

COPY

WILSON COUNTY

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

PURSUANT TO AUTHORITY conferred upon the Trustee by that certain Deed of Trust dated March 30, 2012, executed by **LISA R. BRUNER** ("Mortgagor") to Michael Gary Orlando, Trustee for the benefit of **VANDERBILT MORTGAGE AND FINANCE, INC.** ("Mortgagee"), filed for record under Document No. 00012200, Official Public Records of Wilson County, Texas, a Substitute Trustee, 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, will sell on **Tuesday, May 5, 2015**, (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 Manufactured Housing Unit, 2008 CMH Southern Star Manufactured Housing Unit, Serial No. CW2011996TXAB.

EXECUTED this 19<sup>th</sup> day of March, 2015.

*K Littlefield*

**K. CLIFFORD LITTLEFIELD**, Substitute Trustee  
UPTON, MICKITS & HEYMANN, L.L.P.  
Frost Bank Plaza  
802 N. Carancahua, Suite 450  
Corpus Christi, Texas 78401  
Email: [clittlefield@umhlaw.com](mailto:clittlefield@umhlaw.com)  
Telephone: (361) 884-0612  
Facsimile: (361) 884-5291  
Email: [clittlefield@umhlaw.com](mailto:clittlefield@umhlaw.com)

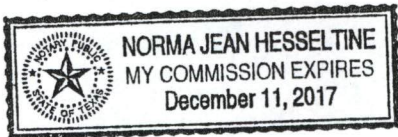
Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk  
On: Mar 25, 2015 at 08:13A  
As a Recording

Total Fees : 2.00

Receipt Number - 176958  
By:  
Gavie Richey

THE STATE OF TEXAS §  
§  
COUNTY OF NUECES §

SUBSCRIBED and SWORN TO BEFORE ME, the undersigned Notary Public, by **K. CLIFFORD LITTLEFIELD**, this 19<sup>th</sup> day of March, 2015, to certify which witness my hand and official seal.



*Norma Jean Hesseltnine*  
\_\_\_\_\_  
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  
Z:\KCLData\KCL\Vanderbilt\Bruner, Lisa R\Fleadings\FORCLSR-2.vpd

EXHIBIT "A"

**Lot 171 of the Tierra Robles Subdivision, Unit 3, as shown by plat recorded in Volume 9,  
Pages 18 of the Map and Plat Records of Wilson County, Texas.**



County Clerk  
On: Mar 16, 2015 at 11:55A  
As a Recording

Total Fees : 2.00

Receipt Number - 176611  
By:  
Krustle Hidalgo,

## NOTICE OF FORECLOSURE SALE

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

EXHIBIT A

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 02/15/2002 and recorded in Book 1097 Page 123 Document 8732 real property records of Wilson County, Texas.

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

Date: 04/07/2015

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 WESTERLY DOOR OF THE WILSON COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

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

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust. 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 records 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 VIOLET HOWARD, provides that it secures the payment of the indebtedness in the original principal amount of \$49,600.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. U.S. Bank National Association, as Trustee, Successor in Interest to Wachovia Bank, N.A. (formerly known as First Union National Bank), as Trustee for Long Beach Mortgage Loan Trust 2002-1 is the current mortgagee of the note and deed of trust and SELECT PORTFOLIO SERVICING, INC. is mortgage servicer. A servicing agreement between the mortgagee, whose address is U.S. Bank National Association, as Trustee, Successor in Interest to Wachovia Bank, N.A. (formerly known as First Union National Bank), as Trustee for Long Beach Mortgage Loan Trust 2002-1 c/o SELECT PORTFOLIO SERVICING, INC., 3815 South West Temple, Salt Lake City, UT 84115 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. **Default and Request to Act.** Default has occurred under the deed of trust and U.S. Bank National Association, as Trustee, Successor in Interest to Wachovia Bank, N.A. (formerly known as First Union National Bank), as Trustee for Long Beach Mortgage Loan Trust 2002-1 obtained a Home Equity Foreclosure Order from the 218th District Court of Wilson County on 01/06/2015 under Cause No. 14-10-0612-CVW. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order and notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

