# 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 November 23, 2020 and recorded under Clerk's File No. 202099034045, in the real property records of GUADALUPE County Texas, with Megan Lyn Monterastelli and Terryl Kai Monterastelli, wife and husband as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for DHI Mortgage Company, Ltd., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Megan Lyn Monterastelli and Terryl Kai Monterastelli, wife and husband securing payment of the indebtedness in the original principal amount of \$255,192.00 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 Megan Lyn Monterastelli. Lakeview Loan Servicing, LLC 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. Mr. Cooper is acting as the Mortgage Servicer for the Mortgagee. Mr. Cooper, is representing the Mortgagee, whose address is: 8950 Cypress Waters Boulevard, Coppell, TX 75019.

#### Legal Description:

LOT 67, BLOCK 3, OF AVERY PARK 13, A SUBDIVISION IN THE CITY OF NEW BRAUNFELS, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 9, PAGES 56-57, DEED AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.

#### **SALE INFORMATION**

Date of Sale: 11/05/2024 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

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgage'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 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.



44-24-02064 GUADALUPE

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 Mortgagoe or the Mortgagoe'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 08/07/2024.

/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:

C&M No. 44-24-02064

# NOTICE OF FORECLOSURE SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

Property:

The Property to be sold is described as follows:

Lot 27, Block B, AVERY PARK SUBDIVISION UNIT 7, a subdivision in the City of New Braunfels, Guadalupe County, Texas, according to the map or plat thereof recorded in Volume 8, Pages 81-82, Map and Plat Records of Guadalupe

County, Texas.

Security Instrument:

Deed of Trust dated February 5, 2015 and recorded on February 6, 2015 at Instrument Number 2015002325 in the real property records of GUADALUPE County, Texas,

which contains a power of sale.

Sale Information:

November 5, 2024, at 11:00 AM, or not later than three hours thereafter, at the north porch of the Guadalupe County Courthouse, or as designated by the County Commissioners Court.

Terms of Sale:

Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

**Obligation Secured:** 

The Deed of Trust executed by JENNIFER L CHAVEZ AND CHARLES A CHAVEZ AND ELDA R CHAVEZ secures the repayment of a Note dated February 5, 2015 in the amount of \$183,460.00. LAKEVIEW LOAN SERVICING, LLC, whose address is c/o LoanCare, LLC, 3637 Sentara Way, Virginia Beach, VA 23452, is the current mortgagee of the Deed of Trust and Note and LoanCare, LLC is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee:

In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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 MORTGAGE OR MORTGAGE SERVICER.

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.



1823356

Nicki Company

De Cubas & Lewis, P.C. Nicki Compary, Attorney at Law PO Box 5026 Fort Lauderdale, FL 33310 Substitute Trustee(s): Amy Ortiz, Aarti Patel, Stacey Sanders, Ramon Perez, Garrett Sanders, Erika Aguirre, Beatriz Sanchez, Dylan Ruiz, Candice Shulte, Maryna Danielian, Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Vicki Rodriguez, Terri Martin, Shelby Martin, Elizabeth Anderson, Bob Frisch, Wayne Daughtrey, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Martha Rossington, Reyn Rossington, Jennyfer Sakiewicz and Xome employees included but not limited to those listed herein.

c/o De Cubas & Lewis, P.C. PO Box 5026 Fort Lauderdale, FL 33310

## Certificate of Posting

I, Alexis Martin , declare under penalty of perjury that on the 22 day of Pugust , 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of GUADALUPE County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

JADALUPE COUNTY

# NOTICE OF FORECLOSURE SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

Property:

The Property to be sold is described as follows:

LOT 8, BLOCK 2, DEER CREEK SUBDIVISION, SECTION 2, PHASE 2, AN ADDITION TO THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 5, PAGE 322A -322B, MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.

Security Instrument:

Deed of Trust dated June 28, 2021 and recorded on July 27, 2021 at Instrument Number 202199025795 in the real property records of GUADALUPE County, Texas, which contains a power of sale.

Sale Information:

November 5, 2024, at 12:00 PM, or not later than three hours thereafter, at the north porch of the Guadalupe County Courthouse, or as designated by the County Commissioners Court.

Terms of Sale:

Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured:

The Deed of Trust executed by MANUEL LOPEZ GONZALEZ JR AND YESSICA L LOPEZ secures the repayment of a Note dated June 28, 2021 in the amount of \$280,328.00. PENNYMAC LOAN SERVICES, LLC, whose address is c/o PennyMac Loan Services, LLC, P.O. Box 30597, Los Angeles, CA 90030, is the current mortgagee of the Deed of Trust and Note and PennyMac Loan Services, LLC is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee:

In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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.

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.



4823210

Nicki Company

De Cubas & Lewis, P.C. Nicki Compary, Attorney at Law PO Box 5026 Fort Lauderdale, FL 33310 Substitute Trustee(s): Amy Ortiz, Aarti Patel, Stacey Sanders, Ramon Perez, Garrett Sanders, Erika Aguirre, Beatriz Sanchez, Dylan Ruiz, Candice Shulte, Maryna Danielian, Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Elizabeth Anderson, Bob Frisch, Wayne Daughtrey, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Martha Rossington, Reyn Rossington, Jennyfer Sakiewicz and Auction.com employees included but not limited to those listed herein.

c/o De Cubas & Lewis, P.C. PO Box 5026 Fort Lauderdale, FL 33310

## Certificate of Posting

| 1, Alexis          | Martin               | , declare under penalty of perjury that on the 22 day o                |
|--------------------|----------------------|--|
| August             | , 20 <b>24</b> , I f | iled and posted this Notice of Foreclosure Sale in accordance with the |
| requirements of GU | ADALUPE County,      | Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).  |

#### 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: LOT 29, BLOCK 2, SAVANNAH SQUARE, UNIT 2, AN ADDITION TO THE CITY OF SCHERTZ, GUADALUPE COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 5, PAGE 52B, OF THE MAP AND/OR PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.
- 2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 07/22/2022 and recorded in Document 202299023021 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:

11/05/2024 12:00 PM

Time: 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

- 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 AARON CASEY SMITH AND ALONDRA HINOJOSA, provides that it secures the payment of the indebtedness in the original principal amount of \$284,747.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note, LAKEVIEW LOAN SERVICING, LLC is the current mortgagee of the note and deed of rust and NATIONSTAR MORTGAGE LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is LAKEVIEW LOAN SERVICING, LLC c/o NATIONSTAR MORTGAGE LLC, 8950 Cypress Waters Blvd, Coppell, TX 75019 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 bas 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.auction.com or (800) 280-2832

Certificate of Posting

I am Alexis Martin 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 8/29/2024 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.

# 2024 AUG 29 AM 10: 17

TS No.: 2024-01145-TX

24-000782-673

TERLER MEL COUNTY CLERK GUADALUPE COUNTY

# Notice of [Substitute] Trustee Sale BY Add

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.

I. Date, Time and Place of Sale.

Date:

11/05/2024

Time:

The sale will begin at 11:00 AM or not later than three hours after that time

Place:

Guadalupe County, Texas at the following location: NORTH PORCH OF THE GUADALUPE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE

PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY

COMMISSIONERS

**Property Address:** 

2014 LOUISE STREET, SEGUIN, TX 78155

- 2. 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. Any conveyance of the property is subject to all matters of record affecting the property.
- 3. Instrument to be Foreclosed: The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 06/04/1998 and recorded 06/05/1998 in Book 1346 Page 0911 Document 8382, real property records of Guadalupe County, Texas, with GERARDO GONZALEZ, A SINGLE MAN AND RACHEL SANCHEZ, A SINGLE WOMAN grantor(s) and SUMMIT MORTGAGE CORPORATION as Lender, THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS SUCCESSOR IN INTEREST TO JPMORGAN CHASE BANK, NATIONAL ASSOCIATION F/K/A THE CHASE MANHATTAN BANK, AS TRUSTEE FOR C-BASS MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 1999-CB2 as Beneficiary.
- 4. Appointment of Substitute Trustee: In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent 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.
- 5. Obligation Secured: Deed of Trust or Contract Lien executed by GERARDO GONZALEZ, A SINGLE MAN AND RACHEL SANCHEZ, A SINGLE WOMAN, securing the payment of the indebtedness in the original principal amount of \$43,763.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS SUCCESSOR IN INTEREST TO JPMORGAN CHASE BANK, NATIONAL ASSOCIATION F/K/A THE CHASE MANHATTAN BANK, AS TRUSTEE FOR C-BASS MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 1999-CB2 is the current mortgagee of the note and deed of trust or contract lien.

TS No.: 2024-01145-TX

24-000782-673

# Notice of [Substitute] Trustee Sale

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

Lot 50, Wilson Schuessler Subdivision, City of Seguin, as recorded in Volume 2, Pages 44-45 of the Plat Records, Guadalupe County, Texas

8. Mortgage Servicer Information: The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the property referenced above. PHH Mortgage Corporation, as Mortgage Servicer, is representing the current mortgagee, whose address is:

C/O PHH Mortgage Corporation PO BOX 24605 West Palm Beach, FL 33416-4605

Phone: 877-744-2506

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TS No.: 2024-01145-TX

24-000782-673

# Notice of [Substitute] Trustee Sale

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

| Wortgagee's attorney.   |
|---|
| THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.  |
| Date: 8/28/2024   |
| Luis Rivera - Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer  |
| C/O Power Default Services. Inc. 7730 Market Center Ave, Suite 100 El Paso, TX 79912 Telephone: 855-427-2204 Fax: 866-960-8298  |
| For additional sale information visit: www.hubzu.com or (855) 882-1314  |
| POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.   |
| Certificate of Posting 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 8/29/2024 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. |

Page 3 of 3 Version 1.1 TX NOS 0217

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# NOTICE OF SUBSTITUTE TRUSTEE'S SALE

T.S. #: 2024-10437-TX

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.

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

Date:

11/5/2024

Time:

The earliest time the sale will begin is 11:00 AM, or within three (3) hours after

that time

Place:

Guadalupe County Courthouse, Texas, at the following location: 101 East Court Street, Seguin, TX 78155 NORTH PORCH OF THE GUADALUPE

COURTHOUSE

Or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners Court, pursuant to section 51.002 of the

Texas Property Code.

**Property To Be Sold** - The property to be sold is described as follows:

Lot 28, Block D, Avery Park Subdivision Unit 9, a subdivision in Guadalupe County, Texas. according to the map or plat thereof recorded in Volume 8, Pages 262-263 and amended in Volume 8, Pages 320-321 of the Map and Plat Records of Guadalupe County, Texas.

Commonly known as: 2250 OLIVE HILL DRIVE NEW BRAUNFELS, TX 78130

<u>Instrument to be Foreclosed</u> – The instrument to be foreclosed is the Deed of Trust dated 1/29/2016 and recorded in the office of the County Clerk of Guadalupe County, Texas, recorded on 2/1/2016 under County Clerk's File No 2016002102, in Book – and Page – The subject Deed of Trust was modified by Loan Modification recorded as Instrument No. 202299015824 and recorded on 05/18/2022, and further recorded on 03/14/2024 as Instrument No. 202499005730 of the Real Property Records of Guadalupe County, Texas.

Grantor(s):

LOUIS MEINHART AND TIFFANY MEINHART, HUSBAND AND

WIFE

Original Trustee:

RANDALL C PRESENT

**Substitute Trustee:** 

Auction.com, Alexis Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez, Troy Martin, Deborah Martin, Cassie Martin, Terri Martin, Shelby Martin, Jim Mills, Susan Mills, Andrew Mills-Middlebrook, George Hawthorne, Ed Henderson, Kyle Walker, Justin Holliday, Martha Rossington, Reyn Rossington, Jeff Benton,

Jennyfer Sakiewicz, Nestor Solutions, LLC

Original Mortgagee:

Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for DHI MORTGAGE COMPANY LTD, its successors and

assigns

T.S. #: 2024-10437-TX

Current Mortgagee:

Freedom Mortgage Corporation

Mortgage Servicer:

Freedom Mortgage Corporation

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 referenced property securing the above referenced loan.

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 mortgagee 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 cash on the day the property is sold.

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. 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 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. 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.

