

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

<b>Deed of Trust Date:</b> 10/1/2015	<b>Grantor(s)/Mortgagor(s):</b> OMAR AVILA DUARTE, A SINGLE MAN
<b>Original Beneficiary/Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR SENTE MORTGAGE, INC., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary/Mortgagee:</b> U.S. Bank National Association, not in its individual capacity, but solely as Trustee for RMTP Trust, Series 2021 Cottage-TT-V
<b>Recorded in:</b> <b>Volume:</b> N/A <b>Page:</b> N/A <b>Instrument No:</b> 2015020804	<b>Property County:</b> GUADALUPE
<b>Mortgage Servicer:</b> Fay Servicing, LLC is representing the Current Beneficiary/Mortgagee under a servicing agreement with the Current Beneficiary/Mortgagee.	<b>Mortgage Servicer's Address:</b> 1600 LBJ Freeway, Farmers Branch, TX 75234
<b>Date of Sale:</b> 9/3/2024	<b>Earliest Time Sale Will Begin:</b> 12:00 PM
<b>Place of Sale of Property:</b> Guadalupe County Courthouse, 101 E. Court Street, Seguin, TX 78155 OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.	

**Legal Description:** SEE LEGAL DESCRIPTION DESCRIBED AS EXHIBIT A

In accordance with TEX. PROP. CODE §51.0076 and the Deed of Trust referenced above, the undersigned as attorney for Mortgagee or Mortgage Servicer does hereby remove the original Trustee and all successor substitute trustees and appoints in their stead, Amy Ortiz, Aarti Patel, Dylan Ruiz, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Thomas Gilbraith, C Jason Spence, Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez, Wayne Daughtrey or Vicki Rodriguez, Cole Patton, Myra Homayoun, Thuy Frazier, McCarthy & Holthus, LLP, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original Trustee under there said Deed of Trust; and, further, does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein

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.

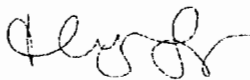
The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

**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.**

**NOTICE PURSUANT TO TEX. PROP. CODE § 51.002(i): ASSERT AND PROTECT YOUR RIGHTS AS MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE ARE SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL 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.**

Dated: 6/21/2024



Thuy Frazier, Attorney  
McCarthy & Holthus, LLP  
1255 West 15th Street, Suite 1060  
Plano, TX 75075  
Attorneys for Fay Servicing, LLC

Dated:

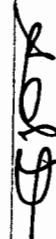
June 27, 2024

Alexis Martin

Printed Name:

Alexis Martin

Substitute Trustee  
c/o Auction.com  
1255 West 15th Street, Suite 1060  
Plano, TX 75075

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2024 JUN 27 AM 10:05  
TERESA KIEL  
COUNTY CLERK GUADALUPE COUNTY  
BY 

MH File Number: TX-24-101626-POS  
Loan Type: FHA

**EXHIBIT A**

**METES & BOUNDS DESCRIPTION FOR 1.2622 ACRES OF LAND**

A tract of land containing 1.2622 acres out of and part of the John Wells Survey, Abstract No. 339 in Guadalupe County, Texas, and being that same tract, called 1.263 acres, as conveyed in February of 2011 by a Special Warranty Deed to Leonard Brinkman as recorded and described in Volume 2974, Page 214 of the Official Records of Guadalupe County, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/4" iron found in the southeast property line of the Wolter Tract as described in Volume 2890, Page 321 of the Official Records of Guadalupe County, for the northeast corner of the said Brinkman 1.263 acre tract, the northeast corner of the herein described tract and the northwest corner of the 1 acre, more or less, Valdez remainder tract, being the remainder of a called 12.979 acre tract as conveyed to Juan C. Valdez and Elsa C. Valdez tract as recorded in Volume 529, Page 406 of the Guadalupe County Deed Records, less and except a called 12.00 acre tract as conveyed to Elsa C. Valdez as recorded in Volume 1422, Page 235 of the Official Records of Guadalupe County;

**THENCE** S 40° 37' 14" E, a distance of 162.61 feet to a 5/8" iron rod found for the southwest corner of the aforementioned 1 acre Valdez Tract and an interior ell corner of the Elsa Valdez 12.00 acre tract;

**THENCE** S 40° 30' 19" E, and at approximately 109.71 feet passing the northwest edge of a called 30' access easement as described in Volume 802, Page 907 of the Official Records of Guadalupe County, and the northwest termination point of a 30' access easement as described in Volume 3102, Page 766 of the Official Records of Guadalupe County, in all a total distance of 139.71 feet to a 1/2" iron rod found in the northwest property line of the Starling Tract as described in Volume 1233, Page 602 of the Official Records of Guadalupe County, for the southeast corner of the herein described tract;

**THENCE** S 50° 14' 05" W, along the southeast edge of the 30' access easement, a distance of 186.63 feet to a 1/4" iron rod found for the southwest corner of this tract;

**THENCE** N 40° 36' 33" W, and at 30' passing the edge of the 30' access easement, in all a total distance of 286.38 feet to a 1/4" iron rod found in the southeast line of the Wolter Tract for the northwest corner of this tract;

**THENCE** N 45° 21' 00" E (bearing basis used herein), a distance of 187.29 feet to the **POINT OF BEGINNING**, containing 1.2622 acres.

