

COPY

Total Fees : 2.00

Receipt Number - 214341  
By:  
Krystle Hidalgo

**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 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: SEE EXHIBIT "A"
- 2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 05/30/2007 and recorded in Book 1404 Page 887 Document 00025609 real property records of Wilson County, Texas.
- 3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:  
Date: 04/03/2018  
Time: 12:00 PM  
Place: Wilson County Courthouse, Texas, at the following location: 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 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 RANDY A. KAY AND ANGELA R. KAY, provides that it secures the payment of the indebtedness in the original principal amount of \$183,549.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. MIDFIRST BANK is the current mortgagee of the note and deed of trust and MIDFIRST BANK is mortgage servicer. A servicing agreement between the mortgagee, whose address is MIDFIRST BANK c/o MIDFIRST BANK, 999 N.W. Grand Blvd, Oklahoma City, OK 73118 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 FREDERICK BRITTON, PAMELA THOMAS, STACEY BENNETT, AMY ORTIZ, ROBERT GOMEZ, TROY MARTIN, DEBORAH MARTIN, IRENE SALAZAR, CASSIE MARTIN, TERRI MARTIN, ALEXIS MARTIN, SHELBY MARTIN, BRUCE NEYLAND, KAREN WORK, DEANNA RAY, VANESSA RAMOS, RICHARD HOLTON, BOB FRISCH, JAMIE STEEN, JODI STEEN OR JO WOOLSEY, 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. Keller Mackie, Attorney at Law  
Lori Liane Long, Attorney at Law  
Tracey Midkiff, Attorney at Law  
Marissa Sibal, Attorney at Law  
Parkway Office Center, Suite 900  
14160 North Dallas Parkway  
Dallas, TX 75254

FREDERICK BRITTON, PAMELA THOMAS, STACEY BENNETT,  
AMY ORTIZ, ROBERT GOMEZ, TROY MARTIN, DEBORAH  
MARTIN, IRENE SALAZAR, CASSIE MARTIN, TERRI MARTIN,  
ALEXIS MARTIN, SHELBY MARTIN, BRUCE NEYLAND,  
KAREN WORK, DEANNA RAY, VANESSA RAMOS, RICHARD  
HOLTON, BOB FRISCH, JAMIE STEEN, JODI STEEN OR JO  
WOOLSEY  
c/o AVT Title Services, LLC  
1101 Ridge Rd. Suite 222  
Rockwall, TX 75087

Certificate of Posting

I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the Wilson County Clerk and caused it to be posted at the location directed by the Wilson County Commissioners Court.



EXHIBIT "A"

STATE OF TEXAS  
COUNTY OF WILSON

FIELD NOTES FOR A 2.54 ACRES OF LAND

BEING 2.54 acres of land called Tract 6 in this survey and partition of 10.92 acres of land out of the T. F. L. Parrot Survey, Abstract 253, Wilson County, Texas and being the same land described in a conveyance to Gene Kay and wife, Margaret Kay in a deed of record in Volume 525, Page 178 of the Deed Records of Wilson County, Texas and further being a part or portion of Lot 3 of the J. N. Koenig Subdivision as shown on the plat of record in Volume 1, Page 73 of the Plat Records of Wilson County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a set 1/2 inch rebar with a "Pollok & Sons" cap at the intersection of the easterly right-of-way line of State Highway No. 123 and the southwesterly right-of-way line of Wildrose Lane for the north corner of the Kay land and of this tract.

THENCE South 60° 00' 00" East, (record bearing per the deed) with said right-of-way line of Wildrose Lane, distance of 537.99 feet to a set 1/2 inch rebar with a "Pollok & Sons" cap for the easterly corner of this tract and a northerly corner of a 4.38 acre tract called Tract 5 in this survey and partition.

THENCE South 31° 06' 33" West, into the Kay land with the common line Tract 5 and of this tract, distance of 227.82 feet to a set 1/2 inch rebar for a common corner.

THENCE North 60° 00' 00" West, continuing with last said common line, distance of 433.43 feet to a set 1/2 inch rebar with a "Pollok & Sons" cap for a common corner on the easterly right-of-way line of State Highway No. 123.

THENCE North 06° 16' 00" East, with said Highway right-of-way line, distance of 248.83 feet to the POINT OF BEGINNING containing 2.54 acres of land.

POLLOK & SONS SURVEYING, INC.

*[Signature]*  
Larry J. Pollok, R.P., L.S., No. 5186  
January 18, 2006



ref: 06-0020  
02130604

Filed for Record in:  
Wilson County  
by Eva S. Martinez  
County Clerk

On: Jun 07, 2007 at 10:03A

As a Recording

Document Number: 00025609  
Total Fees : 44.00

Receipt Number - 64294

By,  
Oralia Vela,

F:TE

Any provision herein which restricts the sale, rental, or use of the described realproperty because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS  
COUNTY OF WILSON

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in Official Public Records the Volume: 1404 and Page: 887 of the named records of: Wilson County as stamped hereon by me.

