

# NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WILSON County Deed of Trust Dated: October 4, 2005 Amount: \$55,632.00

Grantor(s): APRIL G. GARCIA and GABRIEL GARCIA

Original Mortgagee: NAVY FEDERAL CREDIT UNION Current Mortgagee: NAVY FEDERAL CREDIT UNION

Filed for Record in: Wilson Counts by Honorable Eva Martinez

County Clerk

On: Dec 30,2015 at 02:13P

As a Recording

Total Fees

2.00

Mortgagee Address: NAVY FEDERAL CREDIT UNION, P.O. Box 3000, One Security Place, Merrifield, VA 22119-3000 By +

Recording Information: Document No. 00007985

Genevieve Sanchez:

2

Legal Description: SEE ATTACHED EXHIBIT "A"

Date of Sale: February 2, 2016 between the hours of 12:00 PM and 3:00 PM.

Earliest Time Sale Will Begin: 12:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the WILSON County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take Sale was posted.

TROY MARTIN OR DEBORAH MARTIN, IRENE SALAZAR, DEANNA RAY, VANESSA RAMOS, RICHARD HOLTON, JILL NICHOLS, FREDERICK BRITTON, JACK BURNS II, PATRICIA SANDERS, ZANA JACKSON, PAMELA THOMAS, KRISTOPHER HOLUB, PATRICK ZWIERS, KELLEY BURNS, ALEXIS MARTIN, CASSIE MARTIN, TERRI MARTIN OR SHELBY MARTIN have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

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

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

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. app. Section 501 et seq.), and state law, including Section 51.015 Texas Property Code. Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice.

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

SARAH ROBBINS, ATTORNEY AT LAW HUGHES, WATTERS & ASKANASE, L.L.P. 1201 Louisiana, Suite 2800 Houston, Texas 77002 Reference: 2015-009169 TROY MARTIN OR DEBORAH MARTIN, IRENE SALAZAR, DEANNA RAY, VANESSA RAMOS, RICHARD HOLTON, JILL NICHOLS, FREDERICK BRITTON, JACK BURNS II, PATRICIA SANDERS, ZANA JACKSON, PAMELA THOMAS, KRISTOPHER HOLUB, PATRICK ZWIERS, KELLEY BURNS, ALEXIS MARTIN, CASSIE MARTIN, TERRI MARTIN OR SHELBY MARTIN c/o AUCTION.COM, LLC I Mauchly

Irvine, California 92618

## FIELD NOTES

A 0.227 acre tract out of the Manuel Herrera Survey No. 435, Abstract No. 132, in the City of Stockdale, Wilson County, Texas, being the same as that tract conveyed to Alton Banks Akin, et ux, as recorded in Volume 579, Page 705, Deed Records of Wilson County, Texas, said 0.227 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 Inch Iron Rod Found, for the east corner of the herein described tract, said iron rod being in northwest line of East Wheeler;

THENCE, with the northwest line of the said East Wheeler, and the southeast line of the herein described tract, S 45°32'00" W, (Bearing Basis), a distance of \$4.97 Feet to a 1/2 Inch Iron Rod Found for the south corner of the herein described tract;

THENCE, leaving said East Wheeler, with the southwest line of the herein described tract, N 30°19'00" W, a distance of 120.00 Feet to a Fence Post Found for the west corner of the herein described tract;

THENCE, with the northwest line of the herein described tract, N 45°32'00" E, a distance of 84.95 Feet to a 1/2 Inch Iron Rod Set for the north corner of the herein described tract;

THENCE, with the northeast line of the herein described tract, S 30°19'33" E, a distance of 120.00 Feet to the POINT OF BEGINNING and containing 0.227 acres of land, more or less.

NOTE: I hereby certify that these field notes were propared from an actual survey made on the ground under my supervision and green and correct to the best of my knowledge and belief.

Will Petrin

Registered Professional Land Surveyor Texas Registration No. 5443

September 28, 2005

WILL PERRIN

S443

SUR

Exhibit "A"

# NOTICE OF FORECLOSURE SALE

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

- Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 09/13/2013 and recorded in Book 1752 Page 438 Document 00028689 real property records of Wilson County, Texas
- 3. Date, Time, and Place of Sale.