## NOTICE OF TRUSTEE'S 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. Sender is: Codilis & Moody, P.C., 20405 State Highway 249, Suite 170, Houston, TX 77070**

### INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated May 14, 2009 and recorded under Vol. 2744, Page 0251, or Clerk's File No. 008515, in the real property records of GUADALUPE County Texas, with John M. Nash and spouse Laura Nash as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for First Commercial Bank, N.A., its successors and assigns as Original Mortgagee.

Deed of Trust executed by John M. Nash and spouse Laura Nash securing payment of the indebtedness in the original principal amount of \$181,600.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by John M Nash, Laura Nash. PNC Bank, National Association is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan. PNC Bank, N.A. is acting as the Mortgage Servicer for the Mortgagee. PNC Bank, N.A., is representing the Mortgagee, whose address is: 3232 Newmark Drive, Miamisburg, OH 45342.

#### Legal Description:

**BEING A 2.168 ACRE TRACT SITUATED IN THE JOHN G. KING SURVEY, A-26, GUADALUPE COUNTY, TEXAS. SAID 2.168 ACRE TRACT IS THAT TRACT CALLED 2.167 ACRES IN A DEED FROM DANNY ALAN BECK TO GREGORY M. HAMMONS, ET UX DATED SEPTEMBER 23, 1994, RECORDED IN VOLUME 1116, PAGE 794, OF THE OFFICIAL RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:**

### SALE INFORMATION

**Date of Sale: 09/03/2024**

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

**Location of Sale:** The place of the sale shall be: GUADALUPE County Courthouse, Texas at the following location: The north porch of the Guadalupe County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

### TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

**The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. 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**



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 CLERK GUADALUPE COUNTY  
 BY *[Signature]*

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.

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.

**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.**

**WHEREAS**, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, **I HEREBY APPOINT AND DESIGNATE Troy Martin, Deborah Martin, Cassie Martin, Alexis Martin, Martha Rossington, Reyn Rossington, Wayne Daughtrey, Shelby Martin, Jennyfer Sakiewicz , Amy Ortiz, Aarti Patel, Dylan Ruiz, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Thomas Gilbraith, C Jason Spence, Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee.**

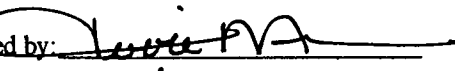
The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:  
Codilis & Moody, P.C.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200

Executed on 07/11/2024.

/s/ Will Morphis SBOT No. 24131905, Attorney at Law  
Codilis & Moody, P.C.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200

Posted and filed by:

Printed Name:

  
Terri Martin

C&M No. 44-24-01385

# EXHIBIT A

## 2.168 ACRE TRACT

Being a 2.168 ACRE TRACT situated in the John G. King Survey, A-26, Guadalupe County, Texas. Said 2.168 ACRE TRACT is that tract called 2.107 acres in a deed from Danny Alan Beck to Gregory M. Hammons, et ux dated September 23, 1994, recorded in Volume 1118, Page 794, of the Official Records of said County and being described by metes and bounds as follows:

**BEGINNING** at a 1/2" diameter rebar set with cap (B&A) marking the southwest corner of the tract herein described, same being the southwest corner of said 2.167 acre tract, lying in the north line of the tract, called 0.914 acres in conveyance from S. L. Butler to the State of Texas, recorded in Volume 242 Page 30 in the southeast corner of the tract called 16.00 acres in conveyance from Estate of Dixon L. Riemenschneider to Marie A. Riemenschneider in Volume 2403, Page 398 (no description see Volume 545, Page 698), further described in the north line of U. S. Highway 90A.

**THENCE** with the west line of the tract to herein described, same being the common line of said 2.167 acre tract in said 16.00 acre tract N 00° 58' 33" E, 401.26 feet (called N 00° 58' 33" E, 401.80 feet - basis of bearing) to a fence corner post marking the northwest corner of the tract herein described, same being the northwest corner of the said 2.167 acre tract, lying in the east line of said 16.00 acre tract being the southwest corner of the tract called 25.02 acres in conveyance from Gilbert and Lorine S. Krueger to John T. and Anne L. Holland in Volume 413, Page 356:

**THENCE** with the north line of tract herein described, same being the common line of said 2.167 acre tract and said 25.02 acre tract N 89° 05' 58" E, 228.87 feet (called N 89° 11' 40" E, 229.08 feet) to a 2" diameter iron pipe fence corner post marked in the northeast corner tract herein described, same being the northeast corner of said 2.167 acre tract, lying in the south line of said 25.02 acre tract and being the northwest corner of the tract called 2.21 acres in conveyance from S. B. and Mabel Butler to John T. and Anne L. Holland in Volume 501 Page 157;


**THENCE** with the east line of the tract herein described, same being the common line of said 2.167 acre tract and said 2.21 acre tract S 00° 57' 16" E, 399.73 feet (S 00° 55' 30" E, 399.94 feet) to a 1/2" diameter rebar set with cap (B&A) marking the southeast corner of a tract herein described, same being the southeast corner of said 2.167 acre tract, southwest corner of said 2.21 acre tract lying in the north line of said 0.914 acre tract, further described as lying in the north line of U. S. Highway 90A, said rebar bears S 88° 57' 04" W, 921.65 feet from a 1/2" diameter rebar found;

**THENCE** with the south line of the tract herein described, same being the common line of said 2.167 acre tract and said 0.914 acre tract along a segment of the north line of U. S. Highway 90A, S 88° 47' 08" W, 242.18 feet (called S 88° 50' 50" W, 242.18 feet) to the PLACE OF BEGINNING and containing 2.168 ACRES OF LAND.