Jun 07, 2007



*[Signature]*  
COUNTY CLERK  
WILSON COUNTY, TEXAS

COPY

**DEED OF TRUST INFORMATION:**

Date: 03/05/2007 Total Fees : 2.00  
 Grantor(s): ARMANDO MARTINEZ AKA ARMANDO MARTINEZ SR AND REBECCA G. MARTINEZ Receipt Number - 214340  
By, Krystle Hidalgo  
 Original Mortgagee: WELLS FARGO FINANCIAL TEXAS, INC.  
 Original Principal: \$96,564.51  
 Recording Information: Book 1389 Page 692 Instrument 00022992  
 Property County: Wilson  
 Property:

FIELD NOTES OF A 0.453 OF AN ACRE TRACT OF LAND SITUATED IN THE CITY OF FLORESVILLE, WILSON COUNTY, TEXAS, OUT OF THE S AND J AROCHA GRANT, AND BEING PART OF THAT 1.40 ACRE TRACT CONVEYED TO YSIDRO C. GARZA, ET UX, BY DEED RECORDED IN VOLUME 539, PAGE 520 OF THE DEED RECORDS OF WILSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1 1/2" IRON PIPE FOUND IN THE NORTHEAST LINE OF U.S. HIGHWAY 181 AT THE SOUTH CORNER OF SAID 1.40 ACRE TRACT AND THIS TRACT; THENCE N 46 DEG. 38' 00" W. 30.10 FEET ALONG THE NORTHEAST LINE OF U.S. HIGHWAY 181 TO A RAILROAD SPIKE SET AT THE WEST CORNER OF THIS TRACT; THENCE N 47 DEG. 56' 49" E, 261.82 FEET ACROSS SAID 1.40 ACRE TRACT OF A RAILROAD SPIKE SET IN FENCE LINE IN THE NORTHEAST LINE OF SAID 1.40 ACRE TRACT AT THE NORTH CORNER OF THIS TRACT THENCE S 47 DEG. 14' 27" E, 179.52 FEET WITH FENCE ALONG THE NORTHEAST LINE OF SAID 1.40 ACRE TRACT TO A 5/8" IRON PIN FOUND IN THE NORTHWEST LINE OF A 4.15 ACRE TRACT CONVEYED TO RAUL SALDANA BY DEED RECORDED IN VOLUME 596, PAGE 486, BEING THE EAST CORNER OF SAID 1.40 ACRE TRACT AND THIS TRACT; THENCE S 48 DEG. 05' 33" W. 80.00 FEET ALONG THE NORTHWEST LINE OF SAID 4.15 ACRE TRACT, BEING THE SOUTHEAST LINE OF SAID 1.40 ACRE TRACT TO A RAILROAD SPIKE SET AT SOUTH CORNER OF SAID 1.40 ACRE TRACT AND THIS TRACT; THENCE N 47 DEG. 12' 16" W, 149.19 FEET ALONG A SOUTHWEST LINE OF SAID 1.40 ACRE TRACT TO A 1/2" IRON PIN FOUND AT FENCE CORNER AT AN INTERIOR CORNER OF SAID 1.40 ACRE TRACT AND THIS TRACT; THENCE S 47 DEG. 56' 49" W, 182.26 FEET WITH FENCE ALONG A SOUTHEAST LINE OF SAID 1.40 ACRE TRACT TO THE PLACE OF BEGINNING AND CONTAINING 0.453 OF AN ACRE OF LAND.

Reported Address: 628 10TH STREET, FLORESVILLE, TX 78114

**MORTGAGE SERVICING INFORMATION:**

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

Current Mortgagee: Wells Fargo USA Holdings, Inc.  
Mortgage Servicer: Wells Fargo Bank, N. A.  
Current Beneficiary: Wells Fargo USA Holdings, Inc.  
Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

**SALE INFORMATION:**

Date of Sale: Tuesday, the 6th day of March, 2018  
Time of Sale: 12:00PM or within three hours thereafter.  
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): Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, Suzanne Suarez, or Alexander Wolfe, 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 Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, Suzanne Suarez, or Alexander Wolfe, 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. Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, Suzanne Suarez, or Alexander Wolfe, 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,

  
Bonial & Associates, P.C. f/k/a Buckley Madole, P.C.

CAUSE NO. 17-01-0024-CVW

IN RE: ORDER FOR FORECLOSURE  
CONCERNING 628 10TH STREET,  
FLORESVILLE, TX 78114  
UNDER TEX. R. CIV. PROC. 736

IN THE DISTRICT COURT

PETITIONER:

WELLS FARGO FINANCIAL TEXAS,  
INC.

WILSON COUNTY, TEXAS

RESPONDENT(S):

ARMANDO MARTINEZ A/K/A  
ARMANDO MARTINEZ SR, REBECCA  
G MARTINEZ

218TH DISTRICT COURT

DEFAULT ORDER ALLOWING FORECLOSURE

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited order under Rule 736. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.
2. The name and last known address of each Respondent subject to this order is  
Armand Martinez A/K/A Armando Martinez Sr, whose last known address is;  
6820 Freedom Ridge, San Antonio, TX 78242 and  
Rebecca G Martinez, whose last known address is;  
628 10TH Street, Floresville, TX 78114.  
Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten days.
3. The property that is the subject of this foreclosure proceeding is commonly known as 628 10TH Street, Floresville, TX 78114 with the following legal description:

FIELD NOTES OF A 0.453 OF AN ACRE TRACT OF LAND SITUATED IN THE CITY OF FLORESVILLE, WILSON COUNTY, TEXAS, OUT OF THE S AND J AROCHA GRANT, AND BEING PART OF THAT 1.40 ACRE TRACT CONVEYED TO YSIDRO C. GARZA, ET UX, BY DEED RECORDED IN VOLUME 539, PAGE 520 OF THE DEED RECORDS OF WILSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1 1/2" IRON PIPE FOUND IN THE NORTHEAST LINE OF U.S. HIGHWAY 181 AT THE SOUTH CORNER OF SAID 1.40 ACRE TRACT AND THIS TRACT; THENCE N 46 DEG. 38' 00" W. 30.10 FEET ALONG THE NORTHEAST LINE OF U.S. HIGHWAY 181 TO A RAILROAD SPIKE SET AT THE WEST CORNER OF THIS TRACT;

THENCE N 47 DEG. 56' 49" E, 261.82 FEET ACROSS SAID 1.40 ACRE TRACT OF A RAILROAD SPIKE SET IN FENCE LINE IN THE NORTHEAST LINE OF SAID 1.40 ACRE TRACT AT THE NORTH CORNER OF THIS TRACT