TROY MARTIN, MELODY SPEER OR WENDY SPEER  
c/o AVT Title Services, LLC  
13770 Noel Road #801529  
Dallas, TX 75380-1529

14-000529-850  
928 7TH STREET  
FLORESVILLE, TX 78114

**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.**



4515952

LEGAL DESCRIPTION

VOL 1097 PAGE 133

Survey Associates  
2544 Boardwalk  
San Antonio, Texas 78217  
(210) 828-1102

STATE OF TEXAS  
COUNTY OF WILSON

0.306 ACRE TRACT

All that certain tract or parcel of land containing 0.306 acres in the City of Floresville, Wilson County, Texas, being the same tract of land described in Volume 469, Page 125, Deed Records of Wilson County, Texas and being a portion of that certain tract called 1/2 acre tract described in Volume 346, Page 24, Deed Records of Wilson County, Texas.

Said 0.306 acre tract, being more particularly described by metes and bounds as follows;

- BEGINNING: at a 1/2" iron pin found on the Northeast right-of-way line of 7<sup>th</sup> Street at the South corner of Ronald W. Skinner, 0.55 acre tract, of record in Volume 997, Page 940, Official Public Records of Wilson County, Texas, for the West corner of this herein described tract;
- THENCE: North 48 deg. 45 min. 00 sec. East, a distance of 256.03 feet to a metal post found on the Southwest boundary line of Alton Ray Lamberth, 10.77 acre tract, of record in Volume 1013, Page 108, Official Public Records of Wilson County, Texas, for the North corner of this herein described tract;
- THENCE: South 41 deg. 15 min. 00 sec. East, a distance of 52.08 feet along with the Southwest boundary line of said Lamberth, 10.77 acre tract to a 1/2" iron pin found at the North corner of the remaining portion of said Edna Kuykendall, 1/2 acre tract, for the East corner of this herein described tract;
- THENCE: South 48 deg. 45 min. 00 sec. West, a distance of 256.03 feet to a 1/2" iron pin set on the Northeast right-of-way line of said 7<sup>th</sup> Street at the West corner of said remaining portion of said Kuykendall, 1/2 acre tract, for the South corner of this herein described tract;
- THENCE: North 41 deg. 15 min. 00 sec. West, a distance of 52.08 feet along with the Northeast right-of-way line of said 7<sup>th</sup> Street to the POINT OF BEGINNING.

Bearing Basis - North 41 deg. 15 min. 00 sec. West - from the Southwest line of this herein described tract, of record in Volume 469, Page 125, Deed Records of Wilson County, Texas.



REYNALDO MARTINEZ JR.  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 5482  
FEBRUARY 8, 2002  
JOB No. 02-2-12B  
(SEE ATTACHED SURVEY PLAT)

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF RACE OR COLOR IS HEREBY REPEALED AND UNENFORCEABLE UNDER FEDERAL LAW.  
THE STATE OF TEXAS  
COUNTY OF WILSON  
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped herein by me, and was duly RECORDED in Official Public Records VOL 1097 PAGE 133 OF WILSON COUNTY, TEXAS ON

MAR 4 2002



Eva S. Martinez  
COUNTY CLERK  
WILSON COUNTY, TEXAS

FILED 8732  
For record in my office  
4 day of March 20 02  
at 10:30 o'clock A.M.  
EVA S. MARTINEZ, County Clerk  
Wilson County, Texas  
By Pat L... Deputy  
A.E.T.E.



**Notice of Trustee's Sale**

**Date:** March 13, 2015

Total Fees : 2.00

**Substitute Trustee:**

David L. Ricker

Receipt Number - 176599  
By:  
Frances Cherry

**Substitute Trustee's Address:**

P. O. Box 1571  
Boerne, Texas 78006

**Mortgagee:** Pearl Properties, Inc.

**Note:** Note dated September 7, 1999 in the amount of \$19,500.00

**Contract for Deed:**

**Date:** September 7, 1999

**Grantor:** Sean Burnam; and Shelley Burnam

**Mortgagee:** Pearl Properties, Inc.

**Recording information:** Unknown

**Property:**

Lot 51, Phase 9, (1.20 acres), located in Oak Hollow Park Subdivision, Wilson County, Texas (also known as 290 Hickory Run, La Vernia, Texas 78121) Volume 4, Pages 39-40, Map and Plat Records of Wilson County, Texas.