Obligations Secured - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$214,514.00, executed by LOUIS MEINHART AND TIFFANY MEINHART, HUSBAND AND WIFE, and payable to the order of Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for DHI MORTGAGE COMPANY LTD, its successors and assigns; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of Trustor(s) to the current holder of the Obligations to the mortgagee under the deed of trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Ouestions concerning the sale may be directed to the undersigned or to the Mortgagee:

Freedom Mortgage Corporation 11988 EXIT 5 PKWY BLDG 4 **FISHERS IN 46037-7939** 

Phone: (855) 690-5900

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

Dated: 8/29/2024

Auction.com, Alexis Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez, Troy Martin, Deborah Martin, Cassie Martin, Terri Martin, Shelby Martin, Jim Mills, Susan Mills, Andrew Mills-Middlebrook, George Hawthorne, Ed Henderson, Kyle Walker, Justin Holliday, Martha Rossington, Reyn Rossington, Jeff Benton, Jennyfer Sakiewicz, Nestor Solutions, LLC

C/o Nestor Solutions, LLC
214 5th Street, Suite 205

Huntington Beach, California 92648

Phone: (888) 403-4115 Fax: (888) 345-5501

For sale information visit: https://www.xome.com or Contact (800) 758-8052.

SENDER OF THIS NOTICE: AFTER FILING, PLEASE RETURN TO:

Nestor Solutions, LLC 214 5th Street, Suite 205 Huntington Beach, California 92648 Property:

The Property to be sold is described as follows:

LOT 38 OF GREEN PASTURES, A SUBDIVISION IN GUADALUPE COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 8, PAGES 462-463 OF THE MAP AND PLAT RECORDS OF GUADALUPE

COUNTY, TEXAS.

Security Instrument:

Deed of Trust dated August 30, 2019 and recorded on September 4, 2019 at Instrument Number 201999020112 in the real property records of GUADALUPE County, Texas,

which contains a power of sale.

Sale Information:

November 5, 2024, at 11:00 AM, or not later than three hours thereafter, at the north porch of the Guadalupe County Courthouse, or as designated by the County

Commissioners Court.

Terms of Sale:

Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the

substitute trustee.

Obligation Secured:

The Deed of Trust executed by JOSHUA MCRAE AND CRYSTAL FARMER secures the repayment of a Note dated August 30, 2019 in the amount of \$156,120.00. LAKEVIEW LOAN SERVICING, LLC, whose address is c/o LoanCare, LLC, 3637 Sentara Way, Virginia Beach, VA 23452, is the current mortgagee of the Deed of Trust and Note and LoanCare, LLC is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee:

In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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.

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.



COUNTY CLERK GU.



4823541

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De Cubas & Lewis, P.C. Nicki Compary, Attorney at Law PO Box 5026 Fort Lauderdale, FL 33310 alexis Martin

Substitute Trustee(s): Amy Ortiz, Aarti Patel, Stacey Sanders, Ramon Perez, Garrett Sanders, Erika Aguirre, Beatriz Sanchez, Dylan Ruiz, Candice Shulte, Maryna Danielian, Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Elizabeth Anderson, Vicki Rodriguez, Bob Frisch, Wayne Daughtrey, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Martha Rossington, Reyn Rossington, Jennyfer Sakiewicz and Xome employees included but not limited to those listed herein.

c/o De Cubas & Lewis, P.C. PO Box 5026 Fort Lauderdale, FL 33310

## Certificate of Posting

I, Alexis Martin, declare under penalty of perjury that on the 29 day of August, 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of GUADALUPE County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

# 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 July 29, 2022 and recorded under Clerk's File No. 202299023940, in the real property records of GUADALUPE County Texas, with Jospeh Mercado and Rebecca Trinidad Mercado, husband and wife, and Allen Michael Trinidad, unmarried man. as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for CrossCountry Mortgage, LLC, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Jospeh Mercado and Rebecca Trinidad Mercado, husband and wife, and Allen Michael Trinidad, unmarried man. securing payment of the indebtedness in the original principal amount of \$382,936.00 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 Joseph Mercado, Allen Michael Trinidad, by Rebecca Trinidad Mercado as agent. CrossCountry Mortgage, LLC 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. Mr. Cooper is acting as the Mortgage Servicer for the Mortgagee. Mr. Cooper, is representing the Mortgagee, whose address is: 8950 Cypress Waters Boulevard, Coppell, TX 75019.

#### Legal Description:

LOT 31A OF HICKORY FORREST, A SUBDIVISION IN GUADALUPE COUNTY, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGES 362 OF THE PLAT RECORDS OF **GUADALUPE COUNTY, TEXAS.** 

#### SALE INFORMATION

Date of Sale: 11/05/2024

The place of the sale shall be: GUADALUPE County Courthouse, Texas at the Location of Sale: 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 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.

44-24-01171 **GUADALUPE** 

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, Terri Martin, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ServiceLink Auction, 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 August 26, 2024.

/s/ Sarah A. Trad SBOT No. 24140355, Attorney at Law Codilis & Moody, P.C. 20405 State Highway 249, Suite 170 Houston, TX 77070 (281) 925-5200

Printed Name: Alexis Martin

C&M No. 44-24-01171

Terms of Sale:

Obligation Secured:

24-02708 205 WILD CREEK RD, SEGUIN, TX 78155

# NOTICE OF FORECLOSURE SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

Property: The Property to be sold is described as follows:

> LOT 02, BLOCK 03, OF LILY SPRINGS, UNIT 3, AN ADDITION TO THE CITY OF SEGUIN, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN VOLUME 9, PAGE 343,

MAP AND PLAT RECORDS, GUADALUPE COUNTY, TEXAS.

Security Instrument: Deed of Trust dated December 20, 2022 and recorded on December 27, 2022 at

Instrument Number 202299038121 in the real property records of GUADALUPE

County, Texas, which contains a power of sale.

Sale Information: November 5, 2024, at 11:00 AM, or not later than three hours thereafter, at the north

porch of the Guadalupe County Courthouse, or as designated by the County

Commissioners Court.

Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the

substitute trustee.

The Deed of Trust executed by DOMINIC DENNIS secures the repayment of a Note dated December 20, 2022 in the amount of \$325,872.00. LAKEVIEW LOAN SERVICING, LLC, whose address is c/o LoanCare, LLC, 3637 Sentara Way, Virginia Beach, VA 23452, is the current mortgagee of the Deed of Trust and Note and LoanCare, LLC is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the

mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee: In accordance with Texas Property Code section 51.0076 and the Security Instrument

referenced above, mortgagee and mortgage servicer's attorney appoint the substitute

trustees listed below.

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.

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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De Cubas & Lewis, P.C. Nicki Compary, Attorney at Law PO Box 5026 Fort Lauderdale, FL 33310 Substitute Trustee(s): Amy Ortiz, Aarti Patel, Stacey Sanders, Ramon Perez, Garrett Sanders, Erika Aguirre, Beatriz Sanchez, Dylan Ruiz, Candice Shulte, Maryna Danielian, Deborah Martin, Vicki Rodriguez, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Elizabeth Anderson, Bob Frisch, Wayne Daughtrey, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Martha Rossington, Reyn Rossington, Jennyfer Sakiewicz and Auction.com employees included but not limited to those listed herein.

c/o De Cubas & Lewis, P.C. PO Box 5026 Fort Lauderdale, FL 33310

## Certificate of Posting

I, Alexis Martin, declare under penalty of perjury that on the 29 day of August, 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of GUADALUPE County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

# NOTICE OF FORECLOSURE SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

Property:

The Property to be sold is described as follows:

Lot 11, Block 4, of GREENBRIAR PARK SUBDIVISION, (also known as VORDENBAUM ADDITION), City of Seguin, Guadalupe County, Texas, according to Plat recorded in Volume 2, Pages 40-41 of the Plat Records of

Guadalupe County, Texas.

Security Instrument:

Deed of Trust dated November 27, 2013 and recorded on December 5, 2013 at Book 4170 and Page 0587 in the real property records of GUADALUPE County, Texas, which

contains a power of sale.

Sale Information:

November 5, 2024, at 12:00 PM, or not later than three hours thereafter, at the north porch of the Guadalupe County Courthouse, or as designated by the County

Commissioners Court.

LHOO Terms of Sale: Obligation Secured:

Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

The Deed of Trust executed by MARIA HERNANDEZ secures the repayment of a Note dated November 27, 2013 in the amount of \$60,887.00. LAKEVIEW LOAN SERVICING, LLC., whose address is c/o LoanCare, LLC, 3637 Sentara Way, Virginia Beach, VA 23452, is the current mortgagee of the Deed of Trust and Note and LoanCare, LLC is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee:

In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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.

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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De Cubas & Lewis, P.C. Nicki Compary, Attorney at Law PO Box 5026 Fort Lauderdale, FL 33310 Substitute Trustee(s): Amy Ortiz, Aarti Patel, Stacey Sanders, Ramon Perez, Garrett Sanders, Erika Aguirre, Beatriz Sanchez, Dylan Ruiz, Candice Shulte, Maryna Danielian, Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Elizabeth Anderson, Bob Frisch, Wayne Daughtrey, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Martha Rossington, Reyn Rossington, Jennyfer Sakiewicz and Auction.com employees included but not limited to those listed herein.

c/o De Cubas & Lewis, P.C. PO Box 5026 Fort Lauderdale, FL 33310

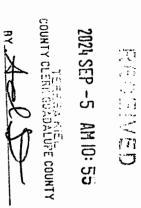
#### Certificate of Posting

I, Alexis Martin, declare under penalty of perjury that on the 29 day of August, 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of GUADALUPE County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

# RECORDING REQUESTED BY:

#### WHEN RECORDED MAIL TO:

Troy Martin, Deborah Martin, Cassie Martin, Alexis Martin, Martha Rossington, Reyn Rossington, Wayne Daughtrey, Shelby Martin, Jennyfer Sakiewicz, Terri Martin c/o Malcolm Cisneros/Trustee Corps 17100 Gillette Avenue Irvine, CA 92614 (949) 252-8300



TS No TX07000004-24-1

APN R806632 | 1G1370-0000-21300-0-00 TO No 240020627

#### NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on November 23, 2020, RANDER EARL DRAPER JR. AND SHANYA S. DRAPER, A MARRIED COUPLE as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of RICHARD A. RAMIREZ as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, as nominee for AMCAP MORTGAGE, LTD., its successors and assigns, as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$319,113.00, payable to the order of Nationstar Mortgage LLC as current Beneficiary, which Deed of Trust recorded on November 25, 2020 as Document No. 202099034207 and re-recorded on April 14, 2021 as Instrument No. 202199012478 and that said Deed of Trust was modified by Modification Agreement and recorded February 28, 2022 as Instrument Number 202299006636 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 R806632 | 1G1370-0000-21300-0-00

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 Troy Martin, Deborah Martin, Cassie Martin, Alexis Martin, Martha Rossington, Reyn Rossington, Wayne Daughtrey, Shelby Martin, Jennyfer Saklewicz, Terri Martin 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 Nationstar Mortgage LLC, 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, November 5, 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: 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.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and Nationstar Mortgage LLC'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 Nationstar Mortgage LLC'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 5th day of September , Zozy

By: Troy Martin, Deborah Martin, Cassie Martin, Alexis Martin, Martha Rossington, Reyn Rossington, Wayne Daughtrey, Shelby Martin, Jennyfer Sakiewicz, Terri Martin 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 https://www.servicelinkauction.com/ FOR AUTOMATED SALES INFORMATION PLEASE CALL: ServiceLink Auction | Hudson and Marshali at (866) 539-4173

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.

# EXHIBIT "A"

BEING LOT 213-A, HICKORY FORREST, BEING OUT OF LOT 213, HICKORY FORREST, GUADALUPE COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 3, PAGES 56-57, MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS, AMENDED BY PLAT RECORDED IN VOLUME 9, PAGE 290, MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.

# 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 June 11, 2021 and recorded under Clerk's File No. 202199020313, in the real property records of GUADALUPE County Texas, with John Paul Beron and Carolyn Faith Beron, as husband and wife. as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for InterLine Mortgage Services, ULC, its successors and assigns as Original Mortgagee.