Date: 04/05/2016

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

Place: Wilson County Courthouse, Texas, at the following location: THE MOST NORTH-EASTERLY DOOR OF THE WILSON COUNTY COURTHOUSE, BEING THE COURTHOUSE DOOR FACING THE OFFICE OF THE WILSON COUNTY TAX ASSESSOR-COLLECTOR, IN FLORESVILLE, WILSON COUNTY, TEXAS, WHICH BEARS THE ADDRESS OF 2 LIBRARY LANE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the

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.

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 to determine the nature and extent of such matters, if any. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

5. Obligations Secured. The Deed of Trust executed by HOWARD P. WADLEIGH, provides that it secures the payment of the indebtedness in the original principal amount of \$141,544.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. FIFTH THIRD MORTGAGE COMPANY is the current mortgagee of the note and deed of trust and FIFTH THIRD BANK is mortgage servicer. A servicing agreement between the mortgagee, whose address is FIFTH THIRD MORTGAGE COMPANY c/o FIFTH THIRD BANK, 5001 Kingsley Drive, MD MOBBW, Cincinnati, OH 45227 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt. authorizes the mortgage servicer to collect the debt.

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

15-000013-540 52 POST OAK RD LA VERNIA, TX 78121

al lanna TROY MARTIN, IRENE SALAZAR, VANESSA RAMOS, RICHARD HOLTON, DEBORAH MARTIN OR DEANNA

RAY c/o AVT Title Services, LLC 13770 Noel Road #801529 Dallas, TX 75380-1529

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 SENDED OF THIS NOTICE IMMEDIATELY SENDER OF THIS NOTICE IMMEDIATELY.

Filed for Record in: Wilson Counts by Honorable Eva Martinez

County Clerk

On: Dec 29,2015 at 11:08A

As a Recording

Total Fees

2.00

Receipt Number - 186885 Bar Juda Flemina,



4556810

#### EXHIBIT "A"

### LEGAL DESCRIPTION

BEING 2.43 ACRES OF LAND OUT OF THE J M BALMASEDA GRANT, SURVEY NO. 9, A-2, WILSON COUNTY, TEXAS BEING PART OF WHAT IS KNOWN AS LOT 9 OF THE POST OAK HILL RANCHETTES SUBDIVISION, ACCORDING TO PLAT OF RECORD IN VOLUME 2, PAGE 58, PLAT RECORDS OF WILSON COUNTY, TEXAS, AND BEING A PORTION OF THE LAND AS DESCRIBED IN A DEED FROM J T GRAMMER, ET AL. TO JUSTIN B BLANDFORD, RECORDED IN VOLUME 538, PAGE 636, WILSON COUNTY DEED RECORDS AND BEING THE SAME LAND AS DESCRIBED IN A DEED FROM JUSTIN B BLANDFORD AND WIFE, WANDA S, BLANDFORD TO ROBERT L. BLANDFORD, SR. AND WIFE, VIRGINIA A BLANDFORD, RECORDED IN VOLUME 513, PAGE 824 OF THE DEED RECORDS OF WILSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" STEEL PIN FOUND ON THE NORTHWESTERLY LINE OF THE POST OAK HILL RANCHETTES FOR THE NORTHERLY CORNER OF LOT 10 AND BEING THE WESTERLY CORNER OF LOT 9 AND OF THIS TRACT;

THENCE WITH THE NORTHWEST LINE OF THIS TRACT, NORTH 59° 34° 00° EAST, A DISTANCE OF 266.19 FEET TO A 1/2° STEEL PIN FOUND FOR THE NORTH CORNER OF THIS TRACT,

THENCE CROSSING SAID LOT 9, SOUTH 29° 30'  $00^\circ$  EAST, A DISTANCE OF 402.47 FEET TO A 1/2" STEEL PIN FOUND FOR THE EAST CORNER OF THIS TRACT, AND BEING ON THE SOUTHEAST LINE OF THE AFORESAID LOT 9;

THENCE WITH THE SOUTHEAST LINE OF LOT 9, SOUTH 59\* 58' 16" WEST, A DISTANCE OF 261.74 FEET TO A 1/2" STEEL PIN FOUND FOR THE SOUTH CORNER OF THIS TRACT;

THENCE WITH THE COMMON LINE OF LOTS 9 AND 10. NORTH 30\* 08' 00" WEST, A DISTANCE OF 400.58 FEET TO THE POINT OF BEGINNING,

ALSO KNOWN AS 52 POST OAK ROAD, LAVERNIA, TX 78121

PARCEL # 0870000000000000

#### 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.

Date, Time, and Place of Sale.

