

RECORDING REQUESTED BY:

2019 FEB 27 A 10:48

WHEN RECORDED MAIL TO:

Amy Bowman, Reid Ruple, Kathleen Adkins, Evan Press, Stephanie Kohler, Cary Corenblum, Luci Fuller, Mariel Marroquin, Kristopher Holub, Catrena Ward, Julian Perrine, Pete Florez, Zachary Florez, Orlando Rosas, Vanessa McHaney
c/o Malcolm Cisneros/Trustee Corps
17100 Gillette Avenue
Irvine, CA 92614
(949) 252-8300

HERNANDEZ COUNTY CLERK
Brazos County, Texas
Morgan

TS No TX07000052-19-1

APN 37422

TO No 190676672-TX-RWI

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on October 31, 2016, JOE KAPCHINSKI AND TERESA GAIL GUAJARDO KAPCHINSKI, HUSBAND AND WIFE as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of ALLAN B. POLUNSKY as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. as nominee for ACADEMY MORTGAGE CORPORATION, its successors and assigns, as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$88,369.00, payable to the order of FREEDOM MORTGAGE CORPORATION as current Beneficiary, which Deed of Trust recorded on November 1, 2016 as Document No. 2016-1280292 in Book OR, VI-13686, on Page 32 in Brazos County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

APN 37422

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **Amy Bowman, Reid Ruple, Kathleen Adkins, Evan Press, Stephanie Kohler, Cary Corenblum, Luci Fuller, Mariel Marroquin, Kristopher Holub, Catrena Ward, Julian Perrine, Pete Florez, Zachary Florez, Orlando Rosas, Vanessa McHaney** or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

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

NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, May 7, 2019 at 11:00 AM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Brazos County, Texas, at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a Deed of Trust or other contract lien as follows: **Brazos County Administration Building, 200 South Texas Avenue, Bryan, TX 77803.**

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

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

Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition, without any expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 22 day of February, 2019.



By: Amy Bowman, Reid Ruple, Kathleen Adkins, Evan Press, Stephanie Kohler, Cary Corenblum, Luci Fuller, Mariel Marroquin, Kristopher Holub, Catrena Ward, Julian Perrine, Pete Florez, Zachary Florez, Orlando Rosas, Vanessa McHaney
Substitute Trustee(s)

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

**SALE INFORMATION CAN BE OBTAINED ONLINE AT www.Auction.com
FOR AUTOMATED SALES INFORMATION PLEASE CALL: Auction.com at 800.280.2832**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300
THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

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

EXHIBIT "A"

All of that certain parcel of land being a portion of Lot 5, Block Four, Pecan Ridge Phase 1, City of Bryan, Brazos County, Texas, according to the plat recorded in Volume 467, Page 291, Deed Records of said county and being that same James W. West and wife Sharon West parcel of land recorded in Volume 501, Page 513, Deed Records of said county and being further described as follows:

BEGINNING at the most southerly corner of Lots 4 and 5, from which a found 3/8" rebar for the most southerly corner of Lots 3 and 4 bears N 64° 45' 18" W for the basis of bearings of this survey as cited per said plat and said West description, a distance of 62.47' and from which a found 3/8" rebar for the most southerly corner of Lots 5 and 6 bears S 64° 45' 18" E, a distance of 62.87';

THENCE N 28° 40' E, a distance of 136.44' to a found 1/2" rebar for the most northerly corner of Lots 4 and 5, marking the southwesterly right-of-way line of 60' wide Pecan Ridge Drive;

THENCE along said right-of-way line a curve concave southwesterly, having a radius of 1270', chord bears S 60° 21' 38" E, a distance of 38.18' for the most northerly corner with the H.P. O'Neal parcel recorded in Volume 499, Page 612, Deed Records of said county, from which a found chiseled "X" in concrete walk for the most northerly corner of Lots 5 and 6, bears along said right-of-way line S 58° 46' 39" E, a chord distance of 32.00';

THENCE along the common wall of a one-story duplex and the extension of the line thereof S 33° 32' 55" W through Lots, a distance of 134.69' for the most southerly corner with said O'Neal parcel;

THENCE N 64° 45' 18" W along the southwesterly line of Block Four, for the northeasterly line of Block 1, of Austin's Colony, Phase One, according to the plat recorded in Volume 2070, Page 109, Official Records of said county, a distance of 26.76' to the **POINT OF BEGINNING**.

NOTE: The Company is prohibited from insuring the area or quantity of land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

[RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:]

Carrington Foreclosure Services, LLC
P.O. Box 3309
Anaheim, California 92803
For Sale Information: (888) 313-1969
For Reinstatement Requests: 1-866-874-5860
Pay Off Requests: 1-800-561-4567

2019 MAR 14 11 11 AM

Kim Green

TS#: 19-22015

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on 2/28/2008, IVAN TIJERINA AND NORMA TOLEDO, HUSBAND AND WIFE, as Grantor/Borrower, executed and delivered that certain Deed of Trust, in favor of ADRIAN VALDEZ JR., as Trustee, IFINANCIAL, INC., as Beneficiary which deed of trust secures the payment of that certain promissory note of even date therewith in the original amount of \$38,573.36, payable to the order of IFINANCIAL, INC., which Deed of Trust is Recorded on 3/5/2008 as Volume 2008-990695, Book , Page , in Brazos County, Texas, Deed of Trust covers all of the real property, personal property, and fixtures described therein, including , but not limited to, all the following described property, rights and interests (the "Property"), to-wit;

See attached exhibit "A" attached hereto and made a part hereof

Commonly known as: **1109 ETTLE, BRYAN, TX 77803**

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **Pete Florez, Sheryl LaMont, Harriett Fletcher, David Sims, Robert LaMont, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard**, or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust: and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and Carrington Mortgage Services, LLC whose address is 1600 Douglass Road, Suite 200 A, Anaheim, CA 92806 is acting as the mortgage servicer for **WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE FOR STANWICH MORTGAGE LOAN TRUST A**, which is the mortgagee of the Note and Deed of Trust or mortgage and the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust. Carrington Mortgage Services, LLC is authorized to represent the mortgagee by virtue of a written servicing agreement with the mortgagee. Pursuant to that agreement and Texas Property Code Section 51.0025, Carrington Mortgage Services, LLC is authorized to administer the foreclosure referenced herein.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN, that on **5/7/2019 at 11:00 AM**, or no later than three (3) hours after such time, in **Brazos County, Texas**, the Substitute Trustee will sell the Property at



4688037

public venue to the highest bidder for cash. The sale will take place at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a deed of trust or other contract lien as follows: **The first floor of the Courthouse adjacent to the County Clerk's office**

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust, conveyance of the Property shall be made without any representations or warranties whatsoever, express or implied.

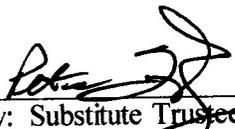
If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

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.

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.

WITNESS, my hand this 3/13/2019



By: Substitute Trustee(s)

Pete Florez, Sheryl LaMont, Harriett Fletcher, David Sims, Robert LaMont, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard,
C/O Carrington Foreclosure Services, LLC
P.O. Box 3309
Anaheim, California 92803

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

EXHIBIT A

Doc Bk Vol Ps
00990695 DR 8476 40

FIRST TRACT:

BEING THE WEST ONE-HALF OF LOT SIX (6) AND THE EAST ONE-HALF OF LOT FIVE (5), BLOCK TWO (2), J. F. STYLE NUMBER TWO, AN ADDITION TO THE CITY OF BRYAN, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 98, PAGE 627, DEED RECORDS, BRAZOS COUNTY, TEXAS.

SECOND TRACT:

BEING A PART OF LOT THIRTEEN (13), BLOCK TWO (2), J. F. STYLE ADDITION NUMBER TWO, AN ADDITION TO THE CITY OF BRYAN, ACCORDING TO PLAT RECORDED IN VOLUME 98, PAGE 627, DEED RECORDS, BRAZOS COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH CORNER OF LOT 13;
THENCE IN SE DIRECTION WITH NE LINE OF SAID LOT, RUN 27 FEET AND CORNER IN SAID LINE;
THENCE SW PARALLEL WITH NW LINE OF LOT 13, RUN 25 FEET AND CORNER;
THENCE NW PARALLEL WITH FIRST CALL, RUN 27 FEET AND CORNER IN NW LINE OF SAID LOT;
THENCE NE WITH SAID LINE RUN 25 FEET TO THE PLACE OF BEGINNING, CONTAINING A TRACT 25 FEET BY 27 FEET IN DIMENSIONS. AND BEING THE SAME PROPERTY CONVEYED BY JOSEPH A. MANEA, ET DX TO ELMA C. CUREY, ET UX, BY DEED DATED OCTOBER 16, 1968, RECORDED IN VOLUME 273, PAGE 532, DEED RECORDS, BRAZOS COUNTY, TEXAS.

Filed for Record in:
BRAZOS COUNTY

On: Mar 05, 2008 at 12:26P

As a
Recording

Document Number: 00990695

Amount 27.00

Receipt Number - 336330

By:
Flo Workman

STATE OF TEXAS COUNTY OF BRAZOS
I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the Official Public records of:

BRAZOS COUNTY

as stamped hereon by me.

Mar 05, 2008

HONORABLE KAREN MCQUEEN, COUNTY CLERK
BRAZOS COUNTY

NOTICE OF FORECLOSURE SALE

April 4, 2019

019 182-9 A 11:30
RENEWAL COUNTY CLERK
BRAZOS COUNTY, TEXAS
Paul M. Taylor

Deed of Trust ("Deed of Trust"):

Dated: August 8, 2009

Grantor: ALENA MORGAN and MICHAEL J. MORGAN

Trustee: BRYAN F. RUSS, JR.

Lender: JACK F. HAYS

Recorded in: Document Number 01269011, Vol. 13458 of the real property records of Brazos County, Texas, being in renewal and extension of Deed of Trust recorded in Vol. 9281, Page 28 of the real property records of Brazos County, Texas

Legal Description: 4.75 acres of land in the W. J. LEWIS SURVEY, A-153, being Tract Three (3) of CASSIE ESTATES, a subdivision in Brazos County, Texas, according to the Map or Plat thereof recorded in Vol. 8121, Page 82 of the Map and Plat Records of Brazos County, Texas

Secures: Promissory ("Note") in the original principal amount of \$45,000.00, executed by ALENA MORGAN and MICHAEL J. MORGAN ("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 above and all rights and appurtenances thereto

Foreclosure Sale:

Date: Tuesday, May 7, 2019

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 11:00 a.m. and not later than three hours thereafter.

Place: Brazos County Administration Building,
200 South Texas Avenue
Bryan, Texas 77803

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 JACK F. HAYS'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, JACK F. HAYS, 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 JACK F. HAYS's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with JACK F. HAYS'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 JACK F. HAYS 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.

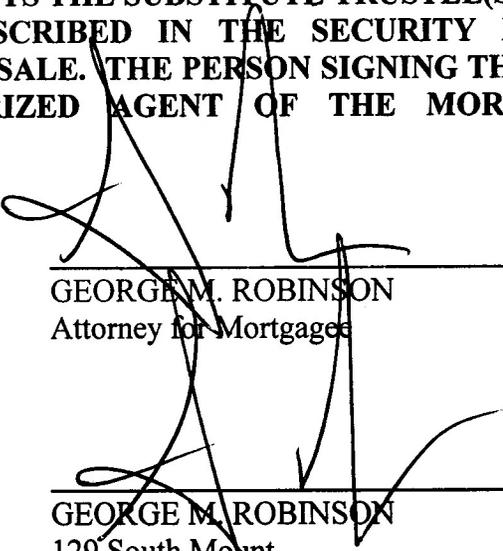
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 JACK F. HAYS. 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.



GEORGE M. ROBINSON
Attorney for Mortgagee

GEORGE M. ROBINSON
129 South Mount
Fairfield, TX 75840
Telephone (903) 389-2203
Telecopier (903) 389-4542

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

10 APR 11 PM 1:12
Parked

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: 05/07/2019

Time: Between 11am-2pm and beginning not earlier than 11am-2pm or not later than three hours thereafter.

Place: The area designated by the Commissioners Court of Brazos County, pursuant to §51.002 of the Texas Property Code as amended: if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

2. Terms of Sale. Highest bidder for cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated 05/07/2018 and recorded in the real property records of Brazos County, TX and is recorded under Clerk's File/Instrument Number, Vol. 14655, Page 62, with TYSON S. JOHNSON and TRACY JOHNSON (grantor(s)) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR WALLICK AND VOLK, INC. mortgagee to which reference is herein made for all purposes.

4. Obligations Secured. Deed of Trust or Contract Lien executed by TYSON S. JOHNSON and TRACY JOHNSON, securing the payment of the indebtedness in the original amount of \$294,467.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. Lakeview Loan Servicing, LLC. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to be Sold. ALL OF LOT THREE (3), BLOCK THREE (3), BRIDGEWOOD SUBDIVISION, PHASE 2, AN ADDITION OF THE CITY OF COLLEGE STATION, BRAZOS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 12756, PAGES 292-293 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.



4690136

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.002, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. Lakeview Loan Servicing, LLC., as Mortgage Servicer, is representing the current Mortgagee whose address is:

LoanCare Servicing Center, Inc.
3637 Sentara Way
Virginia Beach, VA 23452

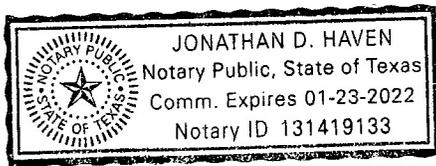
Pete Florez

SUBSTITUTE TRUSTEE
Pete Florez, Sheryl LaMont, Harriett Fletcher, David Sims, Robert LaMont, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard
1320 Greenway Drive, Suite 300
Irving, TX 75038

STATE OF Texas
COUNTY OF Brazos

Before me, the undersigned authority, on this day personally appeared Pete Florez, as Substitute Trustee, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and who acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11 day of April, 2019.



[Signature]
NOTARY PUBLIC in and for
Brazos COUNTY
My commission expires: 01/23/2022
Print Name of Notary:
Jonathan Haven

CERTIFICATE OF POSTING

My name is Pete Florez, and my address is 1320 Greenway Drive, Suite 300, Irving, TX 75038. I declare under penalty of perjury that on 4-11-19 I filed at the office of the Brazos County Clerk and caused to be posted at the Brazos County courthouse this notice of sale.

Declarants Name: Pete Florez
Date: 4-11-19

4-15-2019

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD, 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.

FILED FOR RECORD
DATE 4-15-19

NOTICE OF SALE BY SUBSTITUTE TRUSTEE AT 10:01 O'CLOCK A M

KAREN MCQUEEN
BRAZOS COUNTY CLERK
By M.G.

STATE OF TEXAS
COUNTY OF BRAZOS

§
§
§

KNOW ALL MEN BY THESE PRESENTS

Note: Sale Contract dated December 27, 2017 executed and delivered by Walter M. Parnell and Jerlene Dean to Ditech Financial LLC

Security Instrument: Purchase Money Deed of Trust, dated December 27, 2017, executed and delivered by Walter M. Parnell and Jerlene Dean to Ditech Financial LLC, to secure payment of that certain Sale Contract, recorded as Document Number 1318105, in Brazos County, Texas.

Original Creditor: Ditech Financial LLC

Current Holder: The Bank of New York Mellon, as Indenture Trustee, for Mid-State Capital Corporation 2010-1 Trust

Current Owner: Ditech Financial LLC

Mortgage Servicer: Ditech Financial LLC FKA Green Tree Servicing LLC ("Servicer"), 2100 E. Elliot Road, Bldg 94, Mail Stop T325, Tempe, AZ 85284

Attorneys for Mortgage Servicer Authorized to Appoint Substitute Trustees: Theodore J. Riney, Bruce K. Packard, Hayden Hooper

Appointment of Substitute Trustees: 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.

In accordance with Texas Property Code Section 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents hereby does name and appoint the following individuals as Substitute Trustees to act under and by virtue of said Security Instrument.

Names and Street Address of Substitute Trustees: JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ALEXANDRA ZOGRAFOS HOLUB, MARLENE ZOGRAFOS, JACOB NINK 9065 Jollyville, Suite 203A, Austin, TX 78759

PROPERTY ADDRESS: 407 E 17th St Bryan, TX 77803	RP FILE NO. DITE02-625	BORROWER: Parnell, Walter M. & Jerlene Dean
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AND

T. J. RINEY, H. HOOPER, S.G. HARVEY, B.K. PACKARD,
5420 LBJ Freeway, Suite 220, Dallas, TX 75240.

The Substitute Trustees are authorized to sell the Premises at public venue to the highest bidder or bidders, for cash. *Note: Each substitute trustee is authorized individually, to act alone without the joinder of the other trustees.*

- Property to be sold:** 407 E 17th St, Bryan, TX 77803, and as further described in Exhibit A attached hereto, along with the improvements on such real property and any after acquired permanent improvements or title to such improvements and/or real property (the "Premises" as described in §9.604 of the Texas Uniform Commercial Code).
- Date of Sale:** **Tuesday, May 7, 2019.**
- Time of Sale:** The sale will begin no earlier than **1:00 PM** and no later than three (3) hours thereafter.
- Location of Sale:** At the **County Courthouse in Brazos County**, Texas, at the Atrium on the first floor of the county administration building, 200 South Texas Avenue, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Brazos County. If such a designation by the Commissioner's Court has been made and recorded after the date hereof and prior to the time of the sale, then the Substitute Trustee will sell the Premises at the area designated by the Commissioner's Court of Brazos County, Texas.
- Terms of Sale:** The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Purchase Money Deed of Trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Purchase Money Deed of Trust at the time of sale.
- Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.
- The sale will be made expressly subject to any title matters set forth in the Security Instrument, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Security Instrument. The sale shall not cover any part of the property that has been released of public record from the lien of the Security Instrument. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.
- Pursuant to the Security Instrument, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.
- Pursuant to 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 Purchase Money Deed of Trust. Prospective bidders are advised to conduct an independent

PROPERTY ADDRESS: 407 E 17th St Bryan, TX 77803	RP FILE NO. DITE02-625	BORROWER: Parnell, Walter M. & Jerlene Dean
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investigation of the nature and physical condition of the property.

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

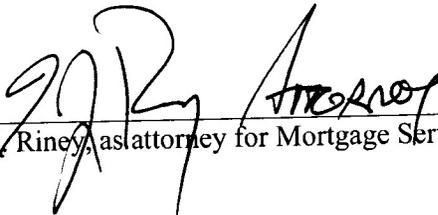
Type of Sale:

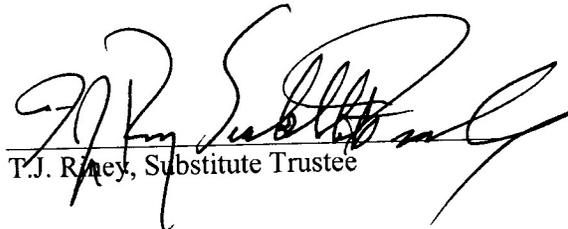
The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Walter M. Parnell and Jerlene Dean.

Default and Notice:

Default has been made in payment of the Note and Security Instrument and the Note is now unpaid, delinquent and in default. All required notices have been given to Walter M. Parnell and Jerlene Dean and any and all other necessary parties with regard to the defaulted indebtedness. Servicer has requested the undersigned, substitute trustee, to post, file and give notice of foreclosure of the Security Instrument and the lien thereof in accordance with applicable Texas law and the terms and provisions of the Security Instrument.

Dated: April 12, 2019.

By: 
T.J. Riney, as attorney for Mortgage Servicer

By: 
T.J. Riney, Substitute Trustee

AFTER RECORDING, PLEASE RETURN TO:

Riney Packard, PLLC
Attn: T.J. Riney
Two Lincoln Centre
5420 LBJ Freeway, Suite 220
Dallas, Texas 75240

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED
WILL BE USED FOR THAT PURPOSE**

PROPERTY ADDRESS: 407 E 17th St Bryan, TX 77803	RP FILE NO. DITE02-625	BORROWER: Parnell, Walter M. & Jerlene Dean
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EXHIBIT "A"

**LOTS 8, 9 AND 10, BLOCK 47, CITY OF BRYAN, BRAZOS COUNTY, TEXAS
ACCORDING TO MAP OR PLAT IN VOLUME H, PAGE 721 IN THE DEED RECORDS
OF BRAZOS COUNTY, TEXAS.**

PROPERTY ADDRESS: 407 E 17th St Bryan, TX 77803	RP FILE NO. DITE02-625	BORROWER: Parnell, Walter M. & Jerlene Dean
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ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD, 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.

FILED FOR RECORD
DATE 4-15-19
AT 10:01 O'CLOCK A M
KAREN MCQUEEN
BRAZOS COUNTY CLERK
By M.G.

NOTICE OF SALE BY SUBSTITUTE TRUSTEE

STATE OF TEXAS §
COUNTY OF BRAZOS §

KNOW ALL MEN BY THESE PRESENTS

Note: Sale Contract dated January 26, 2016 executed and delivered by Bruno Lara and Melissa Lara to Ditech Financial LLC

Security Instrument: Purchase Money Deed of Trust, dated January 26, 2016, executed and delivered by Bruno Lara and Melissa Lara to Ditech Financial LLC, to secure payment of that certain Sale Contract, recorded in Volume 13191, Page 135, in Brazos County, Texas.

Original Creditor: Ditech Financial LLC

Current Holder: U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust XI

Current Owner: Ditech Financial LLC

Mortgage Servicer: Ditech Financial LLC FKA Green Tree Servicing LLC ("Servicer"), 2100 E. Elliot Road, Bldg 94, Mail Stop T325, Tempe, AZ 85284

Attorneys for Mortgage Servicer Authorized to Appoint Substitute Trustees: Theodore J. Riney, Bruce K. Packard, Hayden Hooper

Appointment of Substitute Trustees: **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.**

In accordance with Texas Property Code Section 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents hereby does name and appoint the following individuals as Substitute Trustees to act under and by virtue of said Security Instrument.

Names and Street Address of Substitute Trustees: JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ALEXANDRA ZOGRAFOS HOLUB, MARLENE ZOGRAFOS, JACOB NINK 9065 Jollyville, Suite 203A, Austin, TX 78759

PROPERTY ADDRESS: 2015 Ave. D. Bryan, TX 77803	RP FILE NO. DITE02-732	BORROWER: Lara, Bruno & Melissa
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AND

T. J. RINEY, H. HOOPER, S.G. HARVEY, B.K. PACKARD,
5420 LBJ Freeway, Suite 220, Dallas, TX 75240.

The Substitute Trustees are authorized to sell the Premises at public venue to the highest bidder or bidders, for cash. *Note: Each substitute trustee is authorized individually, to act alone without the joinder of the other trustees.*

Property to be sold: 2015 Ave. D., Bryan, TX 77803, and as further described in Exhibit A attached hereto, along with the improvements on such real property and any after acquired permanent improvements or title to such improvements and/or real property (the "Premises" as described in §9.604 of the Texas Uniform Commercial Code).

Date of Sale: **Tuesday, May 7, 2019.**

Time of Sale: The sale will begin no earlier than **1:00 PM** and no later than three (3) hours thereafter.

Location of Sale: At the **County Courthouse in Brazos County**, Texas, at the Atrium on the first floor of the county administration building, 200 South Texas Avenue, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Brazos County. If such a designation by the Commissioner's Court has been made and recorded after the date hereof and prior to the time of the sale, then the Substitute Trustee will sell the Premises at the area designated by the Commissioner's Court of Brazos County, Texas.

Terms of Sale: The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Purchase Money Deed of Trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Purchase Money Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Security Instrument, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Security Instrument. The sale shall not cover any part of the property that has been released of public record from the lien of the Security Instrument. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Security Instrument, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to 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 Purchase Money

PROPERTY ADDRESS: 2015 Ave. D. Bryan, TX 77803	RP FILE NO. DITE02-732	BORROWER: Lara, Bruno & Melissa
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Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

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

Type of Sale:

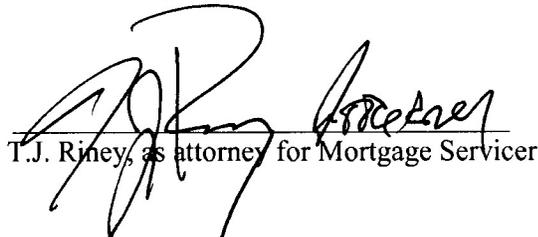
The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Bruno Lara and Melissa Lara.

Default and Notice:

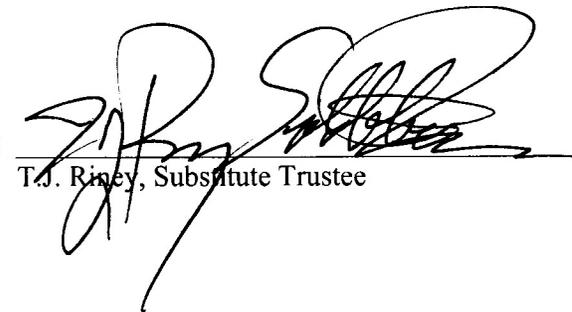
Default has been made in payment of the Note and Security Instrument and the Note is now unpaid, delinquent and in default. All required notices have been given to Bruno Lara and Melissa Lara and any and all other necessary parties with regard to the defaulted indebtedness. Servicer has requested the undersigned, substitute trustee, to post, file and give notice of foreclosure of the Security Instrument and the lien thereof in accordance with applicable Texas law and the terms and provisions of the Security Instrument.

Dated: April 12, 2019.

By:


T.J. Riney, as attorney for Mortgage Servicer

By:


T.J. Riney, Substitute Trustee

AFTER RECORDING, PLEASE RETURN TO:

Riney Packard, PLLC
Attn: T.J. Riney
Two Lincoln Centre
5420 LBJ Freeway, Suite 220
Dallas, Texas 75240

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED
WILL BE USED FOR THAT PURPOSE**

PROPERTY ADDRESS: 2015 Ave. D. Bryan, TX 77803	RP FILE NO. DITE02-732	BORROWER: Lara, Bruno & Melissa
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EXHIBIT "A"

Legal description being all that certain tract or lot of land and being Lot Number Sixteen (16), Block G in the Jones-Brock Subdivision of Brazos County, Texas, according to the map or plat of said subdivision recorded in the Deed Records of Brazos County, Texas.

Being the same property described in a deed dated January 16, 1950 from C. Edgar Jones and J.L. Brock to Ben Saucedo of Record in Volume 142, Page 194 of the Deed Records of Brazos County, Texas.

PROPERTY ADDRESS: 2015 Ave. D. Bryan, TX 77803	RP FILE NO. DITE02-732	BORROWER: Lara, Bruno & Melissa
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4-15-2015

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: 4/8/2019

FILED FOR RECORD	
DATE	<u>4-15-19</u>
AT	<u>10:01</u> O'CLOCK <u>A</u> M
KAREN MCQUEEN	
BRAZOS COUNTY CLERK	
By	<u>M.G.</u>

NO

NOTE: Promissory Lien Note described as follows:

Date: **04/25/2005**
 Debtor: **Blanca G. Reyes, Individually**
 Original Creditor: **Bank of America, N.A.**
 Original Principal Amount: **\$56,500.00**
 Current Holder: **Wilmington Savings Fund Society, FSB, doing business as Christiana Trust, not in its individual capacity but solely as trustee for BCAT 2017-19TT**

DEED OF TRUST: Deed of Trust described as follows:

Date: **04/25/2005**
 Grantor: **Blanca G. Reyes, An Unmarried Person and Adrian G. Contreras, An Unmarried Person**
 Trustee: **PRLAP, Inc.**
 Current Beneficiary: **Wilmington Savings Fund Society, FSB, doing business as Christiana Trust, not in its individual capacity but solely as trustee for BCAT 2017-19TT**
 Recorded: **05/09/2005, in/under Official Records Book 6656, at Page 215 of the Public Records of Brazos County, Texas**

LENDER: Wilmington Savings Fund Society, FSB, doing business as Christiana Trust, not in its individual capacity but solely as trustee for BCAT 2017-19TT

BORROWER: Blanca G. Reyes, An Unmarried Person and Adrian G. Contreras, An Unmarried Person

PROPERTY: The real property described as follows:

ALL THOSE CERTAIN LOTS, TRACTS OR PARCELS OF LAND LYING AND BEING SITUATED IN BRAZOS COUNTY, TEXAS, AND BEING LOTS NINE (9) AND TEN (10), BLOCK ONE HUNDRED NINETY-THREE (193), CITY OF BRYAN, A SUBDIVISION IN THE CITY OF BRYAN, BRAZOS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME H, PAGE 721, DEED RECORDS OF BRAZOS COUNTY, TEXAS.

SUBSTITUTE TRUSTEE: BRENT W. MARTINELLI, JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ALEXANDRA ZOGRAFOS, MARLENE ZOGRAFOS, KAREN POLLOCK

Substitute Trustee's Mailing Address:

1700 Pacific Avenue, Suite 4545
Dallas, TX 75201

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

May 7, 2019, the first Tuesday of the month, to commence at 1:00 PM, or within three (3) hours after that time.

PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

In Brazos County, Texas, Brazos County Administration Building, 200 S. Texas Ave. Bryan, Texas 77803 (if no such place is designated, then the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

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 Susan Mills

CAUSE NO. 18-002114-CV-272

In Re: Order of Foreclosure	§	IN THE DISTRICT COURT
Concerning 609 West