Bldg. 400, Suite 200 Atlanta, GA 30328

Telephone: 855-427-2204 Fax: 866-960-8298

POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.

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