January 05, 2016 Date:

<u>Time</u>: The sale will begin at 1:00PM or not later than three hours after that time.

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

2. Terms of Sale. Cash.

c/o CITIMORTGAGE, INC. 1000 TECHNOLOGY DRIVE

- 3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated January 31.

  2006 and recorded in Document VOLUME 1323, PAGE 819 real property records of WILSON County, Texas, Will STASON OF 18 M NICHOLS AND LAURA NICHOLS, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMSOF INC. Eva Martinez ("MERS"), AS NOMINEE, mortgagee. County Clerk
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by JASON M NICHOLS AND LATER CONTRACTOR at 93:23F securing the payment of the indebtednesses in the original principal amount of \$90,913.00, and obligations therein described rding including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note CITIMORTGAGE, INC. is the current mortgagee of the note and Deed of Trust or Contract Lien. Total Fees 2.00
- 5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

Receipt Number - 186419

6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of European 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. CITIMORTGAGE, INC., as Mortgage Servicer, is representing the current mortgagee, whose

O'FALLON, MO 63368 ares Work BRUCE NEYLAND OR KAREN WORK Substitute Trustee c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP 15000 Surveyor Boulevard, Suite 100 Addison, Texas 75001 Certificate of Posting and my address is c/o 15000 Surveyor Boulevard, Suite 100, Addison, Texas 75001.

I filed at the office of the WILSON County Clerk and caused to be posted at the My name is I declare under penalty of perjury that on
WILSON County courthouse this notice of sale. Declarants Name:\_

FCTX\_NSTS\_Sigs.rpt - (07/27/2015) - Ver-43

# EXHIBIT "A"

LOT 63, OAK HOLLOW PARK, PHASE 1, AS SHOWN BY PLAT OF RECORD IN VOLUME 4, PAGE 4, OF THE MAP AND PLAT RECORDS OF WILSON COUNTY, TEXAS



### 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.

Date, Time, and Place of Sale.

Date: March 01, 2016

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

Place

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

- 2. Terms of Sale. Cash.
- 3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated July 09, 2008 and recorded in Document VOLUME 1467, PAGE 730; AS AFFECTED BY VOLUME 1783, PAGE 283 real property records of WILSON County, Texas, with JAMES CODY LENZ AND TRACY L LENZ, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by JAMES CODY LENZ AND TRACY L LENZ, securing the payment of the indebtednesses in the original principal amount of \$120,115.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WELLS FARGO BANK, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.
- 5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.
- 6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgage i bed vione Report in:
  servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code, & 1000 this Eva Martinez
  Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the
  Property referenced above. WELLS FARGO BANK, N.A., as Mortgage Servicer, is representing the current untotagageerk whose address is:

On: Dec 14,2015 at 03:23P

As a Recording

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

Total Fees

2.00

TRO MARTIN, DEBORAH MARTIN, IRENE SALAZAR, DEANNA RAY, VANESSA RAMOS, RICHARD HOLTON, JILL NICHOLS, FREDERICK BRITTON, JACK BURNS II, PATRICIA SANDERS, ZANA JACKSON, PAMELA THOMAS,

Receipt Number - 186419 By, Genevieve Sanchez,

KRISTOPHER HOLUB, PATRICK ZWIERS, OR KELLEY BURNS

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP

15000 Surveyor Boulevard, Suite 100

Addison, Texas 75001

Certificate of Posting and my address is c/o 15000 Surveyor Boulevard, Suite 100, Addison, Texas 75001.

I filed at the office of the WILSON County Clerk and caused to be posted at the I declare under penalty of perjury that on WILSON County courthouse this notice of sale.

Declarants Name:

SURFACE ONLY OF LOT 10 IN HICKORY HILLS SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED VOLUME 4, PAGE 9 OF THE MAP AND PLAT RECORDS OF WILSON COUNTY, TEXAS.