Signed on the 10 day of Jul, 2024.

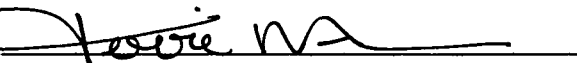
Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC

  
\_\_\_\_\_  
Jack O'Boyle | SBN: 15165300  
jack@jackoboyle.com  
✓ Travis H. Gray | SBN: 24044965  
travis@jackoboyle.com  
\_\_\_\_\_  
Chris Ferguson | SBN: 24069714  
chris@jackoboyle.com  
P.O. Box 815369  
Dallas, Texas 75381  
P: 972.247.0653 | F: 972.247.0642  
ATTORNEYS FOR MORTGAGEE AND/OR ITS  
MORTGAGE SERVICER

**CERTIFICATE OF POSTING**

My name is Terri Martin, and my address is c/o 12300 Ford Rd, Ste. 212, Dallas, TX 75234. I declare under the penalty of perjury that on July 16, 2024 I filed at the office of the Bexar County Clerk and caused to be posted at the Bexar County courthouse (or other designated place) this notice of sale.

Signed: \_\_\_\_\_

Declarant's Name: Terri Martin

Date: 7/16/2024

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

DEED OF TRUST INFORMATION:

Date: 10/15/2019  
Grantor(s): DANA M. BELLERS, A SINGLE PERSON  
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR PILGRIM MORTGAGE LLC, ITS SUCCESSORS AND ASSIGNS  
  
Original Principal: \$211,394.00  
Recording Information: Instrument 201999024206  
Property County: Guadalupe  
Property: (See Attached Exhibit "A")  
Reported Address: 148 LAUREL GRACE LN, NEW BRAUNFELS, TX 78130-7415

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Idaho Housing and Finance Association  
Mortgage Servicer: Idaho Housing and Finance Association  
Current Beneficiary: Idaho Housing and Finance Association  
Mortgage Servicer Address: 565 W. Myrtle, Boise, ID 83702

SALE INFORMATION:

Date of Sale: Tuesday, the 3rd day of September, 2024  
Time of Sale: 12:00 PM or within three hours thereafter.  
Place of Sale: AT THE NORTH PORCH OF THE GUADALUPE COUNTY COURTHOUSE in Guadalupe County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Guadalupe County Commissioner's Court, at the area most recently designated by the Guadalupe County Commissioner's Court.

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

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

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Amy Ortiz, Aarti Patel, Dylan Ruiz, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Thomas Gilbraith, C Jason Spence, Deborah Martin, Troy Martin, Alexis Martin, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, 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. Amy Ortiz, Aarti Patel, Dylan Ruiz, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Thomas Gilbraith, C Jason Spence, Deborah Martin, Troy Martin, Alexis Martin, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, 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.

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COUNTY CLERK GUADALUPE COUNTY  
BY *Maria a*

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

**Substitute Trustee(s):** Amy Ortiz, Aarti Patel, Dylan Ruiz, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Thomas Gilbraith, C Jason Spence, Deborah Martin, Troy Martin, Alexis Martin, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

**Substitute Trustee Address:** 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

Document Prepared by:  
Bonial & Associates, P.C.  
14841 Dallas Parkway, Suite 350, Dallas, TX 75254  
AS ATTORNEY FOR THE HEREIN  
IDENTIFIED MORTGAGEE AND/OR  
MORTGAGE SERVICER

#### Certificate of Posting

I am Alexis Martin whose address is 14841 Dallas Parkway, Suite 350, Dallas, TX 75254. I declare under penalty of perjury that on July 18, 2024 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Guadalupe County Clerk and caused it to be posted at the location directed by the Guadalupe County Commissioners Court.

By: Alexis Martin

#### Exhibit "A"

LOT SEVEN (7) IN BLOCK SEVEN (7) OF MALDONADO SUBDIVISION, UNIT TWO (2), A SUBDIVISION OF 5.095 ACRES OF LAND SITUATED IN THE SARAH DEWITT SURVEY, ABSTRACT NO. 103, AND IN THE J.S. JOHNSON SURVEY NO. 47, ABSTRACT NO. 190, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 9, PAGE(S) 112-113, OF THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.