THENCE S 47 DEG. 14' 27" E, 179.52 FEET WITH FENCE ALONG THE NORTHEAST LINE OF SAID 1.40 ACRE TRACT TO A 5/8" IRON PIN FOUND IN THE NORTHWEST LINE OF A 4.15 ACRE TRACT CONVEYED TO RAUL SALDANA BY DEED RECORDED IN VOLUME 596, PAGE 486, BEING THE EAST CORNER OF SAID 1.40 ACRE TRACT AND THIS TRACT;

THENCE S 48 DEG. 05' 33" W. 80.00 FEET ALONG THE NORTHWEST LINE OF SAID 4.15 ACRE TRACT, BEING THE SOUTHEAST LINE OF SAID 1.40 ACRE TRACT TO A RAILROAD SPIKE SET AT SOUTH CORNER OF SAID 1.40 ACRE TRACT AND THIS TRACT;

THENCE N 47 DEG. 12' 16" W, 149.19 FEET ALONG A SOUTHWEST LINE OF SAID 1.40 ACRE TRACT TO A 1/2" IRON PIN FOUND AT FENCE CORNER AT AN INTERIOR CORNER OF SAID 1.40 ACRE TRACT AND THIS TRACT;

THENCE S 47 DEG. 56' 49" W, 182.26 FEET WITH FENCE ALONG A SOUTHEAST LINE OF SAID 1.40 ACRE TRACT TO THE PLACE OF BEGINNING AND CONTAINING 0.453 OF AN ACRE OF LAND.

4. The lien to be foreclosed is indexed or recorded at Volume: 1389, Page: 692, Instrument Number: 00022992 and recorded in the real property records of Wilson County, Texas.

5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this order.
6. Based on the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 et seq.
7. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the loan agreement, contract, or lien sought to be foreclosed.
8. This order is not subject to a motion for rehearing, a new trial, a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this 17 day of July, 2017.

  
JUDGE PRESIDING

FILED FOR RECORD  
WILSON CO. TEXAS  
2017 JUL 17 P 1:21  
DEBORAH BRYAN  
DISTRICT CLERK  
BY   
DEPUTY

AFFIDAVIT OF POSTING SUBSTITUTE TRUSTEE'S NOTICE OF SALE

STATE OF TEXAS        )(

COUNTY OF WILSON    )(

KNOW ALL MEN BY THESE PRESENTS, THAT:

BEFORE ME, the undersigned authority, personally appeared

Gayle Richey, who after being by me duly sworn, said

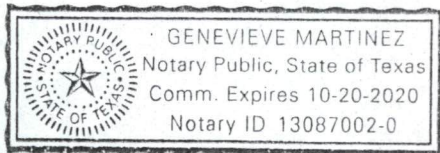
upon her oath:

"I, Gayle Richey, do solemnly swear ( or affirm) that I posted a copy of the attached Substitute Trustee's Notice of Sale on the 17th day of January, 2018, 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 *Gayle Richey*

Printed Name Gayle Richey, Deputy Clerk

SWORN TO AND SUBSCRIBED BEFORE ME, this 17th day of January, 2018, to which witness my hand and seal of office.



*[Signature]*  
Notary Public Genevieve Martinez State of Texas  
Printed Name: Genevieve Martinez  
My Commission Expires: 10-20-2020



Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk  
On: Jan 17, 2018 at 03:07P  
As a Recording

Total Fees : 2.00

Receipt Number - 214038  
By:  
Gayle Richey

**NOTICE OF TRUSTEE'S SALE**

THE STATE OF TEXAS §  
COUNTY OF WILSON §

**Date:** January 11, 2018

**Deed of Trust:**

**Date:** March 16, 2017

**Grantor:** Maria Thompson

**Beneficiary:** Wilson County Ltd.

**Recorded in:** Volume 1963, Page 113, Official Public Records, Wilson County, Texas.

**Property:** Lot 78 of Terrace Hill Farms, Unit III, a recorded subdivision of Wilson County, Texas as shown in Volume 8, Page 37-39, Plat Records, Wilson County, Texas

**Date of Sale:** February 6, 2018

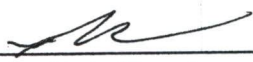
**Time of Sale:** The earliest time at which the sale will occur is 11:00 a.m. and no later than 2:00 p.m.

**Place of sale of Property:** Wilson County Courthouse, 1420 3<sup>rd</sup> 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 to the 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 Zachary Potts or James Nelson or Steve McMillen

**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 TEXAS      )(

COUNTY OF WILSON   )(

KNOW ALL MEN BY THESE PRESENTS, THAT:

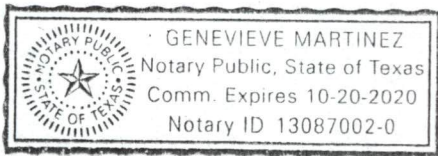
BEFORE ME, the undersigned authority, personally appeared

Gayle Richey, who after being by me duly sworn, said  
upon her oath:

"I, Gayle Richey, do solemnly swear ( or affirm) that I posted a copy of the attached Substitute Trustee's Notice of Sale on the 17th day of January, 2018, 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 *Gayle Richey*  
Printed Name Gayle Richey, Deputy Clerk

SWORN TO AND SUBSCRIBED BEFORE ME, this 17th day of  
January, 2018, to which witness my hand and seal of office.