410 Maldonado Ln La Vernia, Texas 78121 Filed for Record in:
Wilson County
by Honorable Eva Martinez
County Clerk
On: Dec 14,2015 at 02:22P
As a Recording

Total Fees

2.00

Receipt Number - 186413 By, Krystle Hidalso,

# NOTICE OF TRUSTEE'S SALE and

# 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.

WHEREAS, on July 14, 2008, Danny Ketchum and Patricia Wilson executed a Deed of Trust conveying to North O. West, Trustee, the real property hereinafter described, to secure R&G Quality Contractors, Inc., in the payment of a debt therein described, said Deed of Trust being recorded in Volume 1467, Page 164, Real Property Records of Wilson County, Texas.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder of said debt 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.

WHEREAS, in my capacity as the attorney for the present owner and holder of the note, and pursuant to Section 51.0076(3) Texas Property Code, I hereby name, appoint and designate Mark Cummings or Phil West or Dick Vetters or Patrick Armstrong, the Substitute Trustee(s) in the above described Deed of Trust and/or to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of said note.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, January 5, 2016, at 1:00 o'clock p.m. or within three (3) hours thereafter, the Substitute Trustee will sell said real property at the place hereinafter set out, to the highest bidder for cash. The place of sale shall be in the area designated by the Commissioners Court of such County, pursuant to §51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if such place is not so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted), in the City of Floresville, Wilson County, Texas.

Said real property is described as follows:

All that certain tract or parcel of land containing 1.14 acres in Wilson County, Texas, being out of Abstract 0008, J. Delgado Survey, Wilson County, Texas, being comprised of three tracts described as a 0.38 acre tract of land, more or less, known as 470 Maldonado Lane, described in the Correction Warranty Deed from Steven Maldonado to Daniel Maldonado dated December 14, 1990 and recorded in Volume 834, Page 199 of the Official Public Records of Wilson County, Texas, and more recently recorded in Volume 1326, Pages 579 & 580 of the Official Public Records of Wilson County, Texas; and a 0.38 acre tract of land, more or less, known as 410 Maldonado Lane, described in the Executrix's Warranty Deed

dated December 13, 1990, from Maria Maldonado Flores, Independent Executrix of the Estate of Viviano Maldonado, Sr., Deceased to Daniel Maldonado and recorded in Volume 818, Page 70 of the Official Public Records of Wilson County, Texas, and more recently recorded in Volume 1326, Pages 581 & 582 of the Official Public Records of Wilson County, Texas, hereby referred to for all purposes and incorporated herein by reference; and a 0.38 acre tract of land, more or less, known as 360 Maldonado Lane, described in Deed dated December 13, 1990 from Maria Maldonado Flores, Independent Executrix of the Estate of Viviano Maldonado, Sr., Deceased to Norma Rodriguez, et al, recorded in Volume 820, Page 268, Official Public Records of Wilson County, Texas.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein 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.

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 and the priority of the lien being foreclosed.

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 priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagor, Mortgagee or the Mortgagee's attorney.

Default has occurred under the Deed of Trust, and the beneficiary has requested the above named Trustee or Substitute Trustee(s), to conduct this public sale. Notice is given that before the sale the beneficiary or the Beneficiary's attorney, agent or servicer may appoint another person substitute trustee to conduct the 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.

The Substitute Trustee's address is c/o WEST & WEST ATTORNEYS, 2929 Mossrock, Suite 204, San Antonio, Texas 78230.

WITNESS MY HAND on \_\_\_\_\_ day of December 2015.

NORTH O. WEST, State Bar No. 21,204000

Attorney or Authorized Agent for the Mortgagee or

Mortgagee's Servicer

WEST & WEST ATTORNEYS, P.C.

2929 Mossrock, Suite 204

San Antonio, Texas 78230



# NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Wilson County Texas Home Equity Security Instrument

Date of Security Instrument:

January 29, 2008

Filed for Record in: by Honorable Eva Martinez

County Clerk

Amount:

\$65,000.00

On: Dec 14,2015 at 01:16P

Grantor(s):

MARY JANE MONTALBO DE HOYOS AND As a Recording

SPOUSE, JESSE B. DE HOYOS

Total Fees 2.00

Original Mortgagee:

MORTGAGE ELECTRONIC REGISTRATION

SYSTEMS INC., SOLELY AS NOMINEE FOR t Number - 186405 LEHMAN BROTHERS BANK, FSB, A FEDERALGenevieve Sanchez,

SAVINGS BANK, ITS SUCCESSORS AND

**ASSIGNS** 

Current Mortgagee:

NATIONSTAR MORTGAGE LLC

Original Trustee:

THOMAS E. BLACK, JR.

