

COPY

TS No.: 2018-00872-TX  
18-000835-673

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:** 06/05/2018

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

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

**Place:** 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 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

On: Apr 10, 2018 at 10:37A

Total Fees: 2.00  
Receipt Number - 217114  
By: Eisa Barreto

**Property Address:** 140 Country Acres Drive, Adkins, TX 78101

**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 07/23/2008 and recorded 07/29/2008 in Book OP Vol 1469 Page 694 Document 00036766, real property records of Wilson County, Texas, with **Bryan Real, a single man**, grantor(s) and Overland Mortgage, L.P., as Lender, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., 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 FREDERICK BRITTON, PAMELA THOMAS, STACEY BENNETT, AMY ORTIZ, ROBERT GOMEZ, TROY MARTIN, DEBORAH MARTIN, IRENE SALAZAR, CASSIE MARTIN, TERRI MARTIN, ALEXIS MARTIN, SHELBY MARTIN, BRUCE NEYLAND, KAREN WORK, DEANNA RAY, VANESSA RAMOS, RICHARD HOLTON, BOB FRISCH, JAMIE STEEN, JODI STEEN OR JO WOOLSEY, Substitute Trustee to act under and by virtue of said Deed of Trust.

**5. Obligation Secured:** Deed of Trust or Contract Lien executed by **Bryan Real, a single man**, securing the payment of the indebtedness in the original principal amount of \$111,254.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **Ocwen Loan Servicing, LLC** is the current mortgagee of the note and deed of trust or contract lien.

### 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:

**TRACT 7 OF COUNTRY ACRES SUBDIVISION, AS SHOWN BY PLAT FILED OF RECORD AT VOLUME 3, PAGE 4 OF THE MAP RECORDS OF WILSON 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. **Ocwen Loan Servicing, LLC**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

**C/O Ocwen Loan Servicing, LLC**

**1661 Worthington Rd., Suite 100**

**West Palm Beach, FL 33409**

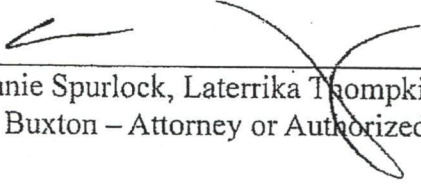
**Phone: 1-800-746-2936**

**Notice of [Substitute] Trustee Sale**


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

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

**Date:** April 6, 2018

  
Stephanie Spurlock, Laterrika Thompkins, Camisha Scott, Iman Walcott, Tanesha Humphrey,  
Claire Buxton – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

C/O Power Default Services, Inc.  
Northpark Town Center  
1000 Abernathy Rd. NE; Bldg. 400, Suite 200  
Atlanta, GA 30328  
Telephone: 855-427-2204  
Fax: 866-960-8298

  
FREDERICK BRITTON, PAMELA THOMAS, STACEY BENNETT, AMY ORTIZ, ROBERT GOMEZ, TROY MARTIN, DEBORAH MARTIN, IRENE SALAZAR, CASSIE MARTIN, TERRI MARTIN, ALEXIS MARTIN, SHELBY MARTIN, BRUCE NEYLAND, KAREN WORK, DEANNA RAY, VANESSA RAMOS, RICHARD HOLTON, BOB FRISCH, JAMIE STEEN, JODI STEEN OR JO WOOLSEY - Substitute Trustee(s)

C/O AVT Title Services, LLC  
1101 Ridge Rd. Suite 222  
Rockwall, TX 75087

**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

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

Our File Number: 16-01968

Name: DAVID B. PYEATT, A MARRIED MAN AND IVANNIA PYEATT, SIGNING PRO FORMA TO PERFECT LIEN ONLY

**NOTICE OF TRUSTEE'S SALE**

WHEREAS, on December 26, 2014, DAVID B. PYEATT, A MARRIED MAN AND IVANNIA PYEATT, SIGNING PRO FORMA TO PERFECT LIEN ONLY, executed a Deed of Trust/Security Instrument conveying to MICHAEL BURNS, ATTORNEY AT LAW, ANDERSON, BURNS AND VELA, LLP, as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ACTING SOLELY AS A NOMINEE FOR ASPIRE FINANCIAL, INC. DBA ASPIRE LENDING, its successors and assigns, in the payment of a debt therein described, said Deed of Trust/Security Instrument being recorded under County Clerk Number 00041382, in Book 1829, at Page 178, in the DEED OF TRUST OR REAL PROPERTY records of WILSON COUNTY, TEXAS; and

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

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

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **TUESDAY, JUNE 5, 2018**, between ten o'clock AM and four o'clock PM and beginning not earlier than 12:00 PM or not later than three hours thereafter, I will sell said Real Estate at the County Courthouse in **WILSON COUNTY, TEXAS** to the highest bidder for cash. The sale will be conducted in the area of the Courthouse designated by the Commissioners' Court, of said county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this notice was posted.

Said Real Estate is described as follows:

LOT 243, SECTION 2A, EAGLE CREEK SUBDIVISION, WILSON COUNTY, TEXAS,  
AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN VOLUME 5, PAGE 51, OF  
THE MAP AND PLAT RECORDS OF WILSON COUNTY, TEXAS.

Property Address: 925 EAGLE CREEK DRIVE  
FLORESVILLE, TX 78114

Mortgage Servicer: CENLAR FSB

Noteholder: AMERIHOM MORTGAGE COMPANY, LLC  
425 PHILLIPS BOULEVARD  
EWING, NJ 08618

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

**ACTIVE MILITARY SERVICE NOTICE**

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

WITNESS MY HAND this 9<sup>th</sup> day of April, 2018.

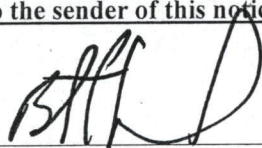
Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk

On: Apr 09, 2018 at 02:44P

As a Recording

Total Fees : 2.00

Receipt Number - 217087  
By:  
Mary Spooner

  
Troy Martin, Terri Martin, Deborah Martin, Jo Woolsey, Bob Frisch, Alexis Martin, Cassie Martin, Deanna Ray, Frederick Britton, Jamie Steen, Bruce Neyland, Karen Work, Richard Holton, Jr., Irene Salazar, Vanessa Ramos, Jodi Steen, Pamela Thomas, Robert Gomez, Amy Ortiz, Stacey Bennett, Shelby Martin, Substitute Trustees

c/o Marinosci Law Group, P.C.  
14643 Dallas Parkway, Suite 750  
Dallas, Texas 75254  
(972) 331-2300



**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DATE: April 6, 2018

NOTE: Consumer Loan Note, Security Agreement and Disclosure Statement described as follows:

Date: August 30, 2013  
Debtor(s): Esteban M. Rosales and Martin D. Sweeten  
Original Creditor: 21<sup>st</sup> Mortgage Corporation.  
Original Principal Amount: \$67,731.97  
Current Holder: 21st Mortgage Corporation

Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk  
On: Apr 09, 2018 at 11:13A  
As a Recording  
Total Fees : 2.00  
Receipt Number - 217062  
By:  
Gayle Richey

DEED OF TRUST: Deed of Trust described as follows:

Date: August 30, 2013  
Grantor: Esteban M. Rosales, an unmarried person and Martin D. Sweeten and Veronica Sweeten, a married couple  
Trustee: Tim Williams  
Current Beneficiary: 21st Mortgage Corporation  
Recorded: September 20, 2013 Instrument Number: 00028482, in Book/Volume 1751 and Page 235, Wilson County, Texas Records

LENDER: 21st Mortgage Corporation

BORROWER: Esteban M. Rosales, an unmarried person and Martin D. Sweeten and Veronica Sweeten, a married couple

PROPERTY: The real property described as follows:

### METES AND BOUNDS:

Being 5.000 acres of land, more or less, out of the S. and N. Arocha Grant, Abstract 1, Wilson County, Texas, and being a part of Lot 5 and Lot 6, Terrace Hill Farms, as shown on the plat of record in Volume 8, Page 17 of the Plat Records of Wilson County, Texas, and being out of that property described in a Warranty Deed in Volume 1726, Page 48, Official Public Records, Wilson County, Texas, and subject to a 10 foot access easement, said 5.000 acres and said Easement being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the lower northwest corner of this 5.000 acres, same being the North corner of the James and Carolyn

Freeman 2.05 acres (Volume 1133, Page 303) and on the southeast Right-of-Way line of CR 331, same also being the lower northwest corner of said Lot 5 and the North corner of said Lot 6, same also being the POINT OF BEGINNING.:

THENCE along the southeast Right-of-Way line of said CR 331, North 48 degrees 54 minutes 54 seconds East (called North 49 degrees 04 minutes 13 East), a distance of 59.99 feet to a 1/2 inch iron rod found for the upper northwest corner of this 5.000 acres, same being the lower northwest corner of Lot 3;

THENCE along the line common to this 5.000 acres and said Lot 3, South 40 degrees 50 minutes 28 seconds East, a distance of 528.52 feet pass a point for the upper northeast corner of said Easement, and continuing for a total distance of 1354.06 feet to a 1/2 inch iron rod set for the upper southeast corner of this 5.000 acres;

THENCE departing the northeast line of and serving said Lot 5, South 49 degrees 40 minutes 14 seconds West, a distance of 253.34 feet to a 1/2 inch iron rod set for the lower southeast corner of this 5.000 acres, same being on the southwest line of said Lot 5 and on the northeast line of Lot 7;

THENCE along the line common to this 5.000 acres and said Lot 7, North 41 degrees 04 minutes 22 seconds West, a distance of 701.43 feet to a 1/2 inch iron rod set for the West corner of this 5.000 acres, same being on the northeast line of Lot 8 and the southwest line of said Lot 6;

THENCE departing the southwest line of and serving said Lot 6, North 49 degrees 40 minutes East, a distance of 196.21 feet to a 1/2 inch iron rod set for an interior corner of this 5.000 acres, same being on the northeast line of said Lot 6 and on the upper southwest line of said Lot 5;

THENCE along the line common to this 5.000 acres and said Lot 6, North 40 degrees 50 minutes 28 seconds West, at a distance of 102.17 feet pass a point for the southwest corner of said Easement, and continuing for a total distance of 201.60 feet to a 1/2 inch iron rod found for the southeast corner of said Freeman 2.05 acres;

THENCE along the line common to this 5.000 acres and said Freeman 2.05 acres, North 40 degrees 50 minutes 39 seconds West (bearing basis), a distance of 450.17 feet (called 450.26 feet) to the POINT OF BEGINNING, and containing 5.000 acres of land, more or less.

#### 10 FOOT ACCESS EASEMENT

COMMENCING at a 1/2 inch iron rod found for the lower northwest corner of the above described 5.000 acres, same being the North corner of the James and Carolyn Freeman 2.05 acres (Volume 1133, Page 303) and on the southeast Right-of-Way line of CR 331, same also being the lower northwest corner of said Lot 5 and the North corner of said Lot 6, same also being the POINT OF BEGINNING;

THENCE along the southeast Right-of-Way line of said CR 331, North 48 degrees 54 minutes 54 seconds East (called North 49 degrees 04 minutes 13 East), a distance of 59.99 feet to a 1/2 inch iron rod found for the upper northwest corner of said 5.000 acres, same being the lower northwest corner of Lot 3;

**THENCE** along the line common to said 5.000 acres and said Lot 3, South 40 degrees 50 minutes 20 seconds East, a distance of 528.52 feet to a point for the northeast corner of this Easement, same being the **POINT OF BEGINNING**;

**THENCE** along the line common to this Easement and said Lot 3, South 40 degrees 50 minutes 28 seconds East, a distance of 10.17 feet to a point for the southeast corner of this Easement;

**THENCE** departing the northeast line of and crossing said 5.000 acres, South 38 degrees 31 minutes 30 seconds West, a distance of 61.01 feet to a point for the southwest corner of this Easement, same being on the upper southwest line of said 5.000 acres and on the northeast line of said Lot 6;

**THENCE** along the line common to this Easement and said Lot 6, North 40 degrees 50 minutes 28 seconds West, a distance of 10.17 feet to a point for the northwest corner of this Easement;

**THENCE** departing the upper southeast line of and crossing said 5.000 acres, North 38 degrees 31 minutes 30 seconds East, a distance of 61.01 feet to the **POINT OF BEGINNING**;

**PROPERTY ADDRESS:** 4414 County Road 331,  
Floresville, TX - 78114

**SUBSTITUTE TRUSTEE:** BRENT W. MARTINELLI, JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ED HENDERSON, GEORGIA MCINVALLE, CHRIS LAFOND, KYLE WALKER, LENETTE REESE, any to act

Substitute Trustee's Mailing Address:

1700 Pacific Avenue, Suite 4545  
Dallas, TX 75201

**DATE AND TIME OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:**

May 1, 2018, the first Tuesday of the month, to commence between 1:00 pm and 4:00 pm.

**PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:**

The sale of property will be held at the county courthouse in Wilson County, Texas (located at 1420 3rd Street, Floresville, Texas) the county in which the above described property is located, and at that area of said county courthouse which has been so designated by the Wilson County Commissioners' Court as follows: Most North-Easterly door of Courthouse (facing the Wilson County Tax Assessor-Collector Office).

PM sale (1:00pm - 4:00pm)

**RECITALS**




Default has occurred in the payment of the Note and/or in the performance of the obligations under the Deed of Trust that secures the Note. Because of this default, Lender, the owner and holder of the Note and the Deed of Trust lien under Texas Property Code Section 51.002, has requested that Substitute Trustee sell the Property according to the terms of the Deed of Trust and applicable law.

Formal notice is now given of Lender's election to proceed against and sell the real property described in the Deed of Trust, consistent with Lender's rights and remedies under the Deed of Trust and applicable law.