Deed of Trust executed by John Paul Beron and Carolyn Faith Beron, as husband and wife. securing payment of the indebtedness in the original principal amount of \$179,685.00 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 Paul Beron and Carolyn Faith Beron. NewRez LLC d/b/a Shellpoint Mortgage Servicing 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. Shellpoint Mortgage Servicing is acting as the Mortgage Servicer for the Mortgagee. Shellpoint Mortgage Servicing, is representing the Mortgagee, whose address is: 75 Beattie Place, Suite 300, Greenville, SC 29601.

## Legal Description:

LOT 15, 16 AND 17, BLOCK 16, AVIATION HEIGHTS ADDITION, IN THE CITY OF SHERTZ, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2, PAGE 14-15, MAP AND PLAT RECORDS, GUADALUPE COUNTY, TEXAS.

#### SALE INFORMATION

Date of Sale: 11/05/2024

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 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.

44-24-02257 GUADALUPE

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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 September 3, 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: \_

C&M No. 44-24-02257

### NOTICE OF SUBSTITUTE TRUSTEE SALE

| Deed of Trust Date:  | Grantor(s)/Mortgagor(s):                    |  |  |  |  |  |
|--|---|--|--|--|--|--|
| 6/6/2017   | JONATHAN A TREVINO, A MARRIED MAN JOINED BY |  |  |  |  |  |
|  | HIS NON VESTED SPOUSE ZELDA FRANCO          |  |  |  |  |  |
| Original Beneficiary/Mortgagee:  | Current Beneficiary/Mortgagee:              |  |  |  |  |  |
| MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.   | Lakeview Loan Servicing, LLC                |  |  |  |  |  |
| ("MERS") SOLELY AS A NOMINEE FOR LAKEVIEW LOAN   |   |  |  |  |  |  |
| SERVICING, LLC, ITS SUCCESSORS AND ASSIGNS   |   |  |  |  |  |  |
| Recorded in:   | Property County:                            |  |  |  |  |  |
| Volume: N/A  | GUADALUPE                                   |  |  |  |  |  |
| Page: N/A  |   |  |  |  |  |  |
| Instrument No: 2017013887  |   |  |  |  |  |  |
| Mortgage Servicer:   | Mortgage Servicer's Address:                |  |  |  |  |  |
| LoanCare, LLC is representing the Current Beneficiary/Mortgagee under a  | 3637 Sentara Way,                           |  |  |  |  |  |
| servicing agreement with the Current Beneficiary/Mortgagee.  | Virginia Beach, VA 23452                    |  |  |  |  |  |
| Date of Sale: 11/5/2024  | Earliest Time Sale Will Begin: 12:00 PM     |  |  |  |  |  |
| Place of Sale of Property: 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 20, THE VILLAGE AT CLEAR SPRINGS, UNIT ONE, CITY OF NEW BRAUNFELS, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 8, PAGE(S) 278, OF THE MAP AND/OR 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 Mortgage 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 Homayoum, 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 MORTGAGE 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: 9/4/2024

Dated:

erri Martin

177

Thuy Frazier, Attorney McCarthy & Holthus, LLP 1255 West 15th Street, Suite 1060

Plano, TX 75075

Attorneys for LoanCare, LLC

Substitute Trustee c/o Auction.com

Printed Name:

1255 West 15th Street, Suite 1060

Plano, TX 75075

MH File Number: TX-24-103987-POS

Loan Type: FHA

# RECEIVED

# 2024 SEP -5 AM H: 57

TERESA KIEL COUNTY CLERK GUADALUPE COUNTY

2569 SMOKEY COVE SEGUIN, TX 78155

BY AdD

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## NOTICE OF [SUBSTITUTE] 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.

1. Date, Time, and Place of Sale.

Date:

November 05, 2024

Time:

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

Place:

THE NORTH PORCH OF THE GUADALUPE COUNTY COURTHOUSE OR AS DESIGNATED BY THE

COUNTY COMMISSIONERS or as designated by the county commissioners.

- 2. Terms of Sale. Cash.
- 3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated September 29, 2020 and recorded in Document DOCUMENT NO. 202099027312 real property records of GUADALUPE County, Texas, with ALYSSA ANNE TERPENING, AN UNMARRIED WOMAN, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by ALYSSA ANNE TERPENING, AN UNMARRIED WOMAN, securing the payment of the indebtednesses in the original principal amount of \$239,285.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. LAKEVIEW LOAN SERVICING, LLC is the current mortgagee of the note and Deed of Trust or Contract Lien.
- 5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.
- 6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. LOANCARE, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o LOANCARE, LLC 3637 SENTARA WAY VIRGINIA BEACH, VA 23452 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.

The undersigned as attorney for the mortgagee or mortgage servicer does herby remove the original trustee and all successor substitute trustees and appoints in their steed 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, JANICE STONER, JODI STEEN, OR JO WOOLSEY whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the 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.

Il So

Israel Saucedo

#### Certificate of Posting

| My name is  | _, and | my    | address   | is    | c/o   | 4004    | Belt    | Line    | Road | Suite  | 100   |
|---|--------|-------|-----------|-------|-------|---------|---------|---------|------|--------|-------|
| Addison, Texas 75001-4320. I declare under penalty of perjuly   |        |       |           |       |       |         |         |         |      | at the | offic |
| of the GUADALUPE County Clerk and caused to be posted at the GU | JADALI | JPE ( | County co | ourtl | nouse | this no | otice o | f sale. |      |        |       |
|   |        |       |           |       |       |         |         |         |      |        |       |
|   |        |       |           |       |       |         |         |         |      |        |       |
| Declarants Name:  |        |       |           |       |       |         |         |         |      |        |       |
| Deter   |        |       |           |       |       |         |         |         |      |        |       |

2569 SMOKEY COVE SEGUIN, TX 78155

00000010238723

**GUADALUPE** 



LOT FORTY-EIGHT (48) IN BLOCK TWELVE (12) OF HIDDENBROOKE SUBDIVISION, UNIT ONE (1), A SUBDIVISION OF 33.59 ACRES OF LAND SITUATED IN THE JOSEPH D. CLEMENTS SURVEY NO. 18, ABSTRACT NO. 11, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 9, PAGE(S) 31-34, OF THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.

# RECEIVED

2024 SEP -5 AM II: 58

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

4239 KLEIN MDWS NEW BRAUNFELS, TX 78130

RY AdD

00000010214807

## NOTICE OF (SUBSTITUTE) 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.

1. Date, Time, and Place of Sale.

Date:

November 05, 2024

Time:

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

Place:

THE NORTH PORCH OF THE GUADALUPE COUNTY COURTHOUSE OR AS DESIGNATED BY THE

COUNTY COMMISSIONERS or as designated by the county commissioners.

- 2. Terms of Sale. Cash.
- 3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated March 17, 2021 and recorded in Document INSTRUMENT NO. 202199009091 real property records of GUADALUPE County, Texas, with CHANCE F GARBUTT AND KATHRYN L GARBUTT HUSBAND AND WIFE, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by CHANCE F GARBUTT AND KATHRYN L GARBUTT HUSBAND AND WIFE, securing the payment of the indebtednesses in the original principal amount of \$250,381.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING is the current mortgagee of the note and Deed of Trust or Contract Lien.
- 5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.
- 6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. NEWREZ LLC d/b/a SHELLPOINT MORTGAGE SERVICING, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o NEWREZ LLC d/b/a SHELLPOINT MORTGAGE SERVICING 601 OFFICE CENTER DRIVE SUITE 100 FORT WASHINGTON, PA 19034 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.

The undersigned as attorney for the mortgagee or mortgage servicer does herby remove the original trustee and all successor substitute trustees and appoints in their steed 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, JANICE STONER, JODI STEEN, OR JO WOOLSEY whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the 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.

Il So

Israel Saucedo

# **Certificate of Posting**

| My name is  | and  | my    | address   | is    | c/o  | 4004   | Belt    | Line    | Road  | , Suite | 100   |
|---|------|-------|-----------|-------|------|--------|---------|---------|-------|---------|-------|
| Addison, Texas 75001-4320. I declare under penalty of perjury     | that | on    |           |       |      |        |         | _ I     | filed | at the  | offic |
| of the GUADALUPE County Clerk and caused to be posted at the GUAI | DALI | JPE ( | County co | ourtl | ouse | this n | otice o | f sale. |       |         |       |
|   |      |       |           |       |      |        |         |         |       |         |       |
|   |      |       |           |       |      |        |         |         |       |         |       |
|   |      |       |           |       |      |        |         |         |       |         |       |
| Declarants Name:  |      |       |           |       |      |        |         |         |       |         |       |
| Deter   |      |       |           |       |      |        |         |         |       |         |       |

00000010214807

**GUADALUPE** 



LOT 12, BLOCK 14, LEGEND POND LEGEND POINT PHASE 2, AN ADDITION IN THE CITY OF NEW BRAUNFELS, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGES 237-239, PLAT RECORDS, GUADALUPE COUNTY, TEXAS.

### 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: LOT 14, BLOCK 10, RIDGEMONT UNIT 3, AN ADDITION TO THE CITY OF NEW BRAUNFELS, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGE 793, AMENDED IN VOLUME 9, PAGE 37, MAP AND PLAT RECORDS, GUADALUPE COUNTY, TEXAS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 05/17/2021 and recorded in Document 202199016888 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:

11/05/2024

Time:

12:00 PM

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 MICHAEL DEAN CROCKER, provides that it secures the payment of the indebtedness in the original principal amount of \$337,250.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. MSR Asset Vehicle LLC 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 MSR Asset Vehicle LLC of PHH MORTGAGE CORPORATION, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 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
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254

For additional sale information visit: www.auction.com or (800) 280-2832

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 110 124 I filled 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.

2024 SEP 10 AM 10: 1

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#### 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: 06/21/2017

Grantor(s): JORGE MARTINEZ, AN UNMARRIED MAN AND RACHEL PONDER, AN

**UNMARRIED WOMAN** 

Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS

NOMINEE FOR DHI MORTGAGE COMPANY LTD, ITS SUCCESSORS AND

ASSIGNS

Original Principal: \$126,663.00

Recording Information: Instrument 2017014392

Property County: Guadalupe

Property: (See Attached Exhibit "A")

Reported Address: 420 NELL DEANE BLVD, SCHERTZ, TX 78154

#### MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Mortgage Servicer: Idaho Housing and Finance Association Idaho Housing and Finance Association Idaho Housing and Finance Association

Current Beneficiary: Mortgage Servicer Address:

565 W. Myrtle, Boise, ID 83702

#### SALE INFORMATION:

Date of Sale: Tuesday, the 5th day of November, 2024

Time of Sale: 12:00 PM or within three hours thereafter.

Place of Sale: AT THE NORTH PORCH OF THE C

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:

- 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.

COUNTY CLERK GUADALUPE COUNTY

KE CETVED

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9658-0942 2147040821 PG1 POSTPKG

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**

whose address is 14841 Dallas Parkway, Suite 350, Dallas, TX 75254. I declare under penalty of perjury that on 9/12/2024 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.

Exhibit "A"

en Montin

LOT 19, BLOCK 2, PARKLAND VILLAGE SUBDIVISION UNIT 1, CITY OF SCHERTZ, GUADALUPE COUNTY, TEXAS, AS SHOWN ON CORRECTION PLAT RECORDED IN VOLUME 3, PAGE 64, MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.