**County:** Wilson

**Date of Sale (first Tuesday of month):** April 7, 2015

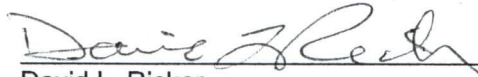
**Time of Sale:** 10:00 am

**Place of Sale:** Courthouse steps designated by the County Commissioners at the Wilson County Courthouse.

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.

Mortgagee has appointed David L. Ricker as Trustee under the Contract for Deed. 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". The sale will begin at the Time of Sale or not later than three hours thereafter.

A handwritten signature in cursive script, appearing to read "David L. Ricker", is written over a horizontal line.

David L. Ricker  
P. O. Box 1571  
Boerne, Texas 78006



**Notice of Trustee's Sale**

Filed for Record in:  
Wilson County  
By: Honorable Eva Martinez  
County Clerk  
On: Mar 16, 2015 at 10:29A  
As a Recording  
Total Fees : 2.00

**Date:** March 13, 2015

**Trustee:** David L. Ricker

**Trustee's Address:** P. O. Box 1571  
Boerne, Texas 78006

Receipt Number - 176599  
By:  
Frances Cherry

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

**Note:** Note dated June 17, 2013 in the amount of \$59,600.00

**Deed of Trust**

**Date:** June 17, 2013

**Grantor:** Dennis H. Norbert, II; and Audrey Jane Harper

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

**Recording information:** Volume 1739, Page 106, Official Public Records of Wilson County, Texas.

**Property:**

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.

**County:** Wilson County

**Date of Sale (first Tuesday of month):** April 7, 2015

**Time of Sale:** 10:00 a.m.

**Place of Sale:** Courthouse steps designated by the County Commissioners at the Wilson County Courthouse.

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". The sale will begin at the Time of Sale or not later than three hours thereafter.



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David L. Ricker  
P. O. Box 1571  
Boerne, Texas 78006



Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk  
On: Mar 16, 2015 at 11:54A  
As a Recording  
Total Fees : 2.00  
Receipt Number - 176610  
By:  
Frances Cherry

### Notice of Foreclosure Sale

April 7, 2015

DEED OF TRUST ("Deed of Trust"):

Dated: August 21, 2012

Grantor: Wendy Grant

Trustee: Tim Kleinschmidt

Lender: Creekside Equity Partners, Ltd.

Recorded in: Volume 1687, Page 45, Official Records of Wilson County, Texas

Legal Description: Lot 14, Hillside Estates Subdivision, a recorded subdivision in Wilson County, Texas, according to plat recorded in Volume 10, Pages 81-82, Plat Records of Wilson County, Texas.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$27,785.00, executed by Wendy Grant ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, April 7, 2015

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 at 11:00 a.m. on April 7, 2015 or within 3 hours thereafter.

Place: Wilson County Courthouse in Floresville, Texas, at the following location: Being the most northeasterly 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 office bears the address of 2 Library Lane, Floresville, Texas or at other location as designated by the commissioner's court for such sales.

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 Creekside Equity Partners, Ltd.'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, Creekside Equity Partners, Ltd., the owner and holder of the Note, has requested Trustee to sell the Property.

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

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

If Creekside Equity Partners, Ltd. 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 Creekside Equity Partners, Ltd.. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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

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

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



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Grace G. Kunde  
112 N. Travis Street  
Seguin, Texas 78155  
Telephone (830) 379-1487  
Telecopier (830) 379-9319



COPY

Filed for Record in:  
Wilson County  
by: Honorable Eva Martinez  
County Clerk  
On: Mar 05, 2015 at 10:32A  
As a Recording

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**WILSON County Deed of Trust:**

**Dated:** October 14, 2006

**Amount:** \$129,600.00

**Grantor(s):** BARBARA A. O'BRIEN and THOMAS O'BRIEN

**Original Mortgagee:** HOME FUNDS DIRECT, A DIVISION OF ACCREDITED HOME LENDERS, INC., A CALIFORNIA CORPORATION

**Current Mortgagee:** Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Morgan Stanley Home Equity Loan Trust 2007-1, Mortgage Pass-Through Certificates, Series 2007-1