**Return to:** Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 350, Dallas, TX 75254



### Notice of Substitute Trustee's Sale

**Notice Concerning Military Duty:** Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately. Tex. Prop. Code § 51.002(i)

<b>Deed of Trust Date:</b> June 14, 1994	<b>Original Mortgagor/Grantor:</b> PAMELA P. PAWLEY AND ADRIANA GUERRERO
<b>Original Beneficiary / Mortgagee:</b> TEMPLE-INLAND MORTGAGE CORPORATION., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 ACQUISITION TRUST
<b>Recorded in:</b> <b>Volume:</b> 1102 <b>Page:</b> 0893 <b>Instrument No:</b> 7376	<b>Property County:</b> GUADALUPE
<b>Mortgage Servicer:</b> Selene Finance LP	<b>Mortgage Servicer's Address:</b> 3501 Olympus Blvd., Suite 500 Dallas, Texas 75019

\* The mortgage servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

**Secures:** Note in the original principal amount of \$109,250.00, executed by ADRIANA GUERRERO; PAMELA P PAWLEY and payable to the order of Lender.

**Property Address/Mailing Address:** 1330 BOENIG DR, NEW BRAUNFELS, TX 78130

**Legal Description of Property to be Sold:** LOT 8, BLOCK 5, LAKEWOOD SHADOWS SUBDIVISION, UNIT 5, SARAH DEWITT SURVEY NO. 48, GUADALUPE COUNTY, TEXAS, AS SHOWN ON PLAT RECORDED IN VOLUME 4, PAGE 293, OF THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS..

<b>Date of Sale:</b> September 03, 2024	<b>Earliest time Sale will begin:</b> 11:00AM-2:00PM
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**Place of sale of Property:** NORTH PORCH OF THE GUADALUPE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE

OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**Appointment of Substitute Trustee:** Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 ACQUISITION TRUST, the owner and holder of the Note, has requested Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey or Vicki Rodriguez whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.



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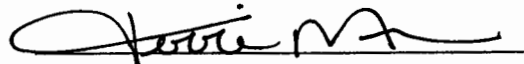
2024 JUL 25 AM 10:55

**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 *U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 ACQUISITION TRUST* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey or Vicki Rodriguez whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey or Vicki Rodriguez whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

**Limitation of Damages:** If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against Mortgagor, the Mortgagee, or the Mortgagee's attorney.



SUBSTITUTE TRUSTEE

Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin,  
Shelby Martin, Bob Frisch, Wayne Daughtrey or Vicki  
Rodriguez, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,  
13010 Morris Rd, Suite 450, Alpharetta, Georgia 30004  
PH: (470)321-7112

000339

RECEIVED

2024 AUG -1 AM 10:17

RECORDING REQUESTED BY:

TERESA KIEL  
COUNTY CLERK GUADALUPE COUNTY

WHEN RECORDED MAIL TO:

BY JD WPK

Deborah Martin, Troy Martin, Alexis Martin, Cassie  
Martin, Terri Martin, Shelby Martin, Bob Frisch, Wayne  
Daughtrey, Vicki Rodriguez  
c/o Malcolm Cisneros/Trustee Corps  
17100 Gillette Avenue  
Irvine, CA 92614  
(949) 252-8300

TS No TX08000058-24-1

APN 110763

TO No 240383109-TX-RWI

### NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on December 23, 2014, CHRISTOPHER L JOHNSON AND KATHLEEN ANNE JOHNSON, HUSBAND AND WIFE as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of DIEDRE RHODES as Trustee, NAVY FEDERAL CREDIT UNION as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$165,775.00, payable to the order of NAVY FEDERAL CREDIT UNION as current Beneficiary, which Deed of Trust recorded on December 30, 2014 as Document No. 2014023262 in Guadalupe County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

APN 110763

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and NAVY FEDERAL CREDIT UNION, the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust.

NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, September 3, 2024 at 11:00 AM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Guadalupe County, Texas, at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a Deed of Trust or other contract lien as follows: **Guadalupe County Courthouse, 101 E Court Street, Seguin TX 76155; On the north porch of the Guadalupe County Courthouse or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner Court.**

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and NAVY FEDERAL CREDIT UNION's election to proceed against and sell both the real property and any personal property described in said Deed of Trust in accordance with and NAVY FEDERAL CREDIT UNION's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

NOTICE IS FURTHER GIVEN, that except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition 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 expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 1st day of August, 2024.

  
By: Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Bob Frisch,  
Wayne Daughtrey, Vicki Rodriguez  
Substitute Trustee(s)

**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.**

**SALE INFORMATION CAN BE OBTAINED ONLINE AT [www.insourcelogic.com](http://www.insourcelogic.com)  
FOR AUTOMATED SALES INFORMATION PLEASE CALL: In Source Logic AT 702-659-7766**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300

To the extent your original obligation was discharged or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

TS No TX08000058-24-1

APN 110763

TO No 240383109-TX-RWI

**EXHIBIT "A"**

LOT 12, BLOCK 11, WILLOWBRIDGE II SUBDIVISION UNIT 1, IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE(S) 533-535, OF THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

<b>Deed of Trust Date:</b> 4/25/2022	<b>Grantor(s)/Mortgagor(s):</b> MICHAEL DAVID HOPPER AND KATHERINE C HOPPER, HUSBAND AND WIFE
<b>Original Beneficiary/Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR FAIRWAY INDEPENDENT MORTGAGE CORPORATION ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary/Mortgagee:</b> Lakeview Loan Servicing, LLC
<b>Recorded in:</b> Volume: N/A Page: N/A Instrument No: 202299013435	<b>Property County:</b> GUADALUPE
<b>Mortgage Servicer:</b> M&T Bank is representing the Current Beneficiary/Mortgagee under a servicing agreement with the Current Beneficiary/Mortgagee.	<b>Mortgage Servicer's Address:</b> 1 Fountain Plaza, Buffalo, NY 14203
<b>Date of Sale:</b> 9/3/2024	<b>Earliest Time Sale Will Begin:</b> 12:00 PM
<b>Place of Sale of Property:</b> Guadalupe County Courthouse, 101 E. Court Street, Seguin, TX 78155 OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.	