*Genevieve Martinez*  
Notary Public Genevieve Martinez State of Texas  
Printed Name: Genevieve Martinez  
My Commission Expires: 10-20-2020

Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk  
On: Jan 17, 2018 at 03:07P  
As a Recording  
Total Fees : 2.00  
Receipt Number - 214038  
By:  
Gayle Richey

**NOTICE OF TRUSTEE'S SALE**

THE STATE OF TEXAS §  
COUNTY OF WILSON §

**Date:** January 11, 2018

**Deed of Trust:**

**Date:** April 27, 2004, to be effective as of January 1, 2004  
**Grantor:** Duane Moore and Angela Moore  
**Beneficiary:** Wilson County Ltd.  
**Recorded in:** Volume 1225, Page 433, Official Public Records, Wilson County, Texas.

**Property:** Lot 42 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:** February 6, 2018


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

**Place of sale of Property:** Wilson County Courthouse, 1420 3<sup>rd</sup> 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 to the 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 Zachary Potts or James Nelson or Steve McMillen

**For more information:**

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

COPY

Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk  
On: Jan 17, 2018 at 09:36A  
As a Recording  
Total Fees : 2.00  
Receipt Number - 213993  
By: Krystle Hidalgo

**ATTENTION SERVICE MEMBERS: ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR 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 SUBSTITUTE TRUSTEE'S SALE**

**WHEREAS, JAMES HUDSON AND AMY HUDSON, HUSBAND AND WIFE delivered that one certain Deed of Trust dated JULY 22, 2014, which is recorded in VOLUME 1801, PAGE 742 of the real property records of WILSON County, Texas, conveying to the Trustee(s) therein named the real property therein described, to secure the payment of a Promissory Note in the principal amount of \$152,192.00 payable to the order of BOKF, N.A. DBA BANK OF TEXAS, to which reference is hereby made for a description of the Promissory Note, the terms and covenants of the Deed of Trust, and the property therein conveyed; and**

**WHEREAS, default, as same is defined in the Promissory Note and/or the Deed of Trust, has occurred and the outstanding indebtedness on same is now wholly due; and**

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

**WHEREAS, BOKF, N.A. DBA BANK OF TEXAS, the Mortgagee, or the Mortgage Servicer, has instructed a Substitute Trustee(s) to sell real property described in the Deed of Trust in order to satisfy the indebtedness secured thereby.**

**NOTICE IS HEREBY GIVEN that on Tuesday, MARCH 6, 2018, beginning at 12:00 NOON, or not later than three (3) hours after that time, a Substitute Trustee(s) will sell, to the highest bidder submitting cashier's check, certified check or money order, the following described real property:**

**LOT 229 OF THE EAGLE CREEK RANCH SUBDIVISION, SECTION 2-A, WILSON COUNTY, TEXAS, AS SHOWN BY A MAP OR PLAT THEREOF OF RECORD AT VOL. 5, PAGE 51 OF THE PLAT RECORDS OF WILSON COUNTY, TEXAS.**

**The sale will occur at that area designated by the Commissioners Court of WILSON County, Texas, for such sales (OR 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, WHICH BEARS THE ADDRESS OF 2 LIBRARY LANE).**

**NOTICE IS FURTHER GIVEN that the address of BANK OF OKLAHOMA, N.A., the Mortgagee or Mortgage Servicer, is 7060 S. YALE, STE 200, TULSA, OKLAHOMA 74136. Pursuant to the Texas Property Code, the Mortgage Servicer is authorized to administer a foreclosure sale. The name and address of a substitute trustee is Michael J. Schroeder, 3610 North Josey Lane, Suite 206, Carrollton, Texas 75007. A Substitute Trustee is authorized by the Texas Property Code to set reasonable conditions for the foreclosure sale.**

**Dated: JANUARY 16, 2018.**

**SUBSTITUTE TRUSTEE(S)  
MICHAEL J. SCHROEDER OR TROY MARTIN OR  
DEBORAH MARTIN OR CASSIE MARTIN OR TERRI  
MARTIN OR DEANNA RAY**

FILE NO.: BOK-1724  
PROPERTY: 158 WILLOW CREEK DRIVE  
FLORESVILLE, TEXAS 78114

JAMES HUDSON

NOTICE SENT BY:  
MICHAEL J. SCHROEDER  
3610 NORTH JOSEY LANE, SUITE 206  
CARROLLTON, TEXAS 75007  
Tele: (972) 394-3086  
Fax: (972) 394-1263



4643886

**SUBSTITUTE TRUSTEE'S NOTICE OF SALE**

Total Fees : 2.00

**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.**

**Note:** Retail Installment Contract  
Date: December 15, 2004  
Original Creditor: Jim Walter Homes, Inc.  
Debtor: Adrian & Natalie J. Arguello  
Current Holder: U. S. Bank, N.A., as trustee for Mid-State Capital Corporation 2005-1 by Ditech Financial LLC, as servicer with delegated authority

**Security Instrument:**

Mechanic's Lien Contract with Power of Sale  
Date: December 15, 2004  
Grantor: Adrian & Natalie J. Arguello  
Trustee: Ronald K. Achille  
Recording Information: Volume 1261 at pages 418 et seq. recorded in the Official Records of Wilson County, Texas  
Property: All that property (and improvements thereon) covered by and described in the above Security Instrument and as more particularly described in **Exhibit "A"** attached hereto (setting forth therein the legal description of the property as contained in or attached to the above Security Instrument) (referred to in this Notice of Sale as the "Property").

Current Holder: U. S. Bank, N.A., as trustee for Mid-State Capital Corporation 2005-1 by Ditech Financial LLC, as servicer with delegated authority

**Mortgage Servicer:** Ditech Financial LLC (f/k/a Green Tree Servicing LLC), 7360 S. Kyrene Road, Mailstop T325, Tempe, Arizona 85283, by virtue of a servicing agreement with Current Holder.