**Mortgagee Servicer and Address:** c/o SELECT PORTFOLIO SERVICING, INC., 3815 South West Temple, Salt Lake City, UT 84115

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

**Recording Information:** Document No. 00019196

**Legal Description:** SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

Whereas, an Order to Proceed with Expedited Foreclosure under the Texas Rule Civil Procedure 736 was entered on February 3, 2015 under Cause No. 14-08-0505-CVW in the 81ST Judicial District Court of WILSON County, Texas

**Date of Sale:** April 7, 2015 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 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.

TROY MARTIN ORALEXIS MARTIN OR CASSIE MARTIN OR TERRI MARTIN OR JILL NICHOLS OR IRENE SALAZAR OR DEANNA RAY 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.

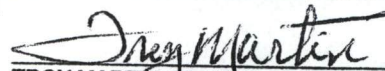
The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

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 Property.

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.

HUGHES, WATTERS & ASKANASE, L.L.P.  
333 Clay, Suite 2900  
Houston, Texas 77002  
Reference: 2013-007533

  
TROY MARTIN ORALEXIS MARTIN OR CASSIE MARTIN OR  
TERRI MARTIN OR JILL NICHOLS OR IRENE SALAZAR OR  
DEANNA RAY  
c/o Service Link  
7301 N. Hwy 161, Ste. 305  
Irving, Texas 75039



4513660

Exhibit "A"

The land referred to herein is situated in the State of Texas, County of Wilson described as follows:

TRACT 30: 14.892 ACRES OF LAND SITUATED IN THE H. & T.C.R.R. CO. SURVEY NO. 35, ABSTRACT NO. 169, WILSON COUNTY, TEXAS. SAID 14.892 ACRE TRACT IS PART OF A 1,529.468 ACRE TRACT CONVEYED TO JOHN A. TRAEGER, TRUSTEE BY DEED RECORDED IN VOLUME 430, PAGE 29 OF THE DEED RECORDS OF WILSON COUNTY, TEXAS, AND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON STAKE FOUND FOR THE NORTH CORNER OF THE TRACT HEREIN DESCRIBED, SAID CORNER BEING IN A NORTH BOUNDARY OF THE PARENT TRACT AND SITUATED SOUTH 29 DEGREES 25 MINUTES EAST 513.3 FEET FROM THE NORTH CORNER OF SAID PARENT TRACT;

THENCE WITH FENCE ALONG SAID NORTH BOUNDARY, SOUTH 29 DEGREES 47 MINUTES 56 SECONDS EAST 724.17 FEET (SOUTH 29 DEGREES 46 MINUTES EAST 724.2 FEET PER PLAT) TO AN IRON STAKE;

THENCESOUTH 59 DEGREES 59 MINUTES 55 SECONDS WEST 906.80 FEET (SOUTH 60 DEGREES WEST AT 876.9 FEET PER PLAT) TO AN IRON STAKE, AND AT 9096.0 FEET THE CENTER LINE OF LONGHORN ROAD;

THENCE WITH CENTER LINE OF SAID LONGHORN ROAD, NORTH 30 DEGREES WEST 95.0 FEET;

THENCE CONTINUING WITH SAID CENTERLINE ALONG A CIRCULAR CURVE TO THE LEFT, THE RADIUS OF WHICH IS 400 FEET AND THE LONG CHORD OF WHICH BEARS NORTH 52 DEGREES 30 MINUTES WEST 306.2 FEET;

THENCE NORTH 15 DEGREES EAST AT 30 FEET AN IRON STAKE, AND AT 489.80 FEET AN IRON STAKE;

THENCE NORTH 60 DEGREES EAST 680.9 FEET (NORTH 60 DEGREES EAST 680.60 FEET PER PLAT) TO THE PLACE OF BEGINNING AND CONTAINING 14.892 ACRES OF LAND, MORE OR LESS.

SUBJECT TO AN EASEMENT DESCRIBED AS A STRIP OF LAND 30 FEET WIDE SITUATED WITHIN THE TRACT AS HEREBIN DESCRIBED, CONTIGUOUS TO AND ALONG THE ENTIRE LENGTH AND ITS SOUTHWEST LINE.