Therefore, notice is given that on the Date and Time of Substitute Trustee's Sale of Property and at the Place of Substitute Trustee's Sale of Property, I, as Substitute Trustee, or any other substitute trustee Lender may appoint, will sell the Property by public sale to the highest bidder for cash or acceptable certified funds, according to the Deed of Trust and applicable law. The sale and conveyance of the Property will be subject to all matters of record applicable to the Property that are superior to the Deed of Trust and to any permitted exceptions to title described in the Deed of Trust. Substitute Trustee has not made and will not make any covenants, representations, or warranties about the Property other than providing the successful bidder at the sale with a deed to the Property containing any warranties of title required by the Deed of Trust. The Property will be sold AS IS, WHERE IS, AND WITH ALL FAULTS.

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.

Notice of Sale executed by:

  
\_\_\_\_\_  
Trustee

COPY

NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER  
(CXE)  
COMPTON, MICHAEL  
112 HICKORY HILL DRIVE, LA VERNIA, TX 78121

FHA 495-7622578703  
Firm File Number: 17-028092

Filed for Record in:  
Wilson County  
by Honorable Eva Martinez

County Clerk

On: Apr 09, 2018 at 10:12A

As a Recording

Total Fees = 2.00

**NOTICE OF TRUSTEE'S SALE**

WHEREAS, on March 23, 2007, MICHAEL COMPTON AND TAMARA COMPTON, HUSBAND AND WIFE AS JOINT TENANTS, as Grantor(s), executed a Deed of Trust conveying to G. TOMMY BASTIAN, as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR BSM FINANCIAL, L.P. DBA GOLD FINANCIAL in payment of a debt therein described. The Deed of Trust was filed in the real property records of WILSON COUNTY, TX and is recorded under Clerk's File/Instrument Number 00023544, to which reference is herein made for all purposes. Receipt Number = 217050  
File # = 17-028092

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

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


NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on TUESDAY, June 5, 2018 between ten o'clock AM and four o'clock PM and beginning not earlier than 12:00 PM or not later than three hours thereafter, I will sell said Real Estate in the area designated by the Commissioners Court, of Wilson county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

Said Real Estate is described as follows: In the County of Wilson, State of Texas:

LOT 116, HICKORY HILL SUBDIVISION, SITUATED IN WILSON COUNTY, TEXAS, AS SHOWN ON PLAT RECORDED IN VOLUME 4, PAGES 9-11, PLAT RECORDS OF WILSON COUNTY, TEXAS.

Property Address: 112 HICKORY HILL DRIVE  
LA VERNIA, TX 78121  
Mortgage Servicer: NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER  
Noteholder: NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER  
8950 CYPRESS WATERS BLVD  
COPELL, TEXAS 75019

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

  
SUBSTITUTE TRUSTEE  
Troy Martin, Deborah Martin, Irene Salazar, Deanna Ray,  
Vanessa Ramos, Richard Holton, Chris LaFond, Alexis  
Martin, Cassie Martin, Terri Martin, or Shelby Martin  
c/o Shapiro Schwartz, LLP  
13105 Northwest Freeway, Suite 1200  
Houston, TX 77040  
(713)462-2565

**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 military service to the sender of this notice immediately.**

AFFIDAVIT OF POSTING SUBSTITUTE TRUSTEE'S NOTICE OF SALE

STATE OF TEXAS           )(

COUNTY OF WILSON       )(

KNOW ALL MEN BY THESE PRESENTS, THAT:

BEFORE ME, the undersigned authority, personally appeared

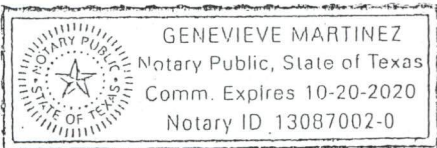
Gayle Richey, who after being by me duly sworn, said  
upon her oath:

"I, Gayle Richey, do solemnly swear (or affirm)  
that I posted a copy of the attached Substitute Trustee's Notice of  
Sale on the 6th day of April, 2018, such date  
being at least twenty-one days preceding the date of sale set forth in  
the attached Substitute Trustee's Notice of Sale, and that I  
accomplished and performed the just-mentioned date by posting a  
copy of the attached Substitute Trustee's Notice of Sale at the door  
of the county courthouse in Wilson County, Texas, which is the  
county in which the property described in the attached notice is  
located.

Signature Gayle Richey

Printed Name Gayle Richey

SWORN TO AND SUBSCRIBED BEFORE ME, this 6th day of  
April, 2018, to which witness my hand and seal of office.



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

**NOTICE OF FORECLOSURE SALE**

Total Fees : 2.00

**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.**

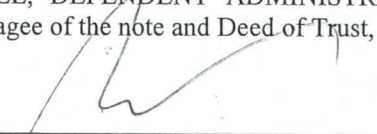
1. **Instrument to be Foreclosed:** The instrument to be foreclosed is the Deed of Trust dated January 14, 2017 with Sandra Rodriguez Bragdon as Grantor and Debi McGill, Dependent Administrator of the Estate of Leroy Dukes, Sr. as Grantee.
2. **Property to be Sold.** The property to be sold is described as follows: **J.H. MILLS SURVEY, TRACT 7, 1.00 ACRES, WILSON COUNTY, TEXAS** *Date, Time and Place of Sale.* The sale is scheduled to be held at the following date, time and place:

Date: May 1, 2018

Time: 1:30 p.m.

Place: Wilson County Courthouse, at the following location: THE NORTH-EASTERLY DOOR OF THE WILSON COUNTY COURTHOUSE, being the courthouse door facing the office of the Wilson County Tax-Accessor-Collector (which office bears the address of 2 Liberty Lane, Floresville, Texas 78114). The address of the Wilson County Courthouse is 1429 3<sup>rd</sup> Street, Floresville, Texas.

3. **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.
4. **Obligations Secured.** The Deed of Trust executed by SANDRA RODRIQEZ BRAGDON, provides that it secures the payment of the indebtedness in the original principal amount of \$20,000.00 and obligations therein described including but not limited to (a) the promissory note and (b) all renewals and extensions of the note. DEBI MCGILL, DEPENDENT ADMINISTRATOR OF THE ESTATE OF LEROY DUKES, SR. is the current mortgagee of the note and Deed of Trust, and is the Trustee designated in the Deed of Trust.

  
\_\_\_\_\_  
Billy McGill, Attorney for:  
Debi McGill, Dependent Administrator of the Estate of Leroy Dukes, Sr.  
P.O. Box 542616  
Grand Prairie, Texas 75054

**Certificate of Posting**

I am the attorney for Debi McGill, Dependent Administrator of the Estate of Leroy Dukes, Sr. I declare under penalty of perjury that on April 4, 2018 I filed this Notice of Foreclosure Sale at the office of the Wilson County Clerk and caused it to be posted at the location directed by the Wilson County Commissioner's Court.