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

# NOTICE OF TRUSTEE'S SALE

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

| Grantor(s)               | Maria Linton  | Deed of Trust Date | March 7, 2022  |
|--------------------------|---|--------------------|----------------|
| Original Mortgagee       | Mortgage Electronic Registration Systems,<br>Inc. ("MERS"), as beneficiary, as nominee<br>for Open Mortgage, LLC, its successors<br>and assigns | Original Principal | \$315,000.00   |
| Recording<br>Information | Instrument #: 202299008196 in<br>Guadalupe County, Texas  | Original Trustee   | Scott R. Valby |
| Property Address         | 272 Wildflower Lane, Seguin, TX 78155   | Property County    | Guadalupe      |

#### **MORTGAGE SERVICER INFORMATION:**

| Current                | PHH Mortgage Corporation | Mortgage Servicer            | PHH Mortgage  |
|------------------------|--------------------------|------------------------------|---|
| Mortgagee              |                          |                              | Corporation   |
| Current<br>Beneficiary | PHH Mortgage Corporation | Mortgage Servicer<br>Address | 1661 Worthington Road,<br>Suite 100, West Palm<br>Beach, FL 33409 |

#### SALE INFORMATION:

| Date of Sale                 | 11/05/2024   |  |  |  |
|------------------------------|--|--|--|--|
| Time of Sale                 | 11:00 AM or no later than 3 hours thereafter   |  |  |  |
| Place of Sale                | The North porch of the Guadalupe County Courthouse in Guadalupe County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the Guadalupe County Commissioner's Court.   |  |  |  |
| Substitute Trustees          | Amy Ortiz, Aarti Patel, Beatriz Sanchez, Dylan Ruiz, Edward Luby, Nancy Parker, Roberta Avery-Hamilton, Faith Flores, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Thomas Gilbraith, C Jacon Spence, Auction.com, Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez, Selim Taherzadeh, or Michael Linke, any to act |  |  |  |
| Substitute Trustees' Address | 15851 N. Dallas Parkway, Suite 410, Addison, TX 75001  |  |  |  |

#### **PROPERTY INFORMATION:**

Legal Description as per the Deed of Trust:

LOT ONE HUNDRED NINETY SIX (196), SAM FORSHAGE SUBDIVISION NO. VII, IN THIS CANTUL

LEAGUE GRANT, A SUBDIVISION IN GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OF

PLAT THEREOF RECORDED IN VOLUME 2, PAGE 138 OF THE PLAT RECORDS OF GUADALUPE

COUNTY, TEXAS.

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

Default has occurred under the Deed of Trust and all sums secured by the Deed of Trust were declared immediately due and payable. The Beneficiary has, or caused another to, removed the Original Trustee and appointed Substitute Trustees. On behalf of the Mortgagee, Mortgage Servicer, and Substitute Trustees, the undersigned is providing this Notice of Trustee's 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.

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 other 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

# NOTICE OF TRUSTEE'S SALE

shall not cover any part of the property that has been released 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 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. Purchasers will buy the property "at the purchaser's own risk" and "at his/her peril", and no representation is made concerning the quality of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property.

Pursuant to 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.

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

Interested parties are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Assert and protect your rights as a member of the armed forces of the United States. If you or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

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.

Dated September 9, 2024.

Return to: TAHERZADEH, PLLC

15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

alexio Martin

/s/ Selim H. Taherzadeh
Selim H. Taherzadeh
15851 N. Dallas Parkway, Suite 410
Addison, TX 75001

(469) 729-6800

#### 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:**

03/03/2020 Date:

Grantor(s): JAVIER GARCIA, A SINGLE MAN

Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS

NOMINEE FOR FAIRWAY INDEPENDENT MORTGAGE CORPORATION, ITS

SUCCESSORS AND ASSIGNS

Original Principal: \$211,095.00

Recording Information: Instrument 202099005675

Property County: Guadalune

Property: (See Attached Exhibit "A")

Reported Address: 420 QUARTER MARE, CIBOLO, TX 78108

#### 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 5th day of November, 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 Nuncz, 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.
- 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.

<u>Substitute Trustee(s)</u>: 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 9/19/2024 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.

Exhibit "A"

By: alexis Martin

LOT 5, BLOCK 14, SARATOGA SUBDIVISION UNIT TEN (10), CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 8, PAGE 355-358, MAP AND/OR PLAT RECORDS, GUADALUPE COUNTY, TEXAS.

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

9658-2384 2147043127 PG2 POSTPKG

INDOS 3.

# NOTICE OF SUBSTITUTE TRUSTEE'S SALE

T.S. #: 2024-10447-TX

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.

<u>Pate, Time, and Place of Sale</u> - The sale is scheduled to be held at the following date, time and place:

Date:

11/5/2024

Time:

The earliest time the sale will begin is 11:00 AM, or within three (3) hours after

that time.

Place:

Guadalupe County Courthouse, Texas, at the following location: 101 East Court Street, Seguin, TX 78155 NORTH PORCH OF THE GUADALUPE

COURTHOUSE

Or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners Court, pursuant to section 51.002 of the

Texas Property Code.

Property To Be Sold - The property to be sold is described as follows:

SEE ATTACHED EXHIBIT 'A'

Commonly known as: 13763 FM 467 LA VERNIA, TX 78121

<u>Instrument to be Foreclosed</u> – The instrument to be foreclosed is the Deed of Trust dated 3/10/2015 and recorded in the office of the County Clerk of Guadalupe County, Texas, recorded on 3/11/2015 under County Clerk's File No 2015004652, in Book – and Page – Correction Instrument recorded on 08/20/2024 under Instrument No. 202499019690 of the Real Property Records of Guadalupe County, Texas.

Grantor(s):

JONATHAN A BRIETZKE AN UNMARRIED MAN

Original Trustee:

M. Keith Stitt

Substitute Trustee:

Nestor Solutions, LLC, Auction.com, Alexis Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez, Troy Martin, Deborah Martin, Cassie Martin, Terri Martin, Shelby Martin, Jim Mills, Susan Mills, Andrew Mills-Middlebrook, George Hawthorne, Ed Henderson, Kyle Walker, Justin Holliday, Martha Rossington, Reyn Rossington,

Jeff Benton. Jennyfer Sakiewicz

Original Mortgagee:

Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for Gateway Mortgage Group, LLC, its successors and assigns

Current Mortgagee:

Freedom Mortgage Corporation

Mortgage Servicer:

Freedom Mortgage Corporation

#### T.S. #: 2024-10447-TX

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 referenced property securing the above referenced loan.

<u>Terms of Sale</u> - 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 mortgagee 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 cash on the day the property is sold.

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. 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 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. 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.

Obligations Secured - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$70,892.00, executed by JONATHAN A BRIETZKE AN UNMARRIED MAN, and payable to the order of Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for Gateway Mortgage Group, LLC, its successors and assigns; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of Trustor(s) to the current holder of the Obligations to the mortgagee under the deed of trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Questions concerning the sale may be directed to the undersigned or to the Mortgagee:

Freedom Mortgage Corporation 11988 EXIT 5 PKWY BLDG 4 FISHERS IN 46037-7939 Phone: (855) 690-5900

<u>Default and Request to Act</u> Default has occurred under the deed of trust, and the mortgagee has requested me, as Trustee, to conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

T.S. #: 2024-10447-TX

Dated: 9/19/2074

Nestor Solutions, LLC, Auction.com, Alexis Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez, Troy Martin, Deborah Martin, Cassie Martin, Terri Martin, Shelby Martin, Jim Mills, Susan Mills, Andrew Mills-Middlebrook, George Hawthorne, Ed Henderson, Kyle Walker, Justin Holliday, Martha Rossington, Reyn Rossington, Jeff Benton, Jennyfer Sakiewicz

c/o Nestor Solutions, LLC

214 5th Street, Suite 205

Huntington Beach, California 92648

Phone: (888) 403-4115 Fax: (888) 345-5501

For sale information visit: https://www.xome.com or Contact (800) 758-8052.

SENDER OF THIS NOTICE: AFTER FILING, PLEASE RETURN TO:

Nestor Solutions, LLC 214 5th Street, Suite 205 Huntington Beach, California 92648

#### Exhibit A

# Metes and Bounds Description

of a 2.12 (called 2.123) acre tract of land being all of a called 7.336 acre tract conveyed from Ruby Doege Brietzke et al to Lorene Doege Schievelbein in Volume 927, Page 572, Official Public Records of Guadalupe County, Texas, situated in the Erastus Smith Survey No. 6, Abstract No. 32, Guadalupe County, Texas save and except a called 5.211 acre tract as granted to Milton Doege and Helen Doege in Volume 2617, Page 232, Official Public Records of Guadalupe County, Texas, being the same tract of land as conveyed from Lorene Schievelbein to Seguin Nursing Operations, LLC in Document No. 2014021301, Official Public Records of Guadalupe County, Texas, together and with an appurtenant 30' access easement as described in said Volume 927, Page 572, said tract being more particularly described as follows:

BEGINNING at a found 1/2" from rod located South 29°54'02" East, a distance of 1454.70 feet from a found 1/2" iron rod in the southerly R.O.W. line of F.M. 487 (a Public R.O.W.) marking the northwest corner of said 30' Access Easement. for the west corner of the herein described tract, an angle point of a called 5.211 acre tract, as conveyed to Milton W. Doege and Helen R. Doege in Vol. 2617, Pg. 232, Official Public Records of Guadalupe County, Texas, a point in the northeasterly boundary line of a called 54.202 acre tract as conveyed to Clarence W. Hartman and J.M. Hartman Vol. 1040, Pg. 300, Official Public Records of Guadalupe County, Texas;

THENCE along and with the common boundary of the herein described tract and said Doege Tract, North 60°08'29" East, a distance of 407.16 feet (called North 60°34'01" East, a distance of 407.23 feet) to a found 1/2" iron rod for the north corner of the herein described tract, an angle point of said Doege Tract;

THENCE continuing along and with said boundary, South 29°52'15" East, a distance of 213.33 feet (called South 29°25'59" East, a distance of 213.51 feet) to a found 1/2" iron rod for the east corner of the herein described tract, an angle point of said Doege Tract;

THENCE continuing along and with said boundary, South 56°18'37° West, a distance of 407.97 feet (called South 56°45'12" West, a distance of 408.06 feet) to a found 1/2" iron rod for the south corner of the herein described tract, the most southerly west corner of said Doege Tract, a point in the northeast boundary line of said Harlman Tract;

THENCE along and with the common boundary of the herein described tract and said Hartman Tract. North 29\*57'20" West, a distance of 32.17 feet (called North 29\*33'21" West, a distance of 32.04 feet) to an angle point

THENCE continuing along and with the common boundary of the herein described tract and said Hartman Tract. North 29\*53'08" West, a distance of 208.42 feet (called North 29\*25'59" West, a distance of 208.41 feet) to the POINT OF BEGINNING and containing 2.12 acres, more or less.

Access to this tract is a 30 feet easement, the southwest line being described as follows:

BEGINNING at a 1/2 inch diameter iron stake set marking the north- west terminus of this easement, same being the intersection of the southwest line of said 52 acres tract and the Southeast line of said FM Hwy. #467 and lying in the approximate location of the common line of the Erastus Smith Survey, A-32 and the Vicente Duran Survey, A-19. Said iron stake bears N 59 dags. 57' 24" E 19.13 feet from a concrete right-of-way marker found.

Thence with a fence along the southwest line of the 30 foot easement herein described, same being a segment of the southwest line of said 52 acres tract, as follows:

S 29 degs. 26' 19" E 731.74 feet; and

S 29 degs. 25' 59" E 538.62 feet to a 1/2 inch diameter iron stake set marking the southeast terminus of this easement.

TS No.: 2024-06146 24-000114-568

#### Notice of Substitute Trustee 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. Date, Time and Place of Sale.

Date:

11/05/2024

Time:

The sale will begin at 11:00 AM or not later than three hours after that time

Place:

Guadalupe County, Texas at the following location: NORTH PORCH OF THE GUADALUPE

COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS

Property Address:

806 East Mountain Street, Sequin, TX 78155

- 2. 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. Any conveyance of the property is subject to all matters of record affecting the property. If the sale is set aside or otherwise rescinded, the Purchaser at the sale shall be entitled to the return of the funds paid pursuant to section 51.016 of the Texas Property Code.
- 3. Instrument to be Foreclosed: The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 07/21/2022 and recorded 08/01/2022 in Document 202299023516, real property records of Guadalupe County, Texas, with Re-Visualize LLC, a Texas Limited Liability Company grantor(s) and American Heritage Lending, LLC, a Delaware Limited Liability Company (CFL License No. 603G668) as Lender, EF MORTGAGE, LLC as Beneficiary.
- 4. Appointment of Substitute Trustee: In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent 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.
- 5. Obligation Secured: Deed of Trust or Contract Lien executed by Re-Visualize LLC, a Texas Limited Liability Company, securing the payment of the indebtedness in the original principal amount of \$230,700.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. EF MORTGAGE, LLC is the current mortgagee of the note and deed of trust or contract lien.
- 6. Default: A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.
- 7. Property to be sold: The property to be sold is described as follows: SEE EXHIBIT A
- 8. Mortgage Servicer Information: The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement.