APN: 0770-00000-03000

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

On: Oct 27, 2006 at 01:18P

As a Recording

Document Number: 00019195  
Total Fees : 76.00

Receipt Number - 55876

By,  
Pat Lowak,

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

THE STATE OF TEXAS  
COUNTY OF WILSON

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped herein by me and was duly RECORDED in Official Public Records the Volume: 1388 and Page: 34 of the same records of: Wilson County as stamped herein by me.

Oct 27, 2006





## Notice of Foreclosure Sale

February 18, 2015

Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk  
On: Mar 04, 2015 at 04:25P  
As a Recording

### Deed of Trust:

Dated: December 22, 2005

Total Fees : 2.00

Grantor: JanCo H.D., Inc.

Receipt Number - 176207  
Eva S. Martinez,

Trustee: Gerald V. Sekula

Lender: Falls City National Bank

Recorded: Volume 1319, Page 695 of the Official Public Records of Wilson County, Texas.

Secures: Adjustable Rate Promissory Note ("Note") in the original principal amount of \$85,000.00 executed by JanCo H.D., Inc. ("Borrower") and payable to the order of Lender, and all other indebtedness of Borrower to Lender.

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described as:

All that certain tract or parcel of land known as 5.80 acres, more or less, out of the S. & J. Arocha Survey, Abstract 1 of Wilson County, Texas, said 5.80 acre tract of land being the same property described in a Deed from Naylor A. McBride and S. Scott Toeppich to the Veterans Land Board of Texas, dated June 23, 1988, recorded at Vol. 701, Page 509 of the Official Public Records of Wilson County, Texas, and also being the same property described in a Contract of Sale and Purchase from the Veterans Land Board of Texas to Jesse Seguin dated July 3, 1995, recorded at Vol. 885, Page 38 of the Official Public Records of Wilson County, Texas, said tract or parcel of land being more particularly described by metes and bounds as follows:

5.80 acres, situated within the Corporate Limits of the City of Floresville, Wilson County, Texas, being a portion of that certain 17.8 acre tract described in conveyance from Mary Ellan Riley Valbert to Naylor A. McBride, et al, by Deed dated September 4, 1987, of record in Volume 685, Page 523-525, Deed Records of Wilson County, Texas, said 17.8 acres, being a part of that certain 8.25 and 42.25 acre tract as described in a Divorce Partition Settlement dated July 8, 1966, between Alene Riley and V. L. Riley, recorded in Volume 396, Page 361, Deed Records of

Wilson County, Texas, and being out of the S. and J. Arocha Grant, A-1. Said 5.0 acre tract or parcel of land being more particularly described as follows:

BEGINNING at a 5/8 inch steel rod found at the North corner of aforesaid 17.8 acre tract and same being the East corner of a 13.84 acre tract, located on the Northeast boundary line of aforesaid 42.25 acre tract, for the North corner of this herein described tract, Whence: A steel rod found at North corner of aforesaid 42.25 acre tract, Bears: North 40 deg. 38 min. 30 sec. West, 439.76 feet;

THENCE South 40 deg. 38 min. 30 sec. East, a distance of 264.0 feet along with the Northeast boundary line of 17.8 acre tract and same being the Northeast boundary line of 42.25 acre tract to a 1/2 inch steel rod set, at the North corner of Tract 2 (6.00 acre tract), for the East corner of this herein described

THENCE South 33 deg. 58 min. 29 sec. West, a distance of 100933 feet to a 1/2 inch steel rod set, on the Northeast Right-of-Way line of U.S. Highway No. 181 (Business Loop) for the South corner of this herein described tract;

THENCE North 57 deg. 23 min. 08 sec. West, a distance of 228.83 feet along with the Northeast Right-of-Way line of U. S. Highway No. 181, (Business Loop), to a 5/8 inch steel rod found at the West corner of aforesaid 17.8 acre tract, for the West corner of this herein described tract;

THENCE North 32 deg. 36 min. 52 sec. East, a distance of 1085.14 feet along with fence line on the Northwest boundary of aforesaid 17.8 acre tract and same being the Southeast boundary line of a 13.84 acre tract to the POINT OF BEGINNING.