  
\_\_\_\_\_  
Billy McGill, attorney for Debi McGill, Dependent Administrator of the Estate of Leroy Dukes, Sr.

AFFIDAVIT OF POSTING SUBSTITUTE TRUSTEE'S NOTICE OF SALE

STATE OF TEXAS )

COUNTY OF WILSON )

KNOW ALL MEN BY THESE PRESENTS, THAT:

BEFORE ME, the undersigned authority, personally appeared

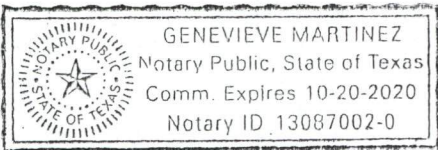
Gayle Richey, who after being by me duly sworn, said  
upon her oath:

"I, Gayle Richey, do solemnly swear ( or affirm)  
that I posted a copy of the attached Substitute Trustee's Notice of  
Sale on the 6th day of April, 2018, such date  
being at least twenty-one days preceding the date of sale set forth in  
the attached Substitute Trustee's Notice of Sale, and that I  
accomplished and performed the just-mentioned date by posting a  
copy of the attached Substitute Trustee's Notice of Sale at the door  
of the county courthouse in Wilson County, Texas, which is the  
county in which the property described in the attached notice is  
located.

Signature *Gayle Richey*

Printed Name Gayle Richey

SWORN TO AND SUBSCRIBED BEFORE ME, this 6th day of  
April, 2018, to which witness my hand and seal of office.



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

**NOTICE OF FORECLOSURE SALE**

Total Fees : 2.00

**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.**

1. **Instrument to be Foreclosed:** The instrument to be foreclosed is the Deed of Trust dated April 5, 2014 with Michal Shipley and Kristie Shipley as Grantors and Debi McGill, Dependent Administrator of the Estate of Leroy Dukes, Sr. as Grantee.

2. **Property to be Sold.** The property to be sold is described as follows: **A0010 F. Flores Survey, Tract 108, 1.62 acres as described in deed records Volume 214, page 530 of Wilson County, Texas**

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

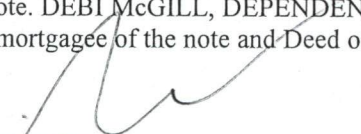
Date: May 1, 2018

Time: 1:30 p.m.

Place: Wilson County Courthouse, at the following location: THE NORTH-EASTERLY DOOR OF THE WILSON COUNTY COURTHOUSE, being the courthouse door facing the office of the Wilson County Tax-Accessor-Collector (which office bears the address of 2 Liberty Lane, Floresville, Texas 78114). The address of the Wilson County Courthouse is 1429 3<sup>rd</sup> Street, Floresville, Texas.

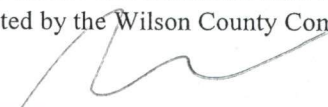
4. **Terms of Sale:** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the Deed of Trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to Section 51.009 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 SHIPLEY AND KRISTIE SHIPLEY, provides that it secures the payment of the indebtedness in the original principal amount of \$14,131.16 and obligations therein described including but not limited to (a) the promissory note and (b) all renewals and extensions of the note. DEBI MCGILL, DEPENDENT ADMINISTRATOR OF THE ESTATE OF LEROY DUKES, SR. is the current mortgagee of the note and Deed of Trust, and is the Trustee designated in the Deed of Trust.

  
\_\_\_\_\_  
Billy McGill, Attorney for:  
Debi McGill, Dependent Administrator of the Estate of Leroy Dukes, Sr.  
P.O. Box 542616  
Grand Prairie, Texas 75054

**Certificate of Posting**

I am the attorney for Debi McGill, Dependent Administrator of the Estate of Leroy Dukes, Sr. I declare under penalty of perjury that on April 4, 2018, I filed this Notice of Foreclosure Sale at the office of the Wilson County Clerk and caused it to be posted at the location directed by the Wilson County Commissioner's Court.

  
\_\_\_\_\_  
Billy McGill, attorney for Debi McGill, Dependent Administrator of the Estate of Leroy Dukes, Sr.

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

COPY

DEED OF TRUST INFORMATION:

Date: 04/23/2003
Grantor(s): V.O. CARDEN, JR. AND ET UX LINDA CARDEN
Original Mortgage: AMERIQUEST MORTGAGE COMPANY
Original Principal: \$168,750.00
Recording Information: Book 1158 Page 817 Instrument 00003492
Property County: Wilson
Property:

BEING A CERTAIN 1.0 ACRE TRACT OF LAND HEREINAFTER CALLED THE "CARDEN HOMESTEAD" WHICH IS OUT OF AN ORIGINAL 45.09 ACRE TRACT OF LAND IN THE J.C. MORGAN SURVEY NO. 24, ABSTRACT 215, WILSON COUNTY, TEXAS; AND SAID 45.09 ACRE TRACT CONSISTING IN PART OUT OF THAT LAND DESCRIBED IN A DEED FROM A.W. FOERSTER ET UX TO LESLIE S. HUTTON, OF RECORD IN VOLUME 418, PAGE 120; AND ALSO CONSISTING IN PART OF THAT LAND DESCRIBED IN A DEED FROM FLOYD HUTTON, ET UX TO LESLIE S. HUTTON AND WIFE MILDRED HUTTON, SHOWN OF RECORD IN VOLUME 487, PAGE 532; AND FINALLY BEING A PART OF AND CONSISTING OF THE LAND DESCRIBED IN A DEED FROM JOHN P. LORENZ, JR., ET UX TO LESLIE HUTTON, ET UX OF RECORD IN VOLUME 521, PAGE 485, AND ALL THREE REFERENCE DEEDS REFERRED TO HEREIN ARE RECORDED IN THE DEED RECORDS OF WILSON COUNTY, TEXAS; AND THE SAID ORIGINAL 45.09 ACRE TRACT OF LAND IS DESCRIBED AND CONVEYED IN A DEED TO V.O. CARDEN, JR. AND WIFE, LINDA L. CARDEN FROM TEDDIE W. VOIGT, ET UX, DATED MARCH 25, 1999 AND RECORDED IN VOLUME 1006, PAGE 763, OFFICIAL RECORDS OF WILSON COUNTY, TEXAS; AND THE SAID SUBJECT 1.0 ACRE TRACT HEREINAFTER REFERRED TO AS THE "CARDEN HOMESTEAD" IS DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN FOR THE INITIAL AND 1ST POINT OF REFERENCE AT A FOUND IRON PIN SITUATED IN THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 87 BEING WEST OF STATE HIGHWAY 123 INTERSECTION IN STOCKDALE, TEXAS; AND SAID IRON PIN MARKING THE NORTHEASTERLY CORNER OF THE ORIGINAL LESLIE HUTTON AND THE PRESENT V.O. CARDEN, JR. ET UX 45.09 ACRE TRACT OF LAND; AND BEING THE COMMON NORTHWESTERLY CORNER OF THE FLOYD W. HUTTON, ET UX/TOMMY HUTTON TRACT OF LAND WHICH IS DESCRIBED IN VOLUME 454, PAGE 558, DEED RECORDS OF WILSON COUNTY, TEXAS. THENCE SOUTH 29 DEGREES 30 MINUTES 21 SECONDS EAST, ALONG AND WITH A STEEL PIPE FENCE WHICH IS SITUATED ON THE BOUNDARY LINE BETWEEN THE FLOYD HUTTON/TOMMY HUTTON LAND AND THE LESLIE HUTTON/V.O. CARDEN, JR. LAND, A DISTANCE OF 375 FEET, TO A FOUND IRON PIN MARKING THE 2ND POINT OF REFERENCE FOR THE COMMENCEMENT OF THE LEGAL DESCRIPTION OF THE CARDEN HOMESTEAD TRACT. THENCE SOUTH 40 DEGREES 30 MINUTES 21 SECONDS WEST FROM SAID STEEL PIPE FENCE LINE WHICH IS SITUATED ON AND ALONG THE COMMON BOUNDARY LINE OF THE AFORESAID FLOYD HUTTON/TOMMY HUTTON LAND AND THE LESLIE HUTTON/V.O. CARDEN, JR. LAND (45.09 ACRES) A DISTANCE OF 32 FEET TO A POINT MARKED BY AN IRON PIN AND SAID IRON PIN MARKING THE SOUTHEAST CORNER OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT AND THE SAID SOUTHEAST CORNER BEING THE PLACE OF BEGINNING OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT; THENCE CONTINUE ALONG SAID LINE AND COURSE SOUTH 40 DEGREES 30 MINUTES 21 SECONDS WEST A DISTANCE OF 284.30 FT. TO AN IRON PIN MARKING THE SOUTHWEST CORNER OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT; THENCE NORTH 40 DEGREES 30 MINUTES 21 SECONDS WEST 150 FEET TO AN IRON PIN MARKING THE NORTHWEST CORNER OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT; THENCE NORTH 40 DEGREES 30 MINUTES 21 SECONDS EAST 284.30 FEET TO AN IRON PIN WHICH MARKS THE NORTHEAST CORNER OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT; THENCE SOUTH 40 DEGREES 30 MINUTES 21 SECONDS EAST 150 FEET TO THE PLACE OF BEGINNING OF THIS SUBJECT 1.0 ACRE TRACT REFERRED TO AS THE CARDEN HOMESTEAD TRACT AND SAID PLACE OF BEGINNING IS THE SOUTHEAST CORNER OF THE SUBJECT CARDEN HOMESTEAD TRACT, CONTAINING 1.0 ACRES OF LAND. ALONG WITH A NON-EXCLUSIVE EASEMENT FOR ACCESS AND UTILITIES OUT OF AND ACROSS THE ORIGINAL LESLIE HUTTON AND THE PRESENT V.O. CARDEN, JR. ET UX 45.09 ACRE TRACT OF LAND TO THE ABOVE DESCRIBED CARDEN HOMESTEAD TRACT FROM U.S. HIGHWAY 87, DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON PIN SITUATED IN THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 87 BEING WEST OF STATE HIGHWAY 123 INTERSECTION IN STOCKDALE, TEXAS; AND SAID IRON PIN MARKING THE NORTHEASTERLY CORNER OF THE ORIGINAL LESLIE HUTTON AND THE PRESENT V.O. CARDEN, JR. ET UX 45.09 ACRE TRACT OF LAND; AND BEING THE COMMON NORTHWESTERLY CORNER OF THE FLOYD W. HUTTON, ET UX/TOMMY HUTTON TRACT OF LAND WHICH IS DESCRIBED IN VOLUME 454, PAGE 558, DEED RECORDS OF WILSON COUNTY, TEXAS BEING THE PLACE OF BEGINNING; THENCE SOUTH 29 DEGREES 30 MINUTES 21 SECONDS EAST, ALONG AND WITH A STEEL PIPE FENCE WHICH IS SUTUATED ON THE BOUNDARY LINE BETWEEN

Filed for Record in: Wilson County
Honorable Eva Martinez
County Clerk
Apr 25, 2018 at 01:08P
As a Recording
Fees : 2.00
Number - 216966
By, Elsy Barreto

THE FLOYD HUTTON/TOMMY HUTTON LAND AND THE LESLIE HUTTON/V.O. CARDEN, JR. LAND, A DISTANCE OF 375 FEET TO A FOUND IRON PIN MARKING THE 2ND POINT OF REFERENCE FOR THE COMMENCEMENT OF THE LEGAL DESCRIPTION OF THE CARDEN HOMESTEAD TRACT, SAID POINT BEING OPPOSITE THE SOUTHEAST CORNER OF THE CARDEN HOMESTEAD TRACT, MARKING THE SOUTHEAST CORNER OF THIS EASEMENT; THENCE SOUTH 40 DEGREES 30 MINUTES 21 SECONDS WEST FROM SAID STEEL PIPE FENCE LINE WHICH IS SITUATED ON AND ALONG THE COMMON BOUNDARY LINE OF THE AFORESAID FLOYD HUTTON/TOMMY HUTTON LAND AND THE LESLIE HUTTON/V.O. CARDEN, JR. LAND (45.09 ACRES) A DISTANCE OF 32 FEET TO THE SOUTHEAST CORNER OF THE 1.0 ACRE CARDEN HOMESTEAD MARKING THE SOUTHWEST CORNER OF THIS EASEMENT; THENCE WITH THE SOUTHWEST LINE OF THIS EASEMENT ALONG SAID NORTHEAST LINE OF THE 1.0 ACRE CARDEN HOMESTEAD NORTH 40 DEGREES 30 MINUTES 21 SECONDS WEST 150 FEET TO THE NORTHEAST CORNER OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT FOR A POINT ON THE SOUTHWEST LINE OF THIS EASEMENT; THENCE WITH THE SOUTHWEST LINE OF THIS EASEMENT NORTH 29 DEGREES 30 MINUTES 21 SECONDS WEST, PARALLEL WITH A STEEL PIPE FENCE WHICH IS SITUATED ON THE BOUNDARY LINE BETWEEN THE FLOYD HUTTON/TOMMY HUTTON LAND AND THE LESLIE HUTTON/V.O. CARDEN, JR. LAND, A DISTANCE OF 225 FEET TO U.S. HIGHWAY 87 FOR THE NORTHWESTERN TERMINUS OF THIS EASEMENT ON U.S. HIGHWAY 87; THENCE WITH THE SOUTHERLY RIGHT OF WAY OF SAID U.S. HIGHWAY 87 TO THE NORTHEAST CORNER OF THIS EASEMENT AND THE PLACE OF BEGINNING, SOUTH 73 DEGREES 33 MINUTES 11 SECONDS EAST 32 FEET TO THE NORTHEAST CORNER OF THIS EASEMENT AND THE PLACE OF BEGINNING.