**Attorney for Mortgage Servicer Authorized to Appoint Substitute Trustees:** Kenneth M. Culbreth, Jr.

**Appointment of Substitute Trustees:** **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.**

In accordance with Texas Property Code Section 51.0076, the undersigned attorney for the Mortgage Servicer has named and appointed Kenneth M. Culbreth, Jr. and others (identified in **Exhibit "B"** attached hereto) as Substitute Trustees, each to act individually (the "Substitute Trustee") under and by virtue of the Security Instrument.

**Foreclosure Sale:**

**County:** Wilson, Texas

**Date of Sale (first Tuesday of month):** February 6, 2018

**Time of Sale:** The sale of the Property will begin no earlier than 1:00 o'clock P.M. and no later than three (3) hours thereafter

**Place of Sale:** The sale of the Property will be held at the county courthouse in Wilson County, Texas (located at 1420 3<sup>rd</sup> Street, Floresville, Texas), the county in which the above described Property is located, and at that area of said county courthouse which has been so designated by the Wilson County Commissioners' Court as follows: Most north-easterly door of courthouse (facing the Wilson County Tax Assessor-Collector office).

**Type of Sale:** The sale of the Property is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument.

**Terms of Sale:** The sale of the Property will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Security Instrument permitting the Holder to have the bid credited against the indebtedness secured by the Security Instrument at the time of the 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 of the Property 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 Holder 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 Security Instrument. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

**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 Debtor and any and all other necessary parties with regard to the defaulted indebtedness. Mortgage Servicer has requested 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. Mortgage Servicer is representing Mid-State Capital Corporation 2005-1 under a Servicing Agreement.

**Dated:** January 10, 2018

By:   
Kenneth M. Culbreth, Jr., as  
Attorney for Mortgage Servicer

By:   
Kenneth M. Culbreth, Jr., as Substitute Trustee  
500 North Shoreline, Suite 900  
Corpus Christi, Texas 78401-0341  
(361) 884-5678 Telephone  
(361) 888-9149 Telecopier

**Exhibit "A"**

0.52 of an acre of land out of the Juan Delgado Grant, Survey No. 8, A-8, within the corporate limits of La Vernia, Wilson County, Texas; being part of the land described in a conveyance from Paul E. Lenz and wife, Frances Lenz to Pablo Rangel and wife, Valentina Rangel of record in Volume 250, Page 501 and Volume 257, Page 112, Deed Records of Wilson County, Texas, said 0.52 of an acre tract being more particularly described as follows:

BEGINNING at a found iron pin on the northeast R.O.W. of Crews Street for the west corner of the Nicolasa Gonzales land described in Volume 541, Page 130, Wilson County Deed Records and the south corner of this tract.

THENCE N 16-05-44 W, with said R.O.W. of Crews Street, 99.19 feet to a found iron pin for the west corner of this tract and south corner of a 0.40 acre tract.

THENCE N 73-03-07 E, with the common line of the 0.40 acre tract and of this tract, 344.37 feet to a set ½ inch iron pin for the north corner of this tract on the southwest line of the Dan C. Bosanko land described in Volume 680, Page 310, Deed Records of Wilson County, Texas.

THENCE S 14-57-13 E, with the common line of the Bosanko land and of this tract, 51.37 feet to a found iron pin for the upper east corner of this tract and the north corner of a 0.28 acre tract.

THENCE S 73-36-00 W, with the common line of the 0.28 acre tract and of this tract, 237.60 feet to a set ½ inch iron pin for a common corner of said lands.

THENCE S 16-24-00 E, continuing with said common line, 51.13 feet to a set ½ inch iron pin for a common corner of said lands on the northwest line of the aforementioned Nicolasa Gonzales land.

THENCE S 73-36-00 W, (record bearing Volume 541, Page 130) with the common line of the Gonzales land and of this tract, 105.99 feet to the POINT OF BEGINNING containing 0.52 acres of land, more or less.

And being that same land described in deed dated March 6, 1999 from Antonia Ojeda to Leonor Arguello, of record in Vol. 994, Page 872, Official Public Records of Wilson County, Texas.

**Exhibit "B"**

Kenneth M. Culbreth, Jr.  
500 North Shoreline, Suite 900  
Corpus Christi, Nueces County, Texas 78401

Chris Lafond  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Jim Mills  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Kyle Walker  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Susan Mills  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Justin Holiday  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Emily Northern  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Alexandra Zografos Holub  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

Georgia McInvale  
9065 Jollyville, Suite 203A  
Austin, Travis County, Texas 78759

**Note:** Individually and separate, each Substitute Trustee listed above is authorized to act alone without the joinder of the other Substitute Trustees.

Wilson

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STATE OF TEXAS           §  
  §  
COUNTY OF WILSON       §

Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk  
12/2018 at 03:12P

**NOTICE OF FORECLOSURE SALE  
AND APPOINTMENT OF 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.**

**Deed of Trust.** A deed of trust dated September 28, 2009, from Robar, Inc. (Grantor) to Gerald V. Sekula (Trustee), for the benefit of Falls City National Bank (Lender), recorded in Vol. 1528, Page 208, Official Public Records of Wilson County, Texas, securing an Adjustable Rate Note from Robar, Inc. to Falls City National Bank Dated September 28, 2009, in the original principal sum of \$354,047.60.

**Default.** Default has occurred in the payment of the Deed of Trust and the above-referenced Adjustable Rate Note. Because of that default, Lender, the owner and holder of the Adjustable Rate Note, has requested Substitute Trustee to sell the Property in accordance with the Deed of Trust, as more particularly described herein.