And being a part of the same property described in Deed dated August 19, 1987, executed by Mary Ellan Riley Valbert to Naylon A. McBride and S. Scott Toepfich, of record in Volume 685, Page 523, Deed Records of Wilson County, Texas.

TOGETHER WITH all buildings and other improvements thereon or hereafter placed thereon; all rights, titles, and interests now owned or hereinafter acquired by Grantors in and to all easements, streets and rights-of-way of every kind and nature adjoining the above described land and all public or private utility connections thereto and all appurtenances, servitudes, rights, ways, privileges, prescriptions, and advantages thereunto belonging or in anywise appertaining; all fixtures, materials, goods, equipment, appliances, apparatus, furniture, furnishings, inventory, and other property, real or personal, now owned or hereafter acquired by



Grantors and now or hereafter installed, used, or located on the above described property or the improvements thereon, whether or not the same have or would become a part of said land by attachment thereto, including but not limited to, all heating, lighting, refrigeration, plumbing, ventilating, laundry, incinerating, waterheating, cooking, dishwashing, radio, communication, electrical and air conditioning equipment, appliances, fixtures, and appurtenances, together with all disposals, dishwashers, machinery, elevators, pumps, generators, sprinklers, wiring, pipes, doors, motors, compressors, boilers, condensing units, range hoods, windows, window screens, window shades, venetian blinds, awnings, drapes, shelving, mantels, cabinets, paneling, rugs, and other floor coverings, and shrubbery and other chattels and personal property as are ever used, usable or furnished in connection with any present or future operation, use or enjoyment of the above described property and the improvements thereon, and all renewals, replacements, and substitutions thereof and additions thereto; all rights, title, and interests of Grantors in and to all timber to be cut from the real estate covered hereby and all minerals in, under, and upon, produced or to be produced from said real estate; and without limitation of the foregoing, any and all rights, rents, revenues, benefits, leases, contracts, accounts, general intangibles, moneys, instruments, documents, tenements, hereditaments, and appurtenances now or hereafter owned by Grantors and appertaining to, generated from, arising out of, or belonging to the above described properties or any part thereof (all of the aforesaid being hereinafter sometimes called the "Mortgaged Premises"). Some of the said items are to become "fixtures" (as that term is defined in Chapter 9 of the Texas Business and Commerce Code) on the above described land and as provided under Chapter 9 of the Texas Business and Commerce Code, this Deed of Trust and Security Agreement upon being filed for record in the real property records of Wilson County, Texas, shall operate also as a "fixture filing" and financing statement upon such of the items which are or may become fixtures.

Substitute Trustee: Howard C. Berger

Substitute Trustee's

Address: 433A West Oaklawn, Pleasanton, Texas 78064

Foreclosure Sale:

Date: Tuesday, April 7, 2015

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.



Place: At the Northwest door of the Wilson County Courthouse, being the door facing Library Lane, 1420 Third Street, Floresville, Texas 78114, in Floresville, Wilson County, Texas and being the officially designated location for foreclosure sales.

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.

Mortgage Servicer is representing Lender in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Lender. The address of Mortgage Servicer is set forth above.

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 re-filed 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.**



HOWARD C. BERGER

State Bar I. D. # 02191250

433A West Oaklawn, Pleasanton, Texas 78064

Telephone (830) 569-3771 / Facsimile (830) 569-5171

Email: [howard@reliabletitlecompany.com](mailto:howard@reliabletitlecompany.com)

Website: [www.howardcberger.com](http://www.howardcberger.com)

Attorney for the Falls City National Bank

**THIS  
FORECLOSURE  
SALE  
IS BEING PASSED  
ON THE  
MARCH 3, 2015  
POSTING**

L.MICHAEL RICHEY AND WIFE, F. GAYLE RICHEY

Lots 6-8, Block 4, Walter Voges, City of Poth

FILED  
For record in my office  
3 day of Mar 20 15  
at 2:00 o'clock P M  
EVA S. MARTINEZ, County Clerk  
Wilson County, Texas  
By *Eva S. Martinez* Deputy