**Legal Description:** LOT 11, BLOCK 9, DOVE CROSSING SUBDIVISION, UNIT 8, A SUBDIVISION IN THE CITY OF NEW BRAUNFELS, GUADALUPE COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 7, PAGE 89, AMENDED IN VOLUME 7, PAGE 116 AND IN VOLUME 7, PAGE 295 OF THE MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.

In accordance with TEX. PROP. CODE §51.0076 and the Deed of Trust referenced above, the undersigned as attorney for Mortgagee or Mortgage Servicer does hereby remove the original Trustee and all successor substitute trustees and appoints in their stead, Amy Ortiz, Aarti Patel, Dylan Ruiz, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Thomas Gilbraith, C Jason Spence, Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez, Wayne Daughtrey or Vicki Rodriguez, Cole Patton, Myra Homayoun, Thuy Frazier, McCarthy & Holthus, LLP, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original Trustee under there said Deed of Trust; and, further, does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein

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.

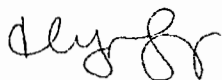
The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

**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.**

**NOTICE PURSUANT TO TEX. PROP. CODE § 51.002(I): ASSERT AND PROTECT YOUR RIGHTS AS MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE ARE SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL 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.**

Dated: 8/5/2024



Thuy Frazier, Attorney  
McCarthy & Holthus, LLP  
1255 West 15th Street, Suite 1060  
Plano, TX 75075  
Attorneys for M&T Bank

Dated:

August 8, 2024

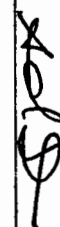
Alexis Martin

Printed Name:

Alexis Martin

Substitute Trustee  
c/o Auction.com  
1255 West 15th Street, Suite 1060  
Plano, TX 75075

BY



TERESA KIEL  
COUNTY CLERK GUADALUPE COUNTY

2024 AUG -8 AM 11:52

RECEIVED

MH File Number: TX-24-101956-POS  
Loan Type: Conventional Residential

## NOTICE OF FORECLOSURE SALE

**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OR ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.**

**1. *Property to Be Sold.*** The property to be sold is described as follows: FIELD NOTES DESCRIBING 0.248 OF AN ACRE OF LAND, BEING THE SAME 0.248 OF AN ACRE DESCRIBED IN A CONVEYANCE FROM VANESSA ANN FORBS RAHMY AND DION CECELIA FORBS GLASS TO OLETA WILLIAMS, VOLUME 1509, PAGE 263, OFFICIAL RECORDS, SITUATED IN BLOCK NO. 43, TOWN OF KINGSBURY, J. H. KUYKENDALL SURVEY, ABSTRACT NO.199, GUADALUPE COUNTY, TEXAS AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND MARKING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED 0.248 OF AN ACRE TRACT, THE NORTHEAST CORNER OF A TRACT DESCRIBED IN A CONVEYANCE TO A. D. WILLIAMS, ET UX, VOLUME 532, PAGE 254, DEED RECORDS, THE NORTHWEST CORNER OF THE JOY MARIE GLENEWINKEL-BRASHERS 0.2479 OF AN ACRE TRACT, VOLUME 1910, PAGE 73, OFFICIAL RECORDS AND SITUATED IN THE SOUTH RIGHT OF WAY OF CALDWELL STREET;

THENCE SOUTH 07 DEGREES 34 MINUTES 00 SECONDS EAST 120.04 FEET TO AN IRON PIN FOUND MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED 0.248 OF AN ACRE TRACT, THE SOUTHWEST CORNER OF THE JOY MARIE GLENEWINKEL-BRASHERS 0.2479 OF AN ACRE TRACT AND SITUATED IN THE NORTH LINE OF THE L. A. MRAZEK AND RUTH MRAZEK TRACT DESCRIBED IN VOLUME 432, PAGE 79, DEED RECORDS;

THENCE WITH THE NORTH LINE OF THE L. A. MRAZEK AND RUTH MRAZEK TRACT SOUTH 82 DEGREES 30 MINUTES 26 SECONDS WEST 89.97 FEET TO AN IRON PIN FOUND MARKING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED 0.248 OF AN ACRE TRACT;

THENCE ACROSS THE A. D. WILLIAMS TRACT DESCRIBED IN VOLUME 532, PAGE 254, DEED RECORDS NORTH 07 DEGREES 34 MINUTES 00 SECONDS WEST 120.04 FEET TO AN IRON PIN FOUND MARKING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 0.248 OF AN ACRE TRACT AND SITUATED IN THE SOUTH RIGHT OF WAY OF CALDWELL STREET;

THENCE WITH THE SOUTH RIGHT OF WAY OF CALDWELL STREET NORTH 82 DEGREES 30 MINUTES 26 SECONDS EAST 89.97 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.248 OF AN ACRE OF LAND. THE ORIENTATION IS BASED ON THE DEED CALL FOR THE EAST LINE OF THE HEREIN DESCRIBED 0.248 OF AN ACRE TRACT.