**Reported Address:** 705 HIGHWAY 87E, STOCKDALE, TX 78160

**MORTGAGE SERVICING INFORMATION:**

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

**Current Mortgagee:** Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2003-6

**Mortgage Servicer:** Ocwen Loan Servicing, LLC

**Current Beneficiary:** Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2003-6

**Mortgage Servicer Address:** 1661 Worthington Rd, Suite 100, West Palm Beach, FL 33409

**SALE INFORMATION:**

**Date of Sale:** Tuesday, the 1st day of May, 2018

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

**Place of Sale:** AT THE MOST NORTH-EASTERLY DOOR OF THE WILSON COUNTY COURTHOUSE, BEING THE COURTHOUSE DOOR FACING THE OFFICE OF THE WILSON COUNTY TAX ASSESSOR-COLLECTOR, IN FLORESVILLE, WILSON COUNTY, TEXAS, WHICH BEARS THE ADDRESS OF 2 LIBRARY LANE in Wilson County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Wilson County Commissioner's Court.

**Substitute Trustee(s):** Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, or Suzanne Suarez, any to act

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

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

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

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, or Suzanne Suarez, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, or Suzanne Suarez, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Very truly yours,   
Bonial & Associates, P.C.



CAUSE NO. 17-12-0841-CVW

IN RE: ORDER FOR FORECLOSURE  
CONCERNING 705 HIGHWAY 87E,  
STOCKDALE, TX 78160 UNDER TEX.  
R. CIV. PROC. 736

IN THE DISTRICT COURT

PETITIONER:

OCWEN LOAN SERVICING, LLC AS  
SERVICING AGENT FOR DEUTSCHE  
BANK NATIONAL TRUST COMPANY,  
AS TRUSTEE FOR AMERIQUEST  
MORTGAGE SECURITIES INC.,  
ASSET-BACKED PASS-THROUGH  
CERTIFICATES, SERIES 2003-6

WILSON COUNTY, TEXAS

RESPONDENT(S):

LINDA L CARDEN AKA LINDA CARDEN;  
V. O. CARDEN JR AKA V. O. CARDEN

81ST DISTRICT COURT

DEFAULT ORDER ALLOWING FORECLOSURE

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited order under Rule 736. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.
2. The name and last known address of each Respondent subject to this order is Linda L Carden AKA Linda Carden and V. O. Carden Jr AKA V. O. Carden, whose last known address is 705 US Highway 87E, Stockdale, TX 78160. Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten days.
3. The property that is the subject of this foreclosure proceeding is commonly known as 705 US Highway 87e, Stockdale, TX 78160 with the following legal description:

BEING A CERTAIN 1.0 ACRE TRACT OF LAND HEREINAFTER CALLED THE "CARDEN HOMESTEAD" WHICH IS OUT OF AN ORIGINAL 45.09 ACRE TRACT OF LAND IN THE J.C. MORGAN SURVEY NO. 24, ABSTRACT 215, WILSON COUNTY, TEXAS; AND SAID 45.09 ACRE TRACT CONSISTING IN PART OUT OF THAT LAND DESCRIBED IN A DEED FROM A.W. FOERSTER ET UX TO LESLIE S. HUTTON, OF RECORD IN VOLUME 418, PAGE 120; AND ALSO CONSISTING IN PART OF THAT LAND DESCRIBED IN A DEED FROM FLOYD HUTTON, ET UX TO LESLIE S. HUTTON AND WIFE MILDRED HUTTON, SHOWN OF RECORD IN VOLUME 487, PAGE 532; AND FINALLY BEING A PART OF AND CONSISTING OF THE LAND DESCRIBED IN A DEED FROM JOHN P. LORENZ, JR., ET UX TO LESLIE HUTTON, ET UX OF RECORD IN VOLUME 521, PAGE 485, AND ALL THREE REFERENCE DEEDS REFERRED TO HEREIN ARE RECORDED IN THE DEED RECORDS OF WILSON COUNTY, TEXAS; AND THE SAID ORIGINAL 45.09 ACRE TRACT OF LAND IS DESCRIBED AND CONVEYED IN A DEED TO V.O. CARDEN, JR. AND WIFE, LINDA L. CARDEN FROM TEDDIE W. VOIGT, ET UX; DATED MARCH 25, 1999 AND RECORDED IN VOLUME 1006, PAGE 763, OFFICIAL RECORDS OF WILSON COUNTY, TEXAS; AND THE SAID SUBJECT 1.0 ACRE TRACT HEREINAFTER REFERRED TO AS THE "CARDEN HOMESTEAD" IS DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN FOR THE INITIAL AND 1ST POINT OF REFERENCE AT A FOUND IRON PIN SITUATED IN THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 87 BEING WEST OF STATE HIGHWAY 123 INTERSECTION IN STOCKDALE, TEXAS; AND SAID IRON PIN MARKING THE NORTHEASTERLY CORNER OF THE ORIGINAL LESLIE HUTTON AND THE PRESENT V.O. CARDEN, JR. ET UX 45.09 ACRE TRACT OF LAND; AND BEING THE COMMON NORTHWESTERLY CORNER OF THE FLOYD W. HUTTON, ET UX/TOMMY HUTTON TRACT OF LAND WHICH IS DESCRIBED IN VOLUME 454, PAGE 558, DEED RECORDS OF WILSON COUNTY, TEXAS. THENCE SOUTH 29 DEGREES 30 MINUTES 21 SECONDS EAST, ALONG AND WITH A STEEL PIPE FENCE WHICH IS SITUATED ON THE BOUNDARY LINE BETWEEN THE FLOYD HUTTON/TOMMY HUTTON LAND AND THE LESLIE HUTTON/V.O. CARDEN, JR. LAND, A DISTANCE OF 375 FEET, TO A FOUND IRON PIN MARKING THE 2ND POINT OF REFERENCE FOR THE COMMENCEMENT OF THE LEGAL DESCRIPTION OF THE CARDEN HOMESTEAD TRACT. THENCE SOUTH 40 DEGREES 30 MINUTES 21 SECONDS WEST FROM SAID STEEL PIPE FENCE LINE WHICH IS SITUATED ON AND ALONG THE COMMON BOUNDARY LINE OF THE AFORESAID FLOYD HUTTON/TOMMY HUTTON LAND AND THE LESLIE

HUTTON/V.O CARDEN, JR. LAND (45.09 ACRES) A DISTANCE OF 32 FEET TO A POINT MARKED BY AN IRON PIN AND SAID IRON PIN MARKING THE SOUTHEAST CORNER OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT AND THE SAID SOUTHEAST CORNER BEING THE PLACE OF BEGINNING OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT; THENCE CONTINUE ALONG SAID LINE AND COURSE SOUTH 40 DEGREES 30 MINUTES 21 SECONDS WEST A DISTANCE OF 284.30 FT. TO AN IRON PIN MARKING THE SOUTHWEST CORNER OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT;