Servis One, Inc., dba BSI Financial Services 4200 Regent Blvd, Suite B200 Irving, TX 75063 Phone: 800-327-7861

TERESA KIEL

VECENTAL DR 3: 30

TS No.: 2024-06146 24-000114-568

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

Date: 9/10/2024
Printed Name: Manage Video Martin
Entra Default Solutions, LLC
1355 Willow Way, Suite 115
Concord, CA 94520
Telephone: (925) 272-4993

Authorized Agent of the Mortgagee or Mortgage Servicer

For additional sale information visit: www.mwzmlaw.com/tx-investors

Certificate of Posting

I am Alexis Martin 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 9/19/2024 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.

TS No.: 2024-06146 24-000114-568

#### **EXHIBIT A**

Being 0.298 acres of land, more or less, being out of Lot 1, Block 37, of the Acre Lots, New City Block 449, City of Seguin, Guadalupe County, Texas and being that same property conveyed to Esmeralda Rodriguez, Irma Flores, Dolores Martinez and Janie Reyes in a Warranty Gift Deed recorded in Document No. 2016022824, Official Public Records, Guadalupe County, Texas, and being described in a Deed recorded in Volume 441, Page 275, Deed Records, Guadalupe County, Texas, SAVE AND EXCEPT the North 90 feet conveyed to Janie Reyes in a Deed of Gift recorded in Volume 1345, Page 277, Official Public Records, Guadalupe County, Texas; said 0.298 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the southwest corner of this 0.298 acres, same being on the North Right-of-Way of E. Mountain St. and on the southeast corner of the Ruben Alfaro, et ux, 0.2365 acres (Volume 1264, Page 146), same also being the POINT OF BEGINNING;

THENCE along the line common to this 0.298 acres and said Alfaro 0.2365 acres, North 00 degrees 44 minutes 36 seconds West, a distance of 112.62 feet to a 1/2-inch iron rod capped "WALS" set for the northwest corner of this 0.298 acres, same being the common line of the Tommey Bouquet Tract (Volume 1012, Page 732) and the southwest corner of the Janie Reyes Tract (Volume 1345, Page 277);

THENCE along the line common to this 0.298 acres and said Reyes Tract, North 89 degrees 21 minutes 38 seconds East, a distance of 116.26 feet to a 1/2-inch iron rod capped "WALS" set for the northeast corner of this 0.298 acres, same being the southeast corner of said Reyes Tract and the common line of the Melquiades Rivera Tract (Document No. 2017022936);

THENCE along the line common to this 0.298 acres and said Rivera Tract, South 00 degrees 44 minutes 36 seconds East, a distance of 110.43 feet to a 1/2-inch iron rod capped "WALS" set for the southeast corner of this 0.298 acres, same being the southwest corner of said Rivera Tract and the North Right-of-Way line of said E. Mountain St.;

THENCE along the line common to this 0.298 acres and the North Right-of Way of said E. Mountain St., South 88 degrees 16 minutes 47 seconds West, a distance of 116.27 feet to the POINT OF BEGINNING, and containing 0.298 acres of land, more or less.

#### Notice of Substitute Trustee 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. Date, Time and Place of Sale.

Date:

11/05/2024

Time:

The sale will begin at 11:00 AM or not later than three hours after that time

Place:

Guadalupe County, Texas at the following location: NORTH PORCH OF THE GUADALUPE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT

TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS

Property Address:

757 Koepp Street, Seguin, TX 78155

- 2. 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. Any conveyance of the property is subject to all matters of record affecting the property. If the sale is set aside or otherwise rescinded, the Purchaser at the sale shall be entitled to the return of the funds paid pursuant to section 51.016 of the Texas Property Code.
- 3. Instrument to be Foreclosed: The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 05/05/2022 and recorded 05/11/2022 in Document 202299015172, real property records of Guadalupe County, Texas, with LION FINANCES, LLC grantor(s) and Easy Street Capital Investments, LLC as Lender, EF MORTGAGE, LLC as Beneficiary.
- 4. Appointment of Substitute Trustee: In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent 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.
- 5. Obligation Secured: Deed of Trust or Contract Lien executed by LION FINANCES, LLC, securing the payment of the indebtedness in the original principal amount of \$160,200.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. EF MORTGAGE, LLC is the current mortgagee of the note and deed of trust or contract lien.
- 6. Default: A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.
- 7. Property to be sold: The property to be sold is described as follows: SEE EXHIBIT A
- 8. Mortgage Servicer Information: The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement.

Servis One, Inc., dba BSI Financial Services 4200 Regent Blvd, Suite B200 Irving, TX 75063 Phone: 800-327-7861

2024 SEP 19 PM 2: 30 of 4 page 1 of 4

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY

#### **EXHIBIT A**

BEING 0.257 ACRES OF LAND, MORE OR LESS, OUT OF THE RIVER OR TIMBER BLOCK 53, OF THE CITY OF SEGUIN, GUADALUPE COUNTY, TEXAS, AND ALSO BEING THE NORTHERN PORTION OF A TRACT DESCRIBED IN VOLUME 844, PAGE 508, OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN;

SAVE AND EXCEPT A 0.133 AN ACRE TRACT OF LAND, MORE OR LESS, SITUATED IN THE HUMPHRIES BRANCH SURVEY NO. 17, ABSTRACT 6, CITY OF SEGUIN, GUADALUPE COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND CALLED 0.257 OF AN ACRE CONVEYED TO DELIA LEDESMA BY DEED RECORDED IN VOLUME 2707, PAGE 212, OFFICIAL RECORDS, GUADALUPE COUNTY, TEXAS; SAID 0.133 OF AN ACRE BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN; EXHIBIT "A"

BEING 0.257 ACRE OF LAND, MORE OR LESS, OUT OF THE RIVER OR TIMBER BLOCK 53 OF THE CITY OF SEGUIN, GUADALUPE COUNTY, TEXAS AND ALSO BEING THE NORTHERN PORTION OF A TRACT DESCRIBED IN VOLUME 844, PAGE 508, OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS AND BEING MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT AN IRON PIN SET IN THE EXISTING EAST R.O.W. LINE OF KOEPP STREET FOR THE SOUTHWEST CORNER OF THIS TRACT, SAID POINT ALSO BEING THE NORTHWEST CORNER OF A 0.358 ACRE TRACT DESCRIBED IN VOLUME 635, PAGE 512, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS AND BEING CALLED N 03 DEGREES 15 MINUTES 00 SECONDS E, 276 FEET FROM THE INTERSECTION WITH THE NORTH R.O.W. LINE OF STATE HIGHWAY 123 (AUSTIN STREET);

THENCE, N 03 DEGREES 15 MINUTES 00 SECONDS E, 72.30 FEET ALONG SAID EAST R.O.W. LINE TO AN IRON EYE BOLT FOUND IN SAME FOR THE NORTHWEST CORNER OF THIS TRACT:

THENCE, S 84 DEGREES 35 MINUTES 50 SECONDS E, 157.60 FEET CROSSING A 2.42 ACRE TRACT DESCRIBED IN VOLUME 120, PAGE 88, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS AND ALONG THE NORTH LINE OF THE ABOVE REFERENCE TRACT DESCRIBED IN VOLUME 844, PAGE 508 OF THE OFFICIAL RECORDS OF GUADALUPE COUNTY, TEXAS, TO AN IRON PIN SET ON THE EAST BANK OF THE WALNUT BRANCH FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, S 00 DEGREES 12 MINUTES 32 SECONDS E, 68.43 FEET ALONG SAID EAST BANK TO AN IRON PIN SET IN SAME FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, N 86 DEGREES 04 MINUTES 13 SECONDS W, 161.63 FEET ALONG THE COMMON LINE WITH SAID 0.358 ACRE TRACT TO THE POINT OF BEGINNING AND CONTAINING 0.257 ACRE OF LAND, MORE OR LESS.

EXHIBIT "B"

FIELD NOTES DESCRIBING A 0.133 AN ACRE TRACT OF LAND, MORE OR LESS, SITUATED IN THE HUMPHRIES BRANCH SURVEY NO. 17, ABSTRACT 6, CITY OF SEGUIN, GUADALUPE COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND CALLED 0.257 OF AN ACRE CONVEYED TO DELIA LEDESMA BY DEED RECORDED IN VOLUME 2707, PAGE 212, OFFICIAL RECORDS, GUADALUPE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: NOTE: ALL SET PINS ARE ½ INCH DIAMETER REBAR WITH AN ORANGE PLASTIC

CAP STAMPED "TRI-COUNTY".

BEGINNING AT AN IRON PIN SET IN THE NORTH LINE OF A TRACT OF LAND CALLED 0.359 OF AN ACRE, DESCRIBED IN VOLUME 2363, PAGE 717, OFFICIAL RECORDS, GUADALUPE COUNTY, TEXAS, THE SOUTH LINE OF THE 0.257 OF AN ACRE TRACT, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT. SAID PIN BEARS S 86 DEGREES 50 MINUTES 28 SECONDS E, 76.58 FEET FROM A ½ INCH DIAMETER PIN FOUND FOR THE NORTHWEST CORNER OF THE 0.359 ACRE TRACT AND SOUTHWEST CORNER OF THE 0.257 OF AN ACRE TRACT.

THENCE, N 05 DEGREES 13 MINUTES 17 SECONDS E, 18.74 FEET AND N 05 DEGREES 45 MINUTES 35 SECONDS E, 51.33 CROSSING THE 0.257 OF AN ACRE TRACT, TO AN IRON PIN SET IN A SOUTH LINE OF A TRACT OF LAND CONVEYED TO WALTER A. KOEPP BY DEED RECORDED IN VOLUME 120, PAGE 88, DEED RECORDS, GUADALUPE COUNTY, TEXAS AND THE NORTH LINE OF THE 0.257 OF AN ACRE TRACT, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT. SAID PIN BEARS S 85 DEGREES 32 MINUTES 20 SECONDS E. 80.97 FEET FROM A BOLT FOUND FOR THE NORTHWEST CORNER OF THE 0.257 OF AN ACRE TRACT.

THENCE, S 85 DEGREES 32 MINUTES 20 SECONDS E, 79.51 FEET WITH A SOUTH LINE OF THE KOEPP TRACT AND THE NORTH LINE OF THE 0.257 OF AN ACRE TRACT, TO A POINT FOR THE WEST LINE OF A TRACT OF LAND CALLED 0.49 OF AN ACRE, DESCRIBED IN VOLUME 2460, PAGE 258, OFFICIAL RECORDS, GUADALUPE COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT.

THENCE, S 01 DEGREES 01 MINUTES 05 SECONDS E, 68.38 FEET WITH THE WEST LINE OF THE 0.49 ACRE TRACT, THE WEST LINE OF A TRACT OF LAND CALLED 0.82 OF AN ACRE, DESCRIBED IN VOLUME 578, PAGE 641, DEED RECORDS, GUADALUPE COUNTY, TEXAS, FOR THE SOUTHEAST CORNER OF THE 0.257 OF AN ACRE TRACT AND THE HEREIN DESCRIBED TRACT.

THENCE, N 86 DEGREES 50 MINUTES 28 SECONDS W, 87.47 FEET WITH THE NORTH LINE OF 0.359 OF AN ACRE TRACT AND THE SOUTH LINE OF THE 0.257 OF AN ACRE TRACT TO THE PLACE OF BEGINNING AND CONTAINING 0.133 ACRES OF LAND ACCORDING TO A SURVEY MADE ON THE GROUND ON FEBRUARY 27, 2012, BY TRI-COUNTY SURVEYING INC.

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

THE STATE OF TEXAS

COUNTY OF GUADALUPE \*

Date: September 24, 2024

Deed of Trust:

Date: March 8, 2023

Grantor: Brenda Gentry and Simba Gentry, 204 Blaze Moon, Cibolo, Texas 78108 Beneficiary: Fortress Ranch Investments Ltd., PO Box 1249, San Marcos, TX 78667

Recorded under Clerks Document Number 202399006956, Official Public Records, Guadalupe

County, Texas.

Property: Being a 10.01 acre tract or parcel of land known as Tract O and being part of the B. & G. Fulcher Survey, A-21 in Guadalupe County, Texas and being more particularly described in Exhibit "A" attached to the Deed of Trust filed in Clerk's Document #202399006956 of the Guadalupe County Deed Records.