**2. *Instrument to be Foreclosed.*** The instrument to be foreclosed is the Deed of Trust dated 11/02/2010 and recorded in Book 2934 Page 0371 Document 10-019608 real property records of Guadalupe County, Texas.

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

Date: 09/03/2024

Time: 11:00 AM

Place: Guadalupe County, Texas at the following location: NORTH PORCH OF THE GUADALUPE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

**4. *Terms of Sale.*** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.

**5. *Obligations Secured.*** The Deed of Trust executed by OLETA WILLIAMS, provides that it secures the payment of the indebtedness in the original principal amount of \$178,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. BANK OF AMERICA, N.A is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is BANK OF AMERICA, N.A c/o PHH MORTGAGE CORPORATION, 14405 Walters Road, Suite 200, Houston, TX 77014 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

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

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**



Mackie Wolf Zientz & Mann, P.C.

Brandon Wolf, Attorney at Law

L. Keller Mackie, Attorney at Law

Michael Zientz, Attorney at Law

Lori Liane Long, Attorney at Law

Chelsea Schneider, Attorney at Law

Ester Gonzales, Attorney at Law

Karla Balli, Attorney at Law

Parkway Office Center, Suite 900


14160 Dallas Parkway

Dallas, TX 75254

For additional sale information visit: [www.mwzmlaw.com/tx-investors](http://www.mwzmlaw.com/tx-investors)

Certificate of Posting

I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the Guadalupe County Clerk and caused it to be posted at the location directed by the Guadalupe County Commissioners Court.

RECEIVED  
 2024 AUG -8 AM 11:55  
 TERESA KIEL  
 COUNTY CLERK GUADALUPE COUNTY  
 BY 

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE****DATE, TIME, PLACE OF SALE:**

**Date:** Tuesday, the 3<sup>rd</sup> day of September, 2024  
**Time:** 11:00 am or not later than three hours after that time  
**Place:** THE NORTH PORCH OF THE GUADALUPE COUNTY  
 COURTHOUSE, 101 E. COURT STREET, SEGUIN, TEXAS 78155.

**TERMS OF SALE: CASH****DEED OF TRUST INFORMATION - INSTRUMENT TO BE FORECLOSED:**

**Date:** December 6, 2021  
**Grantor(s):** J Valles Investments, LLC  
**Original Mortgagee:** HouseMax Funding Fund I, LLC  
**Original Principal:** \$1,539,750.00  
**Recording Information:** Deed Inst.# 202199041927  
**Current Mortgagee/Beneficiary:** Wilmington Savings Fund Society, FSB, not in its individual capacity, but solely as trustee for Residential Mortgage Aggregation Trust  
**Secures:** Cross Collateralized Term Note (the "Note") in the original principal amount of \$1,539,750.00 and all obligations contained therein. All sums secured by the Deed of Trust have been and are hereby declared immediately due and payable as a result of default under the Note and/or Deed of Trust.

**MODIFICATIONS AND RENEWALS:**

As used herein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as modified, renewed, amended, corrected and/or extended.

**PROPERTY TO BE SOLD:**

**Property County:** Guadalupe  
**Property Description:** (See Attached Exhibit "A")  
**Property Address:** 450 Three Oaks Road, Seguin, Texas 78155  
**Condition and Important Recitals:** Should a conflict occur between the property address and the legal description contained in "Exhibit A" the legal description shall control. The property will be sold "AS IS" without any representations, warranties, or recourse, and subject to any liens or interests that may survive the sale. Any purchaser who purchases the property does so at his/her/its own risk and is strongly encouraged engage in significant due diligence prior to sale.

RECEIVED

2024 AUG 13 AM 9:08

TERESA RIEL  
COUNTY CLERK GUADALUPE COUNTY

BY





SUBSTITUTE TRUSTEE(S): Jay Jordan, Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey or Vicki Rodriguez, or any.

SUBSTITUTE TRUSTEE ADDRESS: 14800 Landmark Blvd, Suite 850, Addison, TX 75254

DOCUMENT PREPARED BY:

McCalla Raymer Leibert Pierce, LLC  
1320 Greenway Drive, Ste. 780, Irving, Texas 75038  
AS ATTORNEY FOR THE HEREIN  
IDENTIFIED MORTGAGEE AND/OR  
MORTGAGE SERVICER

**Certificate of Posting**

I am Terni Marth whose address is

1320 Greenway Dr. Ste 780 Irving TX 75038 . I declare under penalty perjury that I filed

and/or recorded this Notice of Foreclosure Sale at the office of the Guadalupe County Clerk and caused it to be  
posted at the location directed by the Guadalupe County Commissioners.