THENCE NORTH 40 DEGREES 30 MINUTES 21 SECONDS WEST 150 FEET TO AN IRON PIN MARKING THE NORTHWEST CORNER OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT; THENCE NORTH 40 DEGREES 30 MINUTES 21 SECONDS EAST 284.30 FEET TO AN IRON PIN WHICH MARKS THE NORTHEAST CORNER OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT;

THENCE SOUTH 40 DEGREES 30 MINUTES 21 SECONDS EAST 150 FEET TO THE PLACE OF BEGINNING OF THIS SUBJECT 1.0 ACRE TRACT REFERRED TO AS THE CARDEN HOMESTEAD TRACT AND SAID PLACE OF BEGINNING IS THE SOUTHEAST CORNER OF THE SUBJECT CARDEN HOMESTEAD TRACT, CONTAINING 1.0 ACRES OF LAND. ALONG WITH A NON-EXCLUSIVE EASEMENT FOR ACCESS AND UTILITIES OUT OF AND ACROSS THE ORIGINAL LESLIE HUTTON AND THE PRESENT V.O CARDEN, JR. ET UX 45.09 ACRE TRACT OF LAND TO THE ABOVE DESCRIBED CARDEN HOMESTEAD TRACT FROM U.S. HIGHWAY 87, DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON PIN SITUATED IN THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 87 BEING WEST OF STATE HIGHWAY 123 INTERSECTION IN STOCKDALE, TEXAS; AND SAID IRON PIN MARKING THE NORTHEASTERLY CORNER OF THE ORIGINAL LESLIE HUTTON AND THE PRESENT V.O. CARDEN, JR. ET UX 45.09 ACRE TRACT OF LAND; AND BEING THE COMMON NORTHWESTERLY CORNER OF THE FLOYD W. HUTTON, ET UX/TOMMY HUTTON TRACT OF LAND WHICH IS DESCRIBED IN VOLUME 454, PAGE 558, DEED RECORDS OF WILSON COUNTY, TEXAS BEING THE PLACE OF BEGINNING; THENCE SOUTH 29 DEGREES 30 MINUTES 21 SECONDS EAST, ALONG AND WITH A STEEL PIPE FENCE WHICH IS SITUATED ON THE BOUNDARY LINE BETWEEN THE FLOYD HUTTON/TOMMY HUTTON LAND AND THE LESLIE HUTTON/V.O. CARDEN, JR. LAND, A DISTANCE OF 375 FEET TO A FOUND IRON PIN MARKING THE 2ND POINT OF REFERENCE FOR THE COMMENCEMENT OF THE LEGAL DESCRIPTION OF

THE CARDEN HOMESTEAD TRACT, SAID POINT BEING OPPOSITE THE SOUTHEAST CORNER OF THE CARDEN HOMESTEAD TRACT, MARKING THE SOUTHEAST CORNER OF THIS EASEMENT; THENCE SOUTH 40 DEGREES 30 MINUTES 21 SECONDS WEST FROM SAID STEEL PIPE FENCE LINE WHICH IS SITUATED ON AND ALONG THE COMMON BOUNDARY LINE OF THE AFORESAID FLOYD HUTTON/TOMMY HUTTON LAND AND THE LESLIE HUTTON/V.O. CARDEN, JR. LAND (45.09 ACRES) A DISTANCE OF 32 FEET TO THE SOUTHEAST CORNER OF THE 1.0 ACRE CARDEN HOMESTEAD MARKING THE SOUTHWEST CORNER OF THIS EASEMENT; THENCE WITH THE SOUTHWEST LINE OF THIS EASEMENT ALONG SAID NORTHEAST LINE OF THE 1.0 ACRE CARDEN HOMESTEAD NORTH 40 DEGREES 30 MINUTES 21 SECONDS WEST 150 FEET TO THE NORTHEAST CORNER OF THE SUBJECT 1.0 ACRE CARDEN HOMESTEAD TRACT FOR A POINT ON THE SOUTHWEST LINE OF THIS EASEMENT; THENCE WITH THE SOUTHWEST LINE OF THIS EASEMENT NORTH 29 DEGREES 30 MINUTES 21 SECONDS WEST, PARALLEL WITH A STEEL PIPE FENCE WHICH IS SITUATED ON THE BOUNDARY LINE BETWEEN THE FLOYD HUTTON/TOMMY HUTTON LAND AND THE LESLIE HUTTON/V.O. CARDEN, JR. LAND, A DISTANCE OF 225 FEET TO U.S. HIGHWAY 87 FOR THE NORTHWESTERN TERMINUS OF THIS EASEMENT ON U.S. HIGHWAY 87; THENCE WITH THE SOUTHERLY RIGHT OF WAY OF SAID U.S. HIGHWAY 87 TO THE NORTHEAST CORNER OF THIS EASEMENT AND THE PLACE OF BEGINNING, SOUTH 73 DEGREES 33 MINUTES 11 SECONDS EAST 32 FEET TO THE NORTHEAST CORNER OF THIS EASEMENT AND THE PLACE OF BEGINNING.

4. The lien to be foreclosed is indexed or recorded at Volume: 1158, Page: 817, Instrument Number: 00003492 and recorded in the real property records of Wilson County, Texas.
5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this order.
6. Based on the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 et seq.
7. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of

Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the loan agreement, contract, or lien sought to be foreclosed.

8. This order is not subject to a motion for rehearing, a new trial, a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this 4 day of Feb, 2018

  
JUDGE PRESIDING

FILED FOR RECORD  
WILSON CO. TEXAS  
2018 FEB -5 A 8:21  
DEBORAH BRYAN  
DISTRICT CLERK  
BY:   
DEPUTY

COPY

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.

Filed for Record in:  
by Honorable Eva Martinez  
County Clerk  
On: Apr 03, 2018 at 09:55A  
As a Recording

NOTICE OF SALE

PURSUANT TO AUTHORITY conferred upon the Trustee by that certain Deed of Trust dated March 27, 2015, executed by JASON CRAIG GARNER AND KATHERINE RAE GARNER, MARRIED ("Mortgagor") to K. Clifford Littlefield, Trustee for the benefit of VANDERBILT MORTGAGE AND FINANCE, INC. ("Mortgagee"), filed for record under Instrument No. 00043671, Official Public Records of Wilson County, Texas, Mortgagee appoints K. Clifford Littlefield, whose address is listed below, Jessica D. Jester or Jennifer Renee Stroupe, whose business address is 218 N. Las Moras St., San Antonio, TX 78207, under said Deed of Trust, in order to satisfy the indebtedness secured thereby and at the request of the holder of said indebtedness, default having been made in the covenants of the Deed of Trust, to sell on Tuesday, May 1, 2018, (that being the first Tuesday of the month), at public auction to the highest bidder for cash, at the Wilson County Courthouse at the place designated by the Commissioner's Court for such sales in Wilson County, Texas, (on the steps of the county courthouse, or as designated by the County Commissioner), the sale to begin at 10:00 o'clock a.m. or not later than three (3) hours after such time on that date, selling all of the property as an entirety or in such parcels as the Trustee acting may elect the property offered for sale, more particularly described on Exhibit "A" attached hereto and made a part hereof, together with any and all improvements constructed upon, affixed to or located upon the above described real property, including but not limited to the 2011 Southern Energy EZ-460 Manufactured Housing Unit, Serial No. SAD020613ALABC.