Date of Sale: November 5, 2024

Time of Sale: The earliest time at which the sale will occur is 10:00 a.m. and no later than 1:00 p.m. Place of sale of Property: Guadalupe County Courthouse, 211 W. Court Street, Seguin, Texas 78155 Designated Area: The north porch of the Guadalupe County Courthouse, bearing the address of 211 W. Court Street, Seguin, Texas 78155, or in the area designated by the Commissioner's Court, pursuant to Section 51.002 of the Texas Property Code.

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 – Timothy Murphy, Gordon Murphy, Dean Murphy, or Lindsey Meyer

For more information:

P.O. Box 1249 San Marcos, Texas 78667 512-396-5115 2024 SEP 26 PM 12: 43

RECEIVED

# **NOTICE OF TRUSTEE'S SALE**

THE STATE OF TEXAS

COUNTY OF GUADALUPE \*

Date: September 24, 2024

**Deed of Trust:** 

Date: January 31, 2022

Grantor: Ubaldo Aviles and Paula Suarez Benitez, 244 Highland Ranch Way Dale,

Texas 78616

Beneficiary: South Austin Investments, LLC, PO Box 1249, San Marcos, Texas 78667 Recorded under Clerks Document Number 202299005004, Official Public Records,

Guadalupe County, Texas.

Property: Being an 11.00 acre parcel of land out of and being a part of the Samuel Highsmith Survey, A-25 in Guadalupe County, Texas and being more particularly described in Exhibit "A" attached to the Deed of Trust filed in Clerk's Document #202299005004 of the Guadalupe County Official Public Records.

Date of Sale: November 5, 2024

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: Guadalupe County Courthouse, 211 W. Court Street, Seguin, Texas 78155 Designated Area: The north porch of the Guadalupe County Courthouse, bearing the address of 211 W. Court Street, Seguin, Texas 78155, or in the area designated by the Commissioner's Court, pursuant to Section 51.002 of the Texas Property Code.

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 matters of record which are prior to the Deed of Trust, which affect title thereto, and which are a superior interest therein.

Substitute Trustee – Dean Murphy or Gordon Murphy or Lindsey Meyer or Tyler Williams

For more information:

P.O. Box 1249 San Marcos, Texas 78667 512-396-5115 TERESA KIEL COUNTY CLERK GUADALUPE COUNTY

2024 SEP 26 PM 12: 46

# מין יכם אר האי אי היי

# 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 September 13, 2007 and recorded under Vol. 2533, Page 0011, or Clerk's File No. 2007019699, in the real property records of GUADALUPE County Texas, with Jose Martin Posadas and Elizabeth Posadas, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Countrywide Bank, F.S.B., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Jose Martin Posadas and Elizabeth Posadas, husband and wife securing payment of the indebtedness in the original principal amount of \$45,000.00 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 Jose Martin Posadas. U.S. Bank Trust Company, National Association, as Indenture Trustee on behalf of and with respect to Barclays MortgageTrust 2022-RPL1, Mortgage-Backed Securities, Series 2022-RPL1 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. Shellpoint Mortgage Servicing is acting as the Mortgage Servicer for the Mortgagee. Shellpoint Mortgage Servicing, is representing the Mortgagee, whose address is: 75 Beattie Place, Suite 300, Greenville, SC 29601.

Legal Description:

LOT 14, BLOCK 1, ROSELAND HEIGHTS ADD. NO. 2, CITY OF SEGUIN, GUADALUPE COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE(S) 40, OF THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.

#### SALE INFORMATION

Date of Sale: 11/05/2024

Earliest Time Sale Will Begin: 11:00 AM

Location of Sale: The place of the sale shall be: GUADALUPE County Courthouse, Texas of the following location: The north porch of the Guadalupe County Courthouse, or if the preceding area is no longer their 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 of the property. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "AS IS,"



44-24-02469 GUADALUPE

4825465

"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 Mortgager, the Mortgager or the Mortgager'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, Terri Martin, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ASAP, 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 September 23, 2024.

/s/ Sarah A. Trad SBOT No. 24140355, Attorney at Law Codilis & Moody, P.C. 20405 State Highway 249, Suite 170 Houston, TX 77070 (281) 925-5200

Posted and filed by: Alexis Martin

Printed Name: Alexis Martin

C&M No. 44-24-02469

#### NOTICE OF SUBSTITUTE TRUSTEE SALE

| Deed of Trust Date:   | Grantor(s)/Mortgagor(s):                       |  |  |  |  |  |
|---|--|--|--|--|--|--|
| 7/24/2021   | MELISSA CORN AND DANE HARDEN, WIFE AND HUSBAND |  |  |  |  |  |
| Original Beneficiary/Mortgagee:   | Current Beneficiary/Mortgagee:                 |  |  |  |  |  |
| SECURITY SERVICE FEDERAL CREDIT UNION   | Security Service Federal Credit Union          |  |  |  |  |  |
| Recorded in:  | Property County:                               |  |  |  |  |  |
| Volume: N/A   | GUADALUPE                                      |  |  |  |  |  |
| Page: N/A   |  |  |  |  |  |  |
| Instrument No: 202199026308   |  |  |  |  |  |  |
| Mortgage Servicer:  | Mortgage Servicer's Address:                   |  |  |  |  |  |
| Cenlar FSB is representing the Current Beneficiary/Mortgagee under a                                    | 425 Phillips Blvd,                             |  |  |  |  |  |
| servicing agreement with the Current Beneficiary/Mortgagee.   | Ewing, NJ 08618                                |  |  |  |  |  |
| Date of Sale: 11/5/2024 Earliest Time Sale Will Begin: 11am   |  |  |  |  |  |  |
| Place of Sale of Property: NORTH PORCH OF THE GUADALUPE 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.   |  |  |  |  |  |  |

Legal Description: LOT 35, BLOCK 2, CIBOLO NORTH SUBDIVISION, UNIT FOUR, CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 271, OF THE 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 Mortgage or Mortgage Servicer does hereby remove the original Trustee and all successor substitute trustees and appoints in their stead, Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Bob Frisch, 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: 9/25/2024

Thuy Frazier, Attorney

McCarthy & Holthus, LLP

Dated:

Printed Name:

Weyes

Substitute Trustee

1255 West 15th Street, Suite 1060

Plano, TX 75075

1255 West 15th Street, Suite 1060 Plano, TX 75075 Attorneys for Cenlar FSB

MH File Number: TX-24-104127-POS Loan Type: Conventional Residential

#### NOTICE OF FORECLOSURE SALE

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS: 9

**COUNTY OF GUADALUPE** 

Notice is hereby given of a public judicial foreclosure sale.

§

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

SEE ATTACHED EXHIBIT "A" (the "Property").

Date, Time and Place of Sale. The sale is scheduled to be held at the following: 2. date, time, and place:

Date:

November 5, 2024

Time:

The sale shall begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale shall be completed no later than

4:00 p.m.

Place:

As directed by the Guadalupe County Commissioners Court.

The Deed of Trust or other Security Document permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Security Document 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 re-filed in accordance with the posting and filing requirements of the Texas Property Code. Such reporting or re-filing may be after the date originally scheduled for this sale.

3. <u>Terms of Sale</u>. The sale will be conducted in a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust or other Security Document 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 or Security Document at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust or Security Document, 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 or Security Document. Prospective bidders are strongly urged to examine the applicable property records to

determine the nature and extent of such matters, if any.

4. Type of Sale. The sale is a judicial deed of trust lien foreclosure sale being

conducted pursuant to the power of sale granted by the Deed of Trust or other Security

Document, dated September 30, 2017, and executed by Jerry Wade Jaeger and Vicki Lynn

Deptawa (the "Deed of Trust" or "Security Document").

5. Obligations Secured. The Deed of Trust or other Security Document provides that

it secures the payment of the indebtedness and obligations therein described (collectively the

"Obligations"), including but not limited to Real Estate Lien Note or other Commercial Security

Agreement dated September 30, 2017, and executed by Jerry Wade Jaeger and Vicki Lynn

Deptawa (collectively as "Maker"), and Randolph Brooks Federal Credit Union, as Payee, in the

original principal amount of \$55,000.00 (the "Note").

Randolph Brooks Federal Credit Union is the current owner and holder of the obligation

and is the beneficiary under the Deed of Trust or other Security Document.

6. Default And Request To Act. Default has occurred under the Deed of Trust or

other Security Document and the Beneficiaries have requested me, as an appointed Substitute

Trustee, to conduct this sale. Notice is given that before the sale, the Beneficiary may appoint

another person or substitute trustee to conduct the sale.

DATED: October 4, 2024.

2101 NW Military Hwy.

San Antonio, Texas 78213

SUBSTITUTE TRUSTEE

# **EXHIBIT "A"**

| ADDRESS: 1439 Krause Ln, New Braunfels, TX, 78130 |  |
|---|--|
|   |  |
| LEGAL DESCRIPTION:                                |  |

BEING 0.500 acres, more or less, out of the A.M. Esnaurizar Eleven League Grant, Abstract 20, Subdivisions 45 and 76, Guadalupe County, Texas and together with a 30' wide access easement out of the A.M. Esnaurizar Eleven League Grant, Abstract 20, Subdivisious 45 and 76, Guadalupe County, Texas, and being more particularly described in Exhibit "A", attached hereto and made a part hereof.

### NOTICE OF SUBSTITUTE TRUSTEE SALE

#### **Deed of Trust**

Date:

MAY 23, 2023 (Recorded May 25, 2023)

Grantor(s):

SONIA P. GONZALES 210 ARCADIA PLACE CIBOLO, TEXAS 78108 Guadalupe County, Texas

Recording Location

of Deed of Trust:

Document 202399013128

as recorded in the Real Property Records of

Guadalupe County, Texas (Recorded May 25, 2023)

Substitute

DANIEL F. BURKE

Trustee

CREDITOR/

BENEFICIARY:

ATX PROPERTY SOLUTIONS, LLC

13423 Blanco Road #150 San Antonio, Texas 78216

#### **Property Description:**

LOT 19 BLOCK 2, HEIGHTS OF CIBOLO SUBDIVISUION, UNIT 1, IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 7, PAGE 176-178, PLAT RECODS OF GUADALUPE COUNTY, TEXAS

Date of Sale:

Tuesday, November 5, 2024

Earliest Time Sale Will Begin:

2:30 p.m. local time

Place of Sale of Property:

The area designated by the Commissioners court of Guadalupe County, Pursuant to §51.002 of the Texas Property Code as amended. If no area is designated by the Commissioners Court, the sale will be conducted in the area immediately adjacent (next) to the location where this

Notice of Substitute Trustee's Sale is Posted.

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 Substitute Trustee is authorized to sell this property by virtue of the Deed of Trust above described and duly recorded at the location above indicated in the Guadalupe County Real Property Records.

7071-8 PM 2: 4:

Dated: October 8, 2024

STANDARE STANDARD STA

SUBSTITUTE TRUSTEE

SWORN TO AND SUBSCRIBED BEFORE ME by DANIEL F. BURKE a notary public in and of the State of Texas on 10-8-10 27, 2024.

Notary Public

#### 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: LOT 29, BLOCK 16, NORTHCLIFFE EAST COMMUNITY SECTION TWO, A SUBDIVISION IN GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 75, OF THE MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.
- 2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 12/28/2018 and recorded in Document 201999000366 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:

11/05/2024

Time:

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

- 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 CARRIE TREVINO, provides that it secures the payment of the indebtedness in the original principal amount of \$145,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. FIFTH THIRD BANK NA is the current mortgagee of the note and deed of trust and FIFTH THIRD BANK, NATIONAL ASSOCIATION is mortgage servicer. A servicing agreement between the mortgage, whose address is FIFTH THIRD BANK NA c/o FIFTH THIRD BANK, NATIONAL ASSOCIATION, 5001 Kingsley Drive, MD MOBBW, Cincinnati, Oli 45227 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. Substitute Trusteefs) 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 ATTOKNEY 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.auction.com or (800) 280-2832

Certificate of Posting

GUADALUPE COUNTY

HCR 2, BOX 7040 MINSON DRIVE SANDIA, TX 78383

00000010183507

#### NOTICE OF (SUBSTITUTE) 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.

1. Date, Time, and Place of Sale.

Date:

November 05, 2024

Time:

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

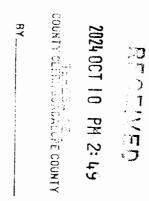
Place:

THE FRONT PORCH OF THE LIVE OAK COUNTY COURTHOUSE OR AS DESIGNATED BY THE

COUNTY COMMISSIONERS or as designated by the county commissioners.