**Return to: Jay.Jordan@mccalla.com or McCalla Raymer Leibert Pierce, LLC, 1320 Greenway Drive, Ste. 780,  
Irving, Texas 75038**

## EXHIBIT "A"

2.221 ACRES OF LAND SITUATED IN THE A.M. ESNAURIZAR SURVEY, ABSTRAT 20, GUADALUPE COUNTY, TEXAS, COMPRISED OF A CALLED 1.186 ACRES TRACT DESCRIBED IN DEED RECORDED IN VOLUME 496, PAGE 461, DEED RECORDS, GUADALUPE COUNTY, TEXAS AND A TRACT CALLED 1.039 ACRES DESCRIBED IN DEED RECORDED IN VOLUME 469, PAGE 179, DEED RECORDS, GUADALUPE COUNTY, TEXAS, SAID 2.221 ACRES BEING THE SAME PROPERTY DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 202099038335, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS. SAID 2.221 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT AN IRON PIPE FOUND ON THE NORTHWEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 14 (AKA THREE OAKS ROAD) MARKING THE NORTH CORNER OF THIS TRACT;

**THENCE** SOUTH 31 DEGREES 52 MINUTES 07 SECONDS WEST 240.45 FEET ALONG NORTHWEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 114 (AKA THREE OAKS ROAD) TO AN IRON PIPE FOUND;

**THENCE** SOUTH 38 DEGREES 37 MINUTES 56 SECONDS WEST 178.90 FEET TO A 1/2" IRON ROD SET WITH CAP MARKED "MBC ENGINEERS"

**THENCE** SOUTH 58 DEGREES 55 MINUTES 08 SECONDS EAST 45.15 FEET TO AN IRON PIPE FOUND;

**THENCE** SOUTH 33 DEGREES 57 MINUTES 36 SECONDS EAST 123.36 FEET TO 1/2" IRON ROD FOUND MARKING THE SOUTHEAST CORNER OF THIS TRACT, AND ALSO MARKING THE MOST NORTHERLY CORNER OF A CALLED 0.473 ACRE TRACT DESCRIBED IN DEED RECORDED IN DOCUMENT NO. 202099033124, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS;

**THENCE** SOUTH 46 DEGREES 24 MINUTES 40 SECONDS WEST 100.15 FEET ALONG THE NORTHWEST LINE OF SAID 0.473 ACRE TRACT TO AN IRON PIPE FOUND;

**THENCE** SOUTH 46 DEGREES 24 MINUTES 40 SECONDS WEST AND AT 200.92 FEET PASSING AN IRON PIPE FOUND FOR REFERENCE, THEN CONTINUING FOR A TOTAL DISTANCE OF 204.52 FEET TO A CALCULATED POINT MARKING THE MOST SOUTHERLY CORNER OF THIS TRACT;

**THENCE** ALONG THE APPROXIMATE WATERS EDGE OF LAKE MCQUEENEY THE FOLLOWING COURSES AND DISTANCES:

1. NORTH 43 DEGREES 34 MINUTES 40 SECONDS WEST 51.87 FEET;
2. NORTH 43 DEGREES 16 MINUTES 33 SECONDS WEST 60.22 FEET;
3. NORTH 70 DEGREES 42 MINUTES 01 SECONDS WEST 28.13 FEET;
4. NORTH 49 DEGREES 45 MINUTES 46 SECONDS WEST 13.37 FEET;
5. NORTH 84 DEGREES 15 MINUTES 21 SECONDS WEST 30.72 FEET;
6. NORTH 73 DEGREES 19 MINUTES 54 SECONDS WEST 30.38 FEET;
7. NORTH 65 DEGREES 38 MINUTES 06 SECONDS WEST 23.24 FEET;
8. NORTH 28 DEGREES 50 MINUTES 49 SECONDS WEST 11.76 FEET TO A CALCULATED POINT MARKING THE MOST WESTERLY CORNER OF THIS TRACT;

**THENCE** NORTH 45 DEGREES 10 MINUTES 42 SECONDS EAST AT 5.77 FEET PASSING A 1/2" IRON ROD SET WITH CAP MARKED "MBC ENGINEERS" FOR REFERENCE, THEN CONTINUING FOR A TOTAL DISTANCE OF 778.28 FEET ALONG THE SOUTHEAST BOUNDARY LINE OF RIVER SPRINGS SUBDIVISION, RECORDED IN VOLUME 4, PAGE 80, PLAT RECORDS, GUADALUPE COUNTY, TEXAS, TO THE **POINT OF BEGINNING**, AND CONTAINING 2.221 ACRES OF LAND.

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE****DATE:** August 13, 2024**SUBSTITUTE TRUSTEE:** TROY MARTIN, DEBORAH MARTIN, CASSIE MARTIN, ALEXIS MARTIN, MARTHA ROSSINGTON, REYN ROSSINGTON, WAYNE DAUGHTREY, SHELBY MARTIN, JENNYFER SAKIEWICZ, TERRI MARTIN, BENJAMIN H. HA, or BENJAMIN K. WILLIAMS**SUBSTITUTE TRUSTEE'S ADDRESS:** 10119 Lake Creek Pkwy., Suite 201  
Austin, Texas 78729**DEED OF TRUST:****Date:** November 14, 2023**Grantor:** JAMES E. MAHAN III, a married man, owning, occupying, and claiming other property as homestead**Beneficiary:** CAPSTONE FUND, LLC**Beneficiary's Mailing Address:** c/o Capstone Servicing Corporation  
507 Denali Pass, Suite 401  
Cedar Park, Texas 78613**Trustee:** BENJAMIN K. WILLIAMS or BENJAMIN H. HA**Recording Information:** Document No. 202399028063, Official Public Records, Guadalupe County, Texas; Document No. 202399028298, Official Public Records, Guadalupe County, Texas**Property:**