Mortgage Servicer and Address:

NATIONSTAR MORTGAGE LLC

8950 Cypress Waters Blvd.

Coppell, TX 75019

Recording Information:

Recorded on 2/7/2008, as Instrument No. 00032124,

in Book 1443, Page 706, Wilson County, Texas

Legal Description:

A COPY OF THE LEGAL DESCRIPTION IS

ATTACHED HERETO AS EXHIBIT A

Date of Sale:

1/5/2016

Earliest Time Sale Will Begin:

12:00 PM

Place of Sale: The foreclosure sale will be conducted in the area designated by the Wilson County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosures sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

WHEREAS, a Final Judgment was entered on 9/28/2015, under Cause No. 14-03-0124-CVW, in the 218th Judicial District Court of Wilson County, Texas;

The undersigned has been appointed as Substitute Trustee(s), each empowered to act independently, in the place of said Original Trustee, upon the contingency and in the manner authorized by said Texas Home Equity Security Instrument.



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 state above or within three (3) hours after that time.

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 the notice immediately.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Texas Home Equity Security Instrument, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's Attorney.

EXECUTED in multiple originals on 12/11/2015.

Troy Martin of Deborah Martin or Irene Salazar or Deanna Ray or Vanessa Ramos or Richard Holton or Paul A. Hoefker or Robert L. Negrin, Substitute Trustee(s) c/o Aldridge Pite, LLP, 4375 Jutland Drive, Suite 200, P.O. Box 17935, San Diego, CA 92177-0935

COMPLAINTS REGARDING THE SERVICING OF YOUR MORTGAGE SHOULD BE SENT TO THE DEPARTMENT OF SAVINGS AND MORTGAGE LENDING, 2601 NORTH LAMAR, SUITE 201, AUSTIN, TX 78705. A TOLL-FREE CONSUMER HOTLINE IS AVAILABLE AT 877-276-5550

TS Number: 00425-TX

ALL THAT CERTAIN TRACT OF LAND IN WILSON COUNTY, TEXAS, A PART OF JUAN DELGADO LEAGUE, SURVEY NO. 8, LYING WITHIN THE TOWN OF LA VERNIA, BEING A PART OF A 2 ACRE TRACT OF LAND CONVEYED TO FRED IN NICHOLSON BY EMELIE FREITAG, ET AL BY DEED DATED SEPTEMBER 16, 1949, RECORDED IN VOLUME 255 PAGE 462, DEED RECORDS OF WILSON COUNTY, TEXAS, CONTAINING 1.162 ACRES OF LAND, HORE OR LEGS, AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO MIT:

BEGINNING AT AN IRON PIN AT THE EAST CORNER OF SAID 2 ACRE TRACT OF LAND ON THE NORTHWEST BOUNDARY OF MHAT IS KNOWN AS KIMBALL STREET, SUCH PLACE OF BEGINNING BEARING SOUTH 60 DEGREES WEST (ALONG THE WORTHWEST BOUNDARY OF SAID KIMBALL STREET) A DIGTANCE OF 671.5 PEET PRON THE INTERSECTION OF SAID NORTHWEST BOUNDARY HITH THE SOUTHWEST CORNER OF A BRIDGE ACROSS THE CIBOLO RIVER, AND SUCH PLACE OF BEGINNING ALSO BEING THE HOST SOUTHERLY CORNER OF A TRACT CONVEYED TO FRANK BROYLES BY DEED OF RECORD IN VOLUME 125 PAGE 121, DEED RECORDS OF WILSON COUNTY, TEXAS;

THENCE SOUTH 60 DEGREES 194.00 FEET (ALONG SAID KIMBALL STREET) TO AN IRON PIN FOR A CORNER;

THENCE MORTH 30 DEGREES WEST 261.00 FEET TO AN IRON PIN FOR A CORNER;

THENCE NORTH 60 DEGREES EAST 194.00 FEET (ALONG THE NORTHWEST BOUNDARY OF SAID 2 ACRE TRACT) TO THE MOST MORTHERLY CORNER OF SAME;

THENCE SOUTH 30 DEGREES EAST 261,00 FEET (ALOND THE NORTHEAST BOUNDARY OF SAID 2 ACRE TRACT) TO THE PLACE OF BEGINNING.