- 2. Terms of Sale. Cash.
- 3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated August 27, 1998 and recorded in Document VOLUME 357, PAGE 394 real property records of LIVE OAK County, Texas, with PAT MAGILL AND MELISSA MAGILL, HUSBAND AND WIFE, grantor(s) and FIRST GUARANTY FINANCIAL CORP, mortgagee.
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by PAT MAGILL AND MELISSA MAGILL, HUSBAND AND WIFE, securing the payment of the indebtednesses in the original principal amount of \$41,155.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. MIDFIRST BANK is the current mortgagee of the note and Deed of Trust or Contract Lien.
- 5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.
- 6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK 999 N.W. GRAND BLVD STE 110 OKLAHOMA CITY, OK 73118-6077



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.

The undersigned as attorney for the mortgagee or mortgage servicer does herby remove the original trustee and all successor substitute trustees and appoints in their steed SANDRA MENDOZA, ARNOLD MENDOZA, SUSAN SANDOVAL, LESLYE EVANS, ALEXIS MENDOZA, RAMON PEREZ, JOHN SISK, OR AMY ORTIZ, ALEENA LITTON, DANIEL MCQUADE, AUCTION.COM, ADOLFO RODRIGUEZ, JO WOOLSEY, BOB FRISCH, JANICE STONER, JODI STEEN, OR MARY GOLDSTON whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the 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.

Il So

Israel Saucedo

#### **Certificate of Posting**

| My name is,   | and   | my    | address  | is    | c/o    | 4004     | Belt   | Line | Road, | Suite  | : 100, |
|---|-------|-------|----------|-------|--------|----------|--------|------|-------|--------|--------|
| Addison, Texas 75001-4320. I declare under penalty of perjury       | / tha | t on  |          |       |        |          |        | I    | filed | at the | office |
| of the LIVE OAK County Clerk and caused to be posted at the LIVE OA | K Co  | ounty | courthou | se th | nis no | otice of | `sale. |      |       |        |        |
|   |       |       |          |       |        |          |        |      |       |        |        |
|   |       |       |          |       |        |          |        |      |       |        |        |
| D. J W  |       |       |          |       |        |          |        |      |       |        |        |
| Declarants Name:  |       |       |          |       |        |          |        |      |       |        |        |
| Date  |       |       |          |       |        |          |        |      |       |        |        |

00000010183507 LIVE OAK

# EXHIBIT."A"

FIELD NOTES AF A 0.66 AC TRACT OF LAND, BEING THE SAME CALLED 0.86 ACRE CONVEYED FROM THELMA BYLER, GUARDIAN OF THE ESTATE OF EMMETT R. MCWHORTER, TO J.H. MARTIN, EL UX, BY DEED DATED MARCH 4, 1987, RECORDED IN VOLUME 409, PAGE 147 AT THE DEED RECORDS OF LIVE OAK COUNTY. TX,

SAME BELNG ALSO PART OF A CALLED 207.12 ACRE TRACT CONVEYED FROM THELMA BYLER, DEED DATED OCTOBER 16, 1989, RECORDED IN VOLUME 442, PAGE 133 OF SAID DEED RECORDS;

SAID 0.65 ACRE TRACT, WHICH IS COMPRISED AT A PORTION OF THE W. J. CANNON SURVEY, ABSTRACT 14I, IS SITUATED IN LIVE OAK COUNTY, TEXAS, APPROXIMATELY 9 MILES NORTH-NORTHEAST OF THE TOWN OF SANDIA AND IS DESCRIBED BY METES AND BOUNDS FOLLOWS:

COMMENCING AT A. 5/8" IRON ROD FOUND AT A FENCE CORNER AT AN INTERIOR CORNER OF SAID CALLED 207.12 ACRE TRACT AND THE WEST CORNER OF CALLED 150 ACRE TRACT (VOL. 122, PAGE 71, D.R...) WHENCE A 1 1/4" IRON PIPE FOUND ON THE BANK OF LAKE CORPUS CHRISTI BEARS N 45 DEG 55' 09" E, DISTANCE OF 1191.08 FT.

THENCE N 48 DEG 51' 37" W, S DISTANCE OF 1438.15 FT TO A 5/8' IRON ROD FOUND FOR THE BEGINNING POINT AND THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 02 DEG 16' 16" W ALONG THE WEST LINE OF THIS TRACT, A DISTANCE OF 183.29 FT TO A NAIL FOUND IN CONCRETE AT THE SOUTHWEST CORNER OF A CALLED 0.40 ACRE (TRACT NO, 18) CONVEYED FROM THELMA BYLER, ET VIR, TO CLIFTON ELUSBY, ET UX, BY DEED DATED SEPTEMBER 23, 1994, RECORDED IN VOLUME 500, PAGE 386 OF SAID DEED RECORDS, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE 55 DEG 44' 24" E WITH A FENCE ALONG THE SOUTH LINE OF SAID CALLED 0.40 ACRE TRACT AND THE NORTH LINE OF THIS TRACT, A DISTANCE OF 140.26 FT TO A 1/2" IRON ROD FOUND AT A FENCE CORNER AT THE SOUTHEAST CORNER OF THIS TRACT

THENCE S 16 DEG 26' 16" E ALONG THE EAST LINE AF THIS TRACT, A DISTANCE OF 190.16 FT TO A PVC PIPE FOUND IN CONCRETE FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE ALONG THE SOUTH LINE OF THIS TRACT AS FOLLOWS:

1)S 60 DEG 50' 22" W, A DISTANCE OF 106.71 FT TO A 1/2" IRON ROD FOUND IN CONCRETE FOR AN ANGLE CORNER OF THIS TRACT:

2) S 60 DEG' 44'39" W, A DISTANCE OF 75.30 FT TO THE BEGINNING POINT OF THIS TRACT, CONTAINING 0.115 ACRE, MORE OR LESS.

BEARINGS CITED HEREON ARE BASED ON THE CALLED BEARINGS OF SAID CALLED 207,12 ACRE TRACT.

3433 FOXBRIAR LN CIBOLO, TX 78108 00000009593682

#### NOTICE OF [SUBSTITUTE] 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.

1. Date, Time, and Place of Sale.

Date: November 05, 2024

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: THE NORTH PORCH OF THE GUADALUPE COUNTY COURTHOUSE OR AS DESIGNATED BY THE

COUNTY COMMISSIONERS or as designated by the county commissioners.

- 2. Terms of Sale. Cash.
- 3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated July 14, 2010 and recorded in Document BOOK 2895 PAGE 0448 real property records of GUADALUPE County, Texas, with JOE E. DUMAS AND LINDA SUE DUMAS, HUSBAND AND WIFE, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (''MERS'') AS NOMINEE, mortgagee.
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by JOE E. DUMAS AND LINDA SUE DUMAS, HUSBAND AND WIFE, securing the payment of the indebtednesses in the original principal amount of \$137,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING is the current mortgagee of the note and Deed of Trust or Contract Lien.
- 5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.
- 6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. NEWREZ LLC d/b/a SHELLPOINT MORTGAGE SERVICING, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o NEWREZ LLC d/b/a SHELLPOINT MORTGAGE SERVICING 601 OFFICE CENTER DRIVE SUITE 100 FORT WASHINGTON, PA 19034

. 3433 FOXBRIAR LN CIBOLO, TX 78108

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.

The undersigned as attorney for the mortgagee or mortgage servicer does herby remove the original trustee and all successor substitute trustees and appoints in their steed 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, JANICE STONER, JODI STEEN, OR JO WOOLSEY whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the 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.

Il So

Israel Saucedo

#### Certificate of Posting

| My name is  | , and            | my | address | is | c/o | 4004 | Belt | Line    | Road,   | Suite | 100 |
|---|------------------|----|---------|----|-----|------|------|---------|---------|-------|-----|
| Addison, Texas 75001-4320. I declare under penalty of p<br>of the GUADALUPE County Clerk and caused to be posted at the | erjury that      | on |         |    |     |      |      | _ I     | filed a |       |     |
| of the Golden B county clock and caused to be posted at the   | <i>20.121120</i> |    |         |    |     |      |      | - 53.0. |         |       |     |
|   | -                |    |         |    |     |      |      |         |         |       |     |
| Declarants Name:  | _                |    |         |    |     |      |      |         |         |       |     |
| Deter   |                  |    |         |    |     |      |      |         |         |       |     |

3433 FOXBRIAR LN CIBOLO, TX 78108

00000009593682

**GUADALUPE** 



LOT 13, BLOCK 1, NORTHCLIFFE COUNTY CLUB ESTATES, SECTION 1, CITY OF SHERTZ, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 63, OF THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS.

#### NOTICE OF SUBSTITUTE TRUSTEE SALE

| Deed of Trust Date:<br>4/28/2023   | Grantor(s)/Mortgagor(s): DAYTON ROLLINGS AND GLADYS NELL BALDWIN, HUSBAND AND WIFE |  |  |  |  |
|--|--|--|--|--|--|
| Original Beneficiary/Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR OCMBC, INC., ITS SUCCESSORS AND ASSIGNS  | Current Beneficiary/Mortgagee: Athene Annuity and Life Company                     |  |  |  |  |
| Recorded in: Volume: N/A Page: N/A Instrument No: 202399010683   | Property County: GUADALUPE   |  |  |  |  |
| Mortgage Servicer: Planet Home Lending, LLC is representing the Current Beneficiary/Mortgagee under a servicing agreement with the Current Beneficiary/Mortgagee.  | Mortgage Servicer's Address: 321 Research Parkway, Suite 303, Meriden, CT 06450    |  |  |  |  |
| Date of Sale: 11/5/2024 Earliest Time Sale Will Begin: 11am  Place of Sale of Property: NORTH PORCH OF THE GUADALUPE 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. |  |  |  |  |  |

Legal Description: LOT 28, BLOCK 12, OF STEELE CREEK SUBDIVISION, UNIT 3A, A SUBDIVISION IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 9, PAGES 405-407, MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS AND IN DOCUMENT NO. 202199003532, OFFICIAL PUBLIC 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, Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Bob Frisch, 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: 10/11/2024

Thuy Frazier, Attorney McCarthy & Holthus, LLP 1255 West 15th Street, Suite 1060 Plano, TX 75075

Attorneys for Planet Home Lending, LLC

Printed Name

Dated

Substitute Truste c/o Teias Trustee

1255 West 15th Street, Suite 1060

Plano, TX 75075

MH File Number: TX-24-102802-POS Loan Type: Conventional Residential

 $\infty$ 

#### 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:

March 23, 2012

Grantor(s):

Edna O. Crayton, a single person

Original

Reverse Mortgage USA, Inc.

Mortgagee:

Original Principal:

\$90,000.00

Recording

Book 3108, Page 0406

Information:

**Property County:** 

Guadalupe

Property:

Lot Ninety-four (94), WILSON SCHUSSLER SUBDIVISION of Lots 1 and 2 of

Farm Block 17, City of Seguin, Guadalupe County, Texas, according to a map of said subdivision recorded in Volume 2, Pages 44-45 of the Map Records of

**Guadalupe County, Texas.** 

**Property Address:** 

2018 Sherman Street

**Seguin, TX 78155** 

# MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: LLACG COMMUNITY INVESTMENT FUND

Mortgage Servicer: Anders Capital Group

Mortgage Servicer 1540 Kurt Street Address: **Eustis, FL 32726** 

#### SALE INFORMATION:

Date of Sale:

November 5, 2024

Time of Sale: 11:00 AM or within three hours thereafter.

Place of Sale: NORTH PORCH OF THE GUADALUPE COURTHOUSE OR AS DESIGNATED

BY THE COUNTY COMMISSIONER'S OFFICE

Substitute Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Bob Trustee:

Frisch, Wayne Daughtrey or Vicki Rodriguez, Padgett Law Group, Michael J. Burns.