Being 25.097 acres of land, more or less, out of the R. XIMENES SURVEY, ABSTRACT NO. 347 and the W. H. PATE SURVEY NO. 22, ABSTRACT NO. 259, in Guadalupe County, Texas, being that same property described in Substitute Trustee's Deed recorded in Volume 825, Page 946, Official Public Records, Guadalupe County, Texas. Said 25.097 acres of land being more particularly described by metes and bounds in Exhibit "A" attached to the above-referenced deed of trust.

Together with all personal property described in the above-referenced deed of trust.

**NOTE:****Date:** November 14, 2023**Amount:** \$3,440,000.00

RECEIVED  
 2024 AUG 13 AM 9:13  
 TESSA KIEL  
 COUNTY CLERK GUADALUPE COUNTY  
 BY: [Signature]

Debtor: JAMES E. MAHAN III, a married man, owning, occupying, and claiming other property as homestead

Holder: CAPSTONE FUND, LLC

**DATE OF SALE OF PROPERTY:**

Tuesday, September 3, 2024, at 11:00 a.m.

**PLACE OF SALE OF PROPERTY:**

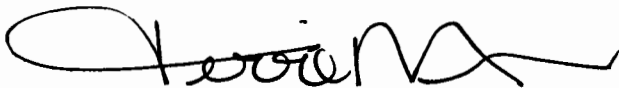
The north porch of the Guadalupe County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

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) 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.**

Mortgagee has instructed Substitute Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Substitute Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS." THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PERSONAL PROPERTY IN THIS DISPOSITION (IF ANY). The sale will begin at the Time of Sale or not later than three hours thereafter.



  
BENJAMIN K. WILLIAMS, Substitute Trustee  
and Attorney for Mortgage Servicer

c/o LAW OFFICE OF BEN WILLIAMS, PLLC  
10119 Lake Creek Pkwy., Suite 201  
Austin, Texas 78729  
(512) 872-6088

**Notice of Foreclosure Sale and Appointment of Substitute Trustee****Deed of Trust ("Deed of Trust"):**

Dated: July 26, 2023  
Grantor: **Fernando Inez Garza**  
Trustee: Raymond G. Braun  
Lender: R.E. Capital, L.L.C., a Texas limited liability company

RECEIVED  
2024 AUG 13 PM 3:54  
TERESA KIEL  
COUNTY CLERK GUADALUPE COUNTY  
BY *Maria*

Recording information: Clerk's File Number #202399018723 of the real property records of Guadalupe County, Texas. Said Note was assumed by Fernando Inez Garza in Assumption Warranty Deed, File Number #202499009374.

Secures: Real Estate Note ("Note") in the original principal amount of \$145,000.00 executed by Bill Wilburn ("Borrower") and payable to the order of Lender. Said Note was assumed by Fernando Inez Garza & modified & extended in Modification & Extension Agreement of Note and Lien dated April 17, 2024, document #202499009375, to the current loan amount of \$153,700.00.

Property: Lot 5, Block Four, Amended Northern Trails Subdivision, Phases One & Two, in the City of Seguin, Guadalupe County, Texas, according to the plat recorded in Volume 6, Pages 272-275, Plat Records of Guadalupe County, Texas.

Persons appointed as Substitute Trustees to exercise power of sale under Deed of Trust:

Name: Judith A. Gray  
Appointee's address: 4040 Broadway, Suite 240, San Antonio, Texas 78209, Bexar County

Name: Maricruz Cardenas  
Appointee's address: 141 Danube, Suite 102, San Antonio, Texas 78213, Bexar County

Name: Matthew M. Cowart  
Appointee's address: P.O. Box 780805, San Antonio, Texas 78278, Bexar County

Each Substitute Trustee is appointed as of this date pursuant to Texas Property Code section 51.0075 to succeed to all title, powers, and duties of the original or successor trustees that are removed herein.

**Foreclosure Sale:**

Date: Tuesday, September 3, 2024

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 1:00 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 sale will take place on the west side of the Guadalupe County Courthouse located at 101 E. Court Street, Seguin, Texas or as designated by the Commissioner's Court.

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

Lender/lienholder's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

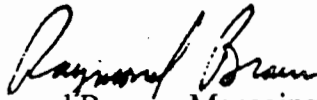
Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, R.E. Capital, L.L.C., the owner and holder of the Note, has requested Substitute Trustee to sell the Property. The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of R.E. Capital, L.L.C.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with R.E. Capital, L.L.C.'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 R.E. Capital, L.L.C. 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 R.E. Capital, L.L.C. 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.**

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Raymond Braun – Managing Member of  
R.E. Capital, L.L.C.  
3816 Binz-Engleman B-135  
San Antonio, Texas 78219  
Phone: 210-599-0833; FAX: 210-599-0319