FOR INFORMATIONAL PURPOSES ONLY: THE APN IS SHOWN BY THE COUNTY ASSESSOR AS 30000300017200; THE SOURCE OF TITLE IS VOLUME 535 PAGE 475 RECORDED 02/14/1980.



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

County Clerk On: Dec 14,2015 at 10:42A

# Notice of Trustee's Sale

As a Recording

Total Fees

7.00

Date: December 11, 2015

Trustee:

DAVID L. RICKER

Receipt Number - 186396 Frances Cherry,

Trustee's Address:

P. O. Box 1571

Boerne, Texas 78006

Mortgagee: Texas Southwest Mortgage Acceptance, L.P., a Texas limited partnership

Note: Note dated May 5, 2015 in the amount of \$57,400.00

**Deed of Trust** 

Date: May 5, 2015

Marjorie Ray Heath; and Sasha Mae Combs, also known as Sasha

Mae Heath

Mortgagee: Texas Southwest Mortgage Acceptance, L.P., a Texas limited

partnership

Recording information: Volume 1849, Page 239, Official Public Records of

Wilson County, Texas.

Property:

Grantor:

Lot 5, Phase 2, OAK HOLLOW PARK SUBDIVISION in La Vernia, Wilson County, Texas, according to plat thereof recorded in Volume 5, Page 12, Map and Plat Records of Wilson County, Texas; together with One 1998 Manufactured Date, Town & Country Homes, Model %&C Mansion Single wide 16X68 bearing Label# NTA0770497 and Serial# TXCTCMW981194, including all personal property secured by the security agreement included in the Deed of Trust.

County:

Wilson County

Date of Sale (first Tuesday of month): January 5, 2016

Time of Sale:

10:00 a.m.

Place of Sale:

Area of the Wilson County Courthouse designated by the Wilson

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.

DAVID L. RICKER is Trustee under the Deed of Trust. Mortgagee has instructed Trustee to offer the Property for sale toward the satisfaction of the Note.

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". THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PERSONAL PROPERTY IN THIS DISPOSITION. The sale will begin at the Time of Sale or not later than three hours thereafter.

DAVID L. RICKER P. O. Box 1571

Boerne, Texas 78006

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

County Clerk

On: Dec 14,2015 at 08:57A

As a Recording

December 9, 2015

NOTICE OF TRUSTEE'S SALE

Total Fees

2.00

Deed of Trust:

Receipt Number - 186387 Frances Cherry,

Dated:

January 9, 2006

Grantor:

Nora N. Montes and Consuelo Sanchez

Trustee:

Ann M. McKenzie

Beneficiary:

McKenzie-Northcrest, L.P.

Recorded:

Volume 1319, Page 211 of the Official Public Records of Wilson

County, Texas.

Secures:

Promissory Note dated January 9, 2006 in the original amount of \$15,120 executed by Nora N. Montes and Consuelo Sanchez and payable to the Beneficiary/Payee and all other indebtedness of

Maker to Beneficiary/Payee.

Property:

LOT 5, OF NORTHCREST SUBDIVISION UNIT 4, WILSON COUNTY, TEXAS AS SHOWN ON PLAT OF RECORD IN VOLUME 9, PAGE 76, PLAT RECORDS OF WILSON COUNTY, TEXAS AND ALL IMPROVEMENTS THEREON.

# Trustee Sale:

Date:

Tuesday, January 5, 2016

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 Trustee Sale will begin is 10:00 a.m. or not later than three

hours after that time.

Place:

At the Northeasterly door of the Wilson County Courthouse, being the courthouse door facing the office of the Wilson County Tax Assessor-Collector, which bears the address 2 Library Lane,

in Floresville, Wilson County, Texas or the officially designated location for foreclosure sales.

Terms of Sale: The Trustee Sale will be conducted as a public auction

and the Property will be sold to the highest bidder for cash, except that Payee'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, Beneficiary, the owner and holder of the Note, has requested Trustee to sell the Property.

Therefore, notice is given that on and at the Date, Time, and Place for the Trustee 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.