Jonathan Smith, Gabrielle A. Davis, or Paige Jones, any to act

Substitute 546 Silicon Dr., Suite 103 Trustee Address: Southlake, TX 76092

TXAttorney@PadgettLawGroup.com

PLG File Number: 24-005424-1

1

#### APPOINTMENT OF 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.

The undersigned is the attorney for the mortgagee and/or mortgage servicer, and in such capacity does hereby remove the original trustee and all successor substitute trustees under the above-described Deed of Trust and appoints in their place, any to act, those substitute trustees identified in the SALE INFORMATION section of this notice, whose address is c/o Padgett Law Group, 546 Silicon Dr., Suite 103, Southlake, TX 76092 as Substitute Trustee, who shall hereafter exercise all powers and duties to set aside the said original trustee under said Deed of Trust, and further does hereby request, authorize, and instruct said Substitute Trustees to conduct and direct the execution of remedies set aside to the beneficiary therein.

WHEREAS, the above-named Grantor(s) 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 are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee under said Deed of Trust has been hereby removed and the herein described Substitute Trustees, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; 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 is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
- 2. The herein appointed Substitute Trustees, 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 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 imposed by the Deed of Trust.
- 4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the 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 sold "AS-IS", purchaser's 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 interest 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.
- 5. 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, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.

Michael J. Burns / Jonathan Smith/ Gabrielle A. Davis/ Paige Jones

PLG File Number: 24-005424-1

#### NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DATE:

October 15, 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 claining

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



Capstone/FC/409Franks

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, November 5, 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.

BENJAMEN K. WILLIAMS, Substitute True 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

Capstone/FC/409Franks Page 2 of 2

#### Notice of Trustee's Sale

Date: October 2, 2024

Trustee or

Substitute Trustee: Richard E. Sames

Mortgagee: Texas Community Bank

Note: Real Estate Lien Note dated May 29, 2018, in the principal amount of

\$142,000.00.

Deed of Trust:

Date: May 29, 2018 Grantor: James M. Parker

Mortgagee: Texas Community Bank

Recording information: Deed of Trust recorded under Document No.

201899011680, Guadalupe County Official Public

Records.

Property: Lot 1, J.H. Magens Subdivision, Issac Baker Survey, Abstract No. 3, an

Addition to the City of Seguin, Guadalupe County, Texas, according to the map or plat thereof recorded in Volume 6, Page 149, of the Map and Plat Records of Guadalupe County, Texas. SAVE AND EXCEPT Portion of 0.656 acre recorded in Volume 4075, Page 433, official Public Records,

Guadalupe County, Texas

County: Guadalupe County

Date of Sale (first Tuesday of month): November 5, 2024

Time of Sale: 10:00 o'clock a.m.

Place of Sale: The area designated by the Commissioners Court of Guadalupe County,

pursuant to §51.002 of the Texas Property Code as amended: ifno area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this

Notice of Trustee's Sale was posted.

Mortgagee has instructed the Trustee or Substitute Trustee to offer the Property for sale toward the satisfaction of the Note. If applicable, Mortgagee has appointed the undersigned

Notice of Trustee's Sale Page 1 of 4

as Substitute Trustee under the Deed of Trust. The Trustee and, if applicable, the Substitute Trustee are referred to herein as "Trustee"

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS." The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than three hours thereafter. The sale will be conducted subject to the following conditions:

- 1. 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.
- 2. 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.
- 3. Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted, or to pay the bid price within such reasonable time as may be agreed upon by the Trustee.
- 4. 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.
- 5. 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.
- 6. 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.
- 7. 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.
- 8. Type of Sale. The sale is a nonjudicial deed-of-trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust and security agreement.
- 9. 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.
- 10. The Deed of Trust provides that it secures the payment of the Note and obligations therein described (collectively, the "Obligations") including but not limited to (a) the Note described above; (b) all renewals and extensions of the Note, and (c) any and all present and future indebtedness of Mortgagor to Mortgagee. Mortgagee is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.
- 11. Questions concerning the sale may be directed to the undersigned at the address set forth below.
- 12. Default has occurred under the Deed of Trust, and the beneficiary has requested the undersigned, 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.
- 13. 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.
- 14. 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.

Dated October 2, 2024

Richard E. Sames

Name and Address of Trustee:

Richard E. Sames 6721 McPherson, Suite 360 Laredo, Texas 78041

Phone: (956) 727-2995

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

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

The real property and improvements located in Guadalupe County, Texas, commonly known as 217 S. River Street, Seguin, Texas 78155, being more particularly described on <u>Schedule 1</u> attached hereto and incorporated herein for all purposes.

- Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated April 20, 2018, recorded under Document No. 201899008621, Official Public Records of Guadalupe County, Texas (the "Deed of Trust").
- 3. <u>Date, Time, and Place of Sale</u>. The sale is scheduled to be held at the following date, time, and place:

Date: November 5, 2024

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 1:00 p.m.

Place: North porch of the Guadalupe County Courthouse, 101 E. Court Street, Seguin, Texas 78155, or, if the proceeding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

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 refilling may be after the date originally scheduled for this sale.

4. <u>Terms of Sale</u>. 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 or any appointed 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 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.

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

5. <u>Type of Sale</u>. The sale is a nonjudicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by GVM Capital Investment Group, LLC.

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 indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to the Note in the original principal amount of \$1,840,000.00, executed by GVM Capital Investment Group, LLC, and payable to the order of TexStar National Bank; and (b) all renewals and extensions of the notes. American Bank, successor in interest to TexStar National Bank, is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Manny Ruiz, President of American Bank, 600 Pat Booker Road, Universal City, Texas 78148.

- 7. <u>Default and Request to Act</u>. Default has occurred under the Deed of Trust, and the beneficiary has requested the trustee to conduct the sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.
- 8. ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE OT THE SENDER OF THIS NOTICE IMMEDIATELY.

Date: October 15, 2024.

Byron Bexley, Tustee

600 Pat Booker Road

Universal City, Texas 78148 Telephone: 210-659-9916

# SCHEDULE 1 TO NOTICE OF SUBSTITUTE TRUSTEE'S SALE

# Property

A 0.344 of an acre tract of land situated in the Humphries Branch Survey No. 17, Abstract 6, City of Seguin, Guadalupe County, Texas, being all that tract of land conveyed to S & S Investments, by deed recorded in Volume 565, Page 360, Deed Records, Guadalupe County, Texas, and all the tract of land conveyed to S & S Investments, by deed recorded in Volume 570, Page 899, Deed Records, Guadalupe County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.

# Notice of Foreclosure Sale

October 15, 2024

Deed of Trust ("Deed of Trust"):

Dated:

March 7, 2022

Grantor:

Shawn W. Sims

Trustee:

Anthony O. Schaker

Lender:

William T. Funderburg and Patricia A. Funderburg

Recorded in:

Document No. 20220099007770 of the real property records of

Guadalupe County, Texas

Legal Description:

Being a 6.381 acre tract of land, more or less, situated in the John G. King Survey, A-26, Guadalupe County, Texas save and except that certain 0.780 acre tract of land conveyed to Spring Hill Water Supply described in deed recorded in Volume 828, Page 304, Official Public Records of Guadalupe County, Texas, being more

fully described on Exhibit "A" attached hereto

Secures:

Promissory Note ("Note") in the original principal amount of \$237,935.36, executed by Shawn W. Sims ("Borrower") and

payable to the order of Lender

Foreclosure Sale:

Date:

Tuesday, November 5, 2024

Time:

The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three

hours thereafter.

Place:

The area designated by the Commissioners Court of Guadalupe

County, Texas for conducting non-judicial foreclosures

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 William T. Funderburg and Patricia A. Funderburg'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, William T. Funderburg and Patricia A. Funderburg, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of William T. Funderburg and Patricia A. Funderburg's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with William T. Funderburg and Patricia A. Funderburg'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, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If William T. Funderburg and Patricia A. Funderburg pass 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 William T. Funderburg and Patricia A. Funderburg. 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, 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 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.

Anthony O. Schaker

304 N. Austin St.

Seguin, Texas 78155

Telephone (830) 303-5555

Telecopier (830) 303-5666

# **EXHIBIT "A"**

#### 6,381 ACRE TRACT

Being a 6,381 ACRE TRACT situated in the John G. King Survey, A-26, Guadalupe County, Texas. Said 6,381 ACRE TRACT is comprised of all of a tract called 0,780 acres in conveyance from Tom. Funderburg to Springs Hill Water Supply Corporation recorded in Volume 828 at Page 304 and the residue of a tract called 8,38 acres in conveyance from Crown Land Corporation to W.T. Funderburg, et ux recorded in Volume 744 at Page 190 both of the Official Records of said county and being described by metes and bounds as follows:

BEGINNING at a one-half inch diameter rebar found marking the southeast corner of the tract herein described, same being the southeast corner of said 8.38 acre tract, lying in the west line of a called Unsold Portion of Quit Claim Deed in conveyance from Elmo W. Ulfrich, et al to The Heirs, et al recorded in Volume 1172 at Page 75, being the northeast corner of called 6.394 acres in conveyance from Alan B. Polunsky to Robert L. Staton recorded in Volume 1392 at Page 642;

THENCE with a segment of the south line of the tract herein described, same being a segment of the common line of said 8.38 acre tract and said 6.394 acre tract, S 89° 17' 08" W, (called S 89° 27' W) 312.28 feet to a one-half inch diameter rebar found marking the south most southwest comer of the tract herein described, same being the southeast corner of a tract called 1.000 acres in Volume 1357 at Page 596:

THENCE continuing with the south line of the tract herein described, same being the common line of said residue 8.38 acre tract and said 1,000 acre tract as follows:

N 00° 34' 11" E, 156.20 feet to a one-half inch diameter rebar found marking a re-entrant corner of the tract herein described, same being a re-entrant corner of said residue 8.38 acre tract, northeast corner of said 1.000 acre tract, and

S 88° 54' 31" W, 287.43 feet to a one-half inch diameter rebar set with cap (B&A) marking the west most southwest corner of the tract herein described, same being the west most southwest corner of said residue 8.38 acre tract, northwest corner of said 1.000 acre tract, lying in the east line of Thunderbird Lane (60' R.O.W.) recorded in Volume 5 at Page 35B of the Map Records;

THENCE with a segment of the west line of the tract herein described, same being a segment of the common line of said 8.38 acre tract and said Thunderbird Lane as follows:

N 00° 31' 31° E, 121.57 feet to a one-half inch diameter rebar found, and-

N 00° 29' 14" E, 59.87 feet to a one-half inch diameter rebar found marking the west most northwest corner of the tract herein described, same being the southwest corner of residue 2.928 acre tract in Volume 1529 at Page 284;

THENCE continuing with the west line of the tract herein described, same being the common line of said residue 8.38 acre tract with that of said residue 2.928 acre tract and a tract recorded in Volume 1310 at Page 362 as follows:

N 88° 55' 03" E, 159.62 feet to a one-half inch diameter rebar found bent marking a re-entrant comer of the tract herein described, same being the southeast corner of said residue 2.928 acre tract,

N 00° 54' 25" W, 137.96 feet to a one-half inch diameter rebar found marking a re-entrant corner of the tract herein described, same being the northeast corner of said residue 2.928 acre tract,

N 89° 34' 37" W, 5.95 feet to a one-half inch diameter rebar found marking the southeast corner of said tract in Volume 1310 at Page 362, and

N 00° 56' 11" W, 138,78 feet to a one-half inch diameter rebar set with cap (B&A) marking the north most northwest corner of the tract herein described, same being the north most northwest corner of said residue 8.38 acre tract, northeast corner of said tract in Volume 1310 at Page 362, lying in the south line of a tract called 10.00 acres in Volume 1232 at Page 218;

THENCE with the north line of the tract herein described, same being the common line of said residue 8.38 acre tract and said 0.780 acre tract with that of said 10.00 acre tract as follows:

N 88° 33' 43" E, 327.82 feet to a one-half inch diameter rebar found marking the northeast corner of said residue 8,38 acre tract, northwest corner of said 0.780 acre tract, and

N 88° 41' 20" E, 112.14 feet to a one-half inch diameter rebar found marking the northeast corner of the tract herein described, same being the northeast corner of said 0.780 acre tract, southeast corner of said 10.00 acre tract, lying in the west line of said tract in Volume 1172 at Page 75;

THENCE with the east line of the tract herein described, same being the common line of said 0.780 acre tract and said residue 8.38 acre tract with that of said tract in Volume 1172 at Page 75, S 00° 41' 20° E, 618.88 feet to the PLACE OF BEGINNING and containing 6,381 ACRES OF LAND.