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.

EXECUTED this 27<sup>th</sup> day of March, 2018.

*K Littlefield*

K. CLIFFORD LITTLEFIELD, Mortgagee Attorney  
UPTON, MICKITS & HEYMANN, L.L.P.  
802 N. Carancahua, Suite 450  
Corpus Christi, Texas 78401  
Telephone: (361) 884-0612  
Facsimile: (361) 884-5291  
Email: clittlefield@umhlaw.com

THE STATE OF TEXAS §  
COUNTY OF NUECES §

SUBSCRIBED and SWORN TO BEFORE ME, the undersigned Notary Public, by K. CLIFFORD LITTLEFIELD, this 27<sup>th</sup> day of March, 2018, to certify which witness my hand and official seal.

*[Signature]*  
NOTARY PUBLIC, STATE OF TEXAS

Return to:  
K. Clifford Littlefield  
Upton, Mickits & Heymann, L.L.P.  
802 N. Carancahua, Suite 450  
Corpus Christi, Texas 78401

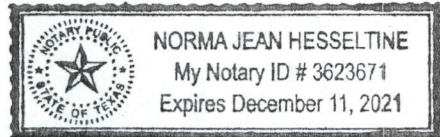


EXHIBIT "A"

**BING 7.00 acres in Wilson County, Texas, a part of the Samuel Pharr Survey No. 189, A-252; being a part of that same 78.00 acre tract described in Deed dated June 27, 1951, executed by Leonard Garner, et al to Craig Garner, recorded in Vol. 208, Page 395 of the Deed Records of Wilson County, Texas, being more fully described by metes and bounds as follows:**

**BEGINNING** at an iron pin set for the most westerly corner of this tract, being on the southwest boundary of said 78.00 acre tract, also being on the northeast boundary of a county road, from which place of beginning the intersection of the easterly boundary of St. Hwy 123 and the northeast boundary of said county road bears N. 29 deg. 28 min. W., a distance of 908.30 feet (to the most westerly corner of said 78.00 acre tract); thence N. 29 deg. 05 min. W., 1,819.00 feet;

**THENCE** across said 78.00 acre tract N. 30 deg. 28 min. E., a distance of 2,115.80 feet to an iron pin set for the most northerly corner of this tract, and being on the northeast boundary of said 78.00 acre tract;

**THENCE** 8. 60 deg. 05 min. E., a distance of 141.3 feet with the northeast boundary of said 78.00 acre tract to an iron pin set for the most easterly corner of this tract and being the most easterly corner of said 78.00 acre tract;

**THENCE** 5. 30 deg. 28 min. W., a distance of 2,199.00 feet across said 78.00 acre tract to an iron pin set for the most southerly corner of this tract, and being on the northeast boundary of said county road (also being the southwest boundary of said 78.00 acre tract);

**THENCE** N. 29 deg. 28 min. W., a distance of 163.30 feet with the northeast boundary of said county road (also being the approximate common line of the A. Trevino Grant, Survey No. 20, A-20, and the Samuel Pharr Survey No. 189, A-252), to the PLACE OF BEGINNING.

And being the same property described in Deed dated June 11, 1979, executed by Craig Garner to Craig M. Garner, recorded in Volume 525, Page 1 of the Deed Records of Wilson County, Texas.

**COPY**

Filed for Record in:  
Wilson County  
by Honorable Eva Martinez

County Clerk

On: Apr 02, 2018 at 03:07P

As a Recording

Total Fees : 2.00

Receipt Number - 216813

By:  
Mary Spooner

**NOTICE OF FORECLOSURE SALE**

**MAY 1, 2018**

**Home Equity Deed of Trust ("Deed of Trust"):**

**Dated:** April 11, 2008  
**Grantor:** Raul Ramirez  
**Trustee:** Gerald Sekula  
**Lender:** Falls City National Bank  
**Recorded in:** Volume 1454, Page 94, Official Public Records of Wilson County, Texas.

**Legal Description:**

**TRACT I**

**Lot 4**, Block 43, Houston and Green Addition, Poth, Texas, according to the Map recorded in Book 1, Page 46, Map Records of Wilson County, Texas.

**LESS & EXCEPT 10.00 feet** of land fronting Griffith Street. This land is out of **TRACT I only**.

**TRACT II**

**Lot 3**, Block 43, out of the former Westmier Addition, Poth, Texas, according to map thereof recorded in Map Records of Wilson County, Texas.

Being the same property described in deed dated January 30, 2008 from Salomon Ramirez and Margaret Ramirez to Raul Ramirez, recorded in Volume 1443, Page 662, Official Public Records of Wilson County, Texas.

**Secures:** Promissory Note – Texas Home Equity ("Note") in the original principal amount of \$43,100.00, executed by Raul Ramirez ("Borrower") and payable to the order of Lender.

**Substitute Trustee:** DOMINIC CARVAJAL  
1433 THIRD STREET  
FLORESVILLE, WILSON COUNTY, TEXAS 78114

**Foreclosure Sale:**

**Date:** May 1, 2018  
**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:** At the most north-easterly door of the Wilson County Courthouse, being the Courthouse door facing the office of the Wilson County Texas Veterans Service Office formerly the Wilson County Tax Assessor-Collector in Floresville, Wilson County, Texas, (which office bears the address of 2 Library Lane, Floresville, Wilson County, Texas,) bearing the address of 1420 Third Street, Floresville, Wilson County, Texas, in accordance with Certified Copy of Resolution of the Commissioner's Court of Wilson County, Texas, of record in Volume 1253, Page 671, Official Public Records of Wilson County, Texas.

**Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Lender'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, Lender, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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

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

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

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

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

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) 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.**

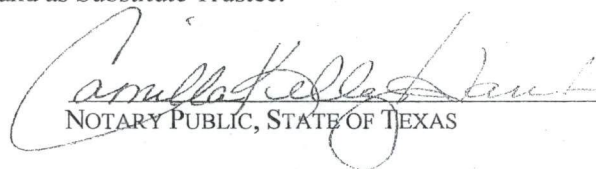


DOMINIC CARVAJAL, ATTORNEY FOR  
MORTGAGEE, FALLS CITY NATIONAL BANK,  
AND AS SUBSTITUTE TRUSTEE

State of Texas §

County of Wilson §

This instrument was acknowledged before me on APRIL 2, 2018, by DOMINIC CARVAJAL, as Attorney for Mortgagee, Falls City National Bank, and as Substitute Trustee.

  
NOTARY PUBLIC, STATE OF TEXAS