The Trustee 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 Trustee 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 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 5 l .0075(a) of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Trustee 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.

Ann M. McKenzie,

Trustee and Sender of Notice Bar Card ID# 24002579

11621 Spring Cypress Ste E

Tomball, TX 77377

Tel 281-374-9600 Fax 281-374-9601

# AFFIDAVIT OF POSTING SUBSTITUTE TRUSTEE'S NOTICE OF SALE

STATE OF TEXAS )(	
COUNTY OF WILSON )(	
KNOW ALL MEN BY THESE PRESENTS, THAT:	
BEFORE ME, the undersigned authority, personally a	ppeared
Gayle Richey , who after being by me d	uly sworn, said
upon her oath:	
"I,	s Notice of, such date le set forth in lat I by posting a e at the door lich is the
Signature Signature Richey	heir
SWORN TO AND SUBSCRIBED BEFORE ME, this9th	day of id seal of office.
CLARA A. DELEON My Commission Expires June 16, 2019  Notary Public Printed Name:	State of Texas

Filed for Record in: Wilson County by Honorable Eva Martinez

County Clerk On: Dec 09,2015 at 02:14P

# NOTICE OF TRUSTEE'S SALE

THE STATE OF TEXAS

Total Fees

2.00

COUNTY OF WILSON

§

§

Receipt Number - 186267 By, Gayle Richey,

As a Recording

Date: December 8, 2015

**Deed of Trust:** 

Date: October 17, 2013

**Grantor:** Marilyn White and Billy White **Beneficiary:** Bar P Land & Cattle Ltd.

Recorded in: Volume 1787, Page 549, Official Public Records, Wilson County, Texas.

**Property:** Being 16.65 acres of land in the James Roden Survey, A-265 and the Juan Jose Tejeda Survey, A-316, Wilson County, Texas and being more fully described by metes and bound in the attached Exhibit "A" in a Deed of Trust filed in Volume 1787, Page 549.

Date of Sale: January 5, 2016

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

Place of sale of Property: Wilson County Courthouse, 1420 3<sup>rd</sup> Street, Floresville Texas. **Designated Area:** The most westerly door facing 3<sup>rd</sup> Street, bearing the address 1420 3<sup>rd</sup> Street, Floresville, Texas 78114

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

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

Substitute Trustee - Zachary Potts or Janet Reed or James Nelson

For more information:

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

# AFFIDAVIT OF POSTING SUBSTITUTE TRUSTEE'S NOTICE OF SALE

STATE OF TE	CXAS )(
COUNTY OF	WILSON )(
KNOW ALL N	MEN BY THESE PRESENTS, THAT:
I	BEFORE ME, the undersigned authority, personally appeared
Gay	le Richey, who after being by me duly sworn, said
upon her oath:	
t S b t a c o	And a solemnly swear (or affirm) that I posted a copy of the attached Substitute Trustee's Notice of sale on the
	Signature Saufe Richery
	Printed Name Gayle Richey
SWORN TO A  December	ND SUBSCRIBED BEFORE ME, this day of,, to which witness my hand and seal of office.
My Cor	RA A. DELEON mission Expires ine 16, 2019  My Commission Expires: 6/16/19

Filed for Record in: Wilson County by Honorable Eva Martinez

County Clerk On: Dec 09,2015 at 02:14P

As a Recording

# NOTICE OF TRUSTEE'S SALE

Total Fees

2.00

THE STATE OF TEXAS

§

Receipt Number - 186267 Ba, Gayle Richey,

COUNTY OF WILSON 8

Date: December 8, 2015

Deed of Trust:

Date: May 28, 2014

Grantor: Carol Moore and Steven Moore

Beneficiary: Wilson County Ltd.

Recorded in: Vol. 1794, Page 431, Official Public Records, Wilson County, Texas.

Lot 73 of Terrace Hill Farms, Unit II, a recorded subdivision of Wilson County,

Texas as shown in Volume 8, Page 23-25, Plat Records, Wilson County, Texas

Date of Sale: January 5, 2016

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

p.m.

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

Designated Area: The most westerly door facing 3rd Street, bearing the address 1420 3rd Street, Floresville, Texas 78114

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

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

Substitute Trustee - S. E. Rutledge or Janet Reed

or Zachary Potts or James Nelson

For more information:

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