**Property.** The same property described in the Deed of Trust, more particularly described as:

PART ONE:

BEING **0.18 acres** called Tract 1 in survey dated May 27, 2008, prepared by Larry J. Pollok, R.P.L.S., being out of the S. & J. Arocha Grant, A-1, within the City of Floresville, Wilson County, Texas; and being a part or portion of Lots 11 and 12 of the Pilar Rodriguez Subdivision as shown on plat and Partition Deed recorded in Volume 73, Page 70 of the Deed Records of Wilson County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a found ½" pin at the intersection of the southeasterly right-of-way of Pine Street and the northeasterly right-of-way line of 2<sup>nd</sup> Street for the westerly corner of said Lot 12 and of this tract;

THENCE N. 48° 45' 00" E., with said right-of-way line of Pine Street, a distance of 87.51 feet to a set ½" rebar with a "Pollok & Sons" cap for the northerly corner of this tract and westerly corner of a 0.18 acre tract called Tract 2 in said survey prepared by Larry J. Pollok;

THENCE S. 41° 53' 37" E., with the common line of said Tract 2 and of this tract, a distance of 88.13 feet to a set ½" rebar with a "Pollok & Sons" cap for a common corner and the north corner of a 0.18 acre tract called Tract 3 in said survey prepared by Larry J. Pollok;

THENCE S. 48° 45' 00" W., with the common line of said Tract 3 and of this tract, a distance of 88.51 feet to a set ½" rebar with a "Pollok & Sons" cap for a common corner on the northeasterly right-of-way line of said 2<sup>nd</sup> Street;

THENCE N. 41° 15' 00" W, with said right-of-way line of 2<sup>nd</sup> Street, a distance of 88.13 feet to the POINT OF BEGINNING.

And being part of the same property described in Deed dated March 6, 2007, executed by Jimmy Castillo, et al to Robar, Inc., recorded in Volume 1388, Page 774 of the Official Public Records of Wilson County, Texas.

**PART TWO:**

Falls City National Bank Savings Account encumbered by Security Agreement dated August 15, 2008 in the original amount of ONE HUNDRED SIXTY-SEVEN THOUSAND FIVE HUNDRED and NO/100 DOLLARS (\$167,500.00).

**Date, Time, and Place of Sale.** Substitute Trustee will conduct the Foreclosure Sale of the Property at the following date, time, and place:

Date: **Tuesday, February 6, 2018**

Time: The Foreclosure Sale of the Property will be held between 10:00 AM and 4:00 PM local time. The earliest time at which the foreclosure sale will begin is 1:00 PM and not later than 3 hours thereafter.

Place: The most northeasterly door of the Wilson County Courthouse, being the courthouse door facing the office of the Wilson County Tax Assessor-Collector on Library Lane, in Floresville, Wilson County, Texas, said courthouse bearing the address of 1420 Third Street, Floresville, Texas 78114, in Wilson County, Texas, and being the officially designated location for foreclosure sales.

**Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash, except that Lender may bid by credit against the indebtedness secured by the Deed of Trust. Pursuant to Texas Property Code § 51.009, 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. 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.

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

**Substitute Trustee Appointed to Conduct Sale.** In accordance with Texas Property Code §§ 51.0075 and 51.0076, the mortgagee or mortgage servicer has authorized the undersigned attorney to appoint, and the undersigned attorney has named and appointed and does hereby name and appoint NOHL BRYANT as Substitute Trustee to act under and by virtue of said Deed of Trust. The street address and telephone number of said Substitute Trustee is: **6714 N. New Braunfels Ave., Ste. 205, San Antonio, Texas 78209, (210) 910-6625.**

**Manner of Delivery and Receipts of Notice:** This Notice of Foreclosure Sale and Appointment of Substitute Trustee has been posted at the courthouse door of each county in which the Property is located and states that the Property will be sold in Wilson County. A copy of this Notice of Foreclosure Sale and Appointment of Substitute Trustee has been filed in the office of the County Clerk of Wilson County. This Notice of Foreclosure Sale and Appointment of Substitute Trustee has been sent by Certified Mail and First Class Mail on each debtor who, according to the records of the mortgage servicer of the debt, is obligated to pay the debt, to wit:

TO: ROBAR, INC.  
911 Pine St.  
Floresville, TX 78114  
VIA CMRRR # 7012 3460 0000 8502 5076  
& FIRST CLASS MAIL

**Multiple Originals.** This Notice of Foreclosure Sale and Appointment of Substitute Trustee is executed in multiple originals, each of which shall constitute a copy and an original hereof.

**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.**

  
\_\_\_\_\_  
NOHL BRYANT, SUBSTITUTE TRUSTEE

STATE OF TEXAS

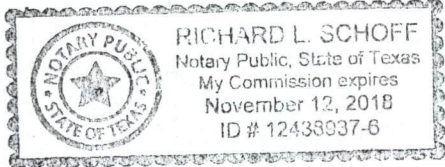
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COUNTY OF ~~WILSON~~  
*Brewer*

ACKNOWLEDGMENT

“Before me, the undersigned notary public, on this day personally appeared NOHL BRYANT, who proved to me through presentation of government-issued identification, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and consideration therein expressed.

“Given under my hand and seal of office this 12 day of January, ~~2017~~ 2018



*Richard L. Schoff*  
Notary Public in and for the State of Texas

AFTER RECORDING, RETURN TO:

NOHL BRYANT  
Texas Bar No. 24050346  
BRYANT LAW PC  
614 N. New Braunfels Ave., Ste. 205  
San Antonio, TX 78209

STATE OF TEXAS           §  
  §  
COUNTY OF WILSON       §

Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk  
12/2018 at 03:12P  
As a Recording

**NOTICE OF FORECLOSURE SALE  
AND APPOINTMENT OF 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.**

**Deed of Trust.** A deed of trust dated June 11, 2010, from Robar, Inc. (Grantor) to Gerald V. Sekula (Trustee), for the benefit of Falls City National Bank (Lender), recorded in Vol. 1559, Page 126, Official Public Records of Wilson County, Texas, securing an Adjustable Rate Note from Robar, Inc. to Falls City National Bank Dated June 11, 2010, in the original principal sum of \$272,888.21

**Default.** Default has occurred in the payment of the Deed of Trust and the above-referenced Adjustable Rate Note. Because of that default, Lender, the owner and holder of the Adjustable Rate Note, has requested Substitute Trustee to sell the Property in accordance with the Deed of Trust, as more particularly described herein.

**Property.** The same property described in the Deed of Trust, more particularly described as:

PART ONE:

BEING 0.18 acres of land called Tract 3 in survey dated May 27, 2008, prepared by Larry J. Pollok, R.P.L.S., being out of the S. & J. Arocha Grant, A-1, within the City of Floresville, Wilson County, Texas; and being a part or portion of Lots 11 and 12 of the Pilar Rodriguez Subdivision as shown on plat and Partition Deed recorded in Volume 73, Page 70 of the Deed Records of Wilson County, Texas together with a portion of a street closure known as B Street ordained by the City Council of the City of Floresville ordinance #259, Document # 00034913 in the City Minutes for the City of Floresville and being more particularly described by metes and bounds as follows:

BEGINNING at a set ½" rebar with a "Pollok & Sons" cap on the northeast right-of-way line of 2<sup>nd</sup> Street for the westerly corner of this tract, the southerly corner of a 0.18 acre tract called Tract 1 in said survey and being S. 41° 15' 99" E., a distance of 88.13 feet from the intersection of said 2<sup>nd</sup> Street right-of-way line and the southeasterly right-of-way line of Pine Street;

THENCE N. 48° 45' 99" E., with the common line of said Tract 1 and of this tract, a distance of 88.51 feet to a set ½" rebar with a "Pollok & Sons" cap for the northerly corner of this tract and westerly corner of a 0.18 acre tract called Tract 4 in said survey;

THENCE S. 41° 53' 57" E., with the common line of said Tract 4 and of this tract, a distance of 88.13 feet to a set ½" rebar with a "Pollok & Sons" cap for a common corner on the northwest line of the Norman Guerra land as recorded in Volume 1302, Page 735 of the Official Public Records of Wilson County, Texas;

THENCE S. 48° 45' 99" W., with the common line of said Guerra land and of this tract, a distance of 89.51 feet to a found ½" pin with a "Pollok & Sons" cap for a common corner on the northeast right-of-way line of 2<sup>nd</sup> Street;

THENCE N. 41° 15' 99" W., with said 2<sup>nd</sup> Street right-of-way line, a distance of 88.12 feet to the POINT OF BEGINNING.

And being part of the same property described in Deed dated March 6, 2007, executed by Jimmy Castillo, et al to Robar, Inc., recorded in Volume 1388, Page 774 of the Official Public Records of Wilson County, Texas.

PART TWO:

SIXTY-FIVE THOUSAND and NO/100 DOLLARS (\$65,000.00) out of FALLS CITY NATIONAL BANK Deposit/Share Account Number 85504173.

**Date, Time, and Place of Sale.** Substitute Trustee will conduct the Foreclosure Sale of the Property at the following date, time, and place:

Date: Tuesday, February 6, 2018

Time: The Foreclosure Sale of the Property will be held between 10:00 AM and 4:00 PM local time. The earliest time at which the foreclosure sale will begin is 1:00 PM and not later than 3 hours thereafter.

Place: The most northeasterly door of the Wilson County Courthouse, being the courthouse door facing the office of the Wilson County Tax Assessor-Collector on Library Lane, in Floresville, Wilson County, Texas, said courthouse bearing the address of 1420 Third Street, Floresville, Texas 78114, in Wilson County, Texas, and being the officially designated location for foreclosure sales.

**Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash, except that Lender may bid by credit against the indebtedness secured by the Deed of Trust. Pursuant to Texas Property Code § 51.009, 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. 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.

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


**Substitute Trustee Appointed to Conduct Sale.** In accordance with Texas Property Code §§ 51.0075 and 51.0076, the mortgagee or mortgage servicer has authorized the undersigned attorney to appoint, and the undersigned attorney has named and appointed and does hereby name and appoint NOHL BRYANT as Substitute Trustee to act under and by virtue of said Deed of Trust. The street address and telephone number of said Substitute Trustee is: **6714 N. New Braunfels Ave., Ste. 205, San Antonio, Texas 78209, (210) 910-6625.**

**Manner of Delivery and Receipts of Notice:** This Notice of Foreclosure Sale and Appointment of Substitute Trustee has been posted at the courthouse door of each county in which the Property is located and states that the Property will be sold in Wilson County. A copy of this Notice of Foreclosure Sale and Appointment of Substitute Trustee has been filed in the office of the County Clerk of Wilson County. This Notice of Foreclosure Sale and Appointment of Substitute Trustee has been sent by Certified Mail and First Class Mail on each debtor who, according to the records of the mortgage servicer of the debt, is obligated to pay the debt, to wit:

TO: ROBAR, INC.  
911 Pine St.  
Floresville, TX 78114  
VIA CMRRR # 7012 3460 0000 8502 5083  
& FIRST CLASS MAIL

**Multiple Originals.** This Notice of Foreclosure Sale and Appointment of Substitute Trustee is executed in multiple originals, each of which shall constitute a copy and an original hereof.

**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.**

  
\_\_\_\_\_  
NOHL BRYANT, SUBSTITUTE TRUSTEE

STATE OF TEXAS

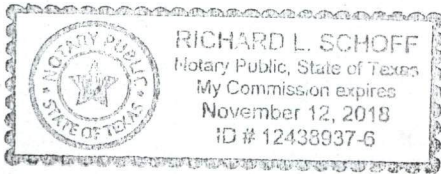
COUNTY OF ~~WILSON~~  
BENT

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ACKNOWLEDGMENT

“Before me, the undersigned notary public, on this day personally appeared NOHL BRYANT, who proved to me through presentation of government-issued identification, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and consideration therein expressed.

“Given under my hand and seal of office this 12 day of January, ~~2017.~~ 2018



Richard L. Schoff  
Notary Public in and for the State of Texas

AFTER RECORDING, RETURN TO:

NOHL BRYANT  
Texas Bar No. 24050346  
BRYANT LAW PC  
614 N. New Braunfels Ave., Ste. 205  
San Antonio, TX 78209



COPY

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

**Deed of Trust Date:**  
3/2/2016

**Grantor(s)/Mortgagor(s):**  
BRIAN S HAYES, A MARRIED MAN AS HIS  
SOLE AND SEPARATE PROPERTY, JOINED  
HEREIN PRO FORMA BY HIS WIFE, LISA D  
HAYES

**Original Beneficiary/Mortgagee:**  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC. ("MERS") SOLELY AS A  
NOMINEE FOR WALLICK AND VOLK, INC.,  
ITS SUCCESSORS AND ASSIGNS

**Current Beneficiary/Mortgagee:**  
AmeriHome Mortgage Company, LLC

**Recorded in:**  
**Volume:** 1898  
**Page:** 849  
**Instrument No:** 00052542

**Property County:**  
WILSON

Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk  
On: Jan 11, 2018 at 09:15A  
As a Recording

**Mortgage Servicer:**  
Cenlar FSB is representing the Current  
Beneficiary/Mortgagee under a servicing  
agreement with the Current  
Beneficiary/Mortgagee.

**Mortgage Servicer's Address:**  
425 Phillips Blvd ,  
Ewing, NJ 08618

Total Fees : 2.00  
Receipt Number - 213702  
By:  
Mary Spohn

**Legal Description:** LOT NUMBER 85 OF CIMARRON SUBDIVISION UNIT THREE, A SUBDIVISION  
SHOWN OF RECORD IN VOLUME 7, PAGE 17, OF THE PLAT RECORDS OF WILSON COUNTY, TEXAS.

**Date of Sale:** 3/6/2018

**Earliest Time Sale Will Begin:** 12:00PM

**Place of Sale of Property:** THE MOST WESTERLY DOOR OF THE WILSON COUNTY  
COURTHOUSE 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.

*Notice Pursuant to Tex. Prop. Code § 51.002(i):*  
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.

  
Deborah Martin, Troy Martin, Alexis Martin,  
Cassie Martin, Terri Martin, Shelby Martin  
or Cole D. Patton  
or Deanna Segovia  
McCARTHY & HOLTHUS, LLP  
1255 WEST 15TH STREET, SUITE 1060  
PLANO, TX 75075

**MH File Number:** TX-17-33764-POS  
**Loan Type:** FHA

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 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.**

As a Recording

Total Fees 2.00

Receipt Number - 213721

Genealogy Library

1. *Property to Be Sold.* The property to be sold is described as follows:

0.45 acres of land out of the S. & J. Arocha Grant, A-1, Wilson County, Texas; being what is known as Lot 8 of the Lopas Addition to the City of Floresville as shown on plat of record in Volume "T", Page 428, Wilson County Deed Records and being the land described in a conveyance from Anita Anna Brister to Manuel W. Brister of record in Volume 811, Page 625, Wilson County Official Public Records and being more particularly described as follows:

BEGINNING at a ½ inch iron pin set on the northeasterly R.O.W. of Fourth Street for the southerly corner of the Linda B. Haby land described in Volume 902, Page 104, Wilson County Official Public Records; the westerly corner of the Lopas Addition and of this tract.

THENCE N 49-50-52 E, with the common line of the Haby land and of this tract, 196.67 feet to a ½ inch iron pin set for the northerly corner of this tract and a westerly corner of an alley.

THENCE S 40-56-25 E, with the common line of said alley and of this tract, partially along fence, 99.56 feet to and iron pipe (fnd)for the easterly corner of this tract and northerly corner of Lot 7 of the Loopas [sic] Addition being the Laban Toscano land described in Volume 878, Page 812, Wilson County Official Public Records.

THENCE S 49-45-51 W, with the common line of the Toscano land and of this tract, 196.12 feet to a ½ inch iron pin set on the northeasterly R.O.W. of Fourth Street for the northerly corner of this tract.

THENCE N 41-15 W, (record bearing-Volume 878, Page 812) with said street R.O.W., 99.85 feet to the PLACE OF BEGINNING.

And being the same property described in Deed dated December 29, 1999, executed by Michael D. Rolland and wife, Debra A. Rolland, to Dale Rolland and wife, Charlotte R. Rolland, of record in Volume 1020, Page 874, Official Public Records, Wilson County, Texas.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded in Volume 1925, Page 904-912 of the Official Public Records of Wilson County, Texas.

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

Date: February 6, 2018

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be completed by no later than 4:00 p.m.

Place: Wilson County Courthouse, 1420 Third Street, Floresville, Texas 78114, at the following location: At the rear of said Courthouse, near the Posting Board.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust 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 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 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 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. 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 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 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.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted

pursuant to the power of sale granted by the deed of trust executed by David Del Bosque.

The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note in the original principal amount of \$190,000.00, executed by David Del Bosque, and payable to the order of Charlotte R. Rolland, who is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

As of December 31, 2017, there was owed \$201,459.65 on the note, being principal and accrued interest and taxes in the following amounts: \$190,000.00 of principal and \$4,940.00 interest and \$3,519.65 taxes, and accrued attorney's fees in the amount of \$3,000.00. The note is bearing interest at the rate of \$32.48 per day and is bearing taxes at the rate of \$9.64 per day, thereafter.

The foreclosure of this mortgage is being administered by a Trustee. Questions concerning the sale may be directed to the undersigned.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated: January 5, 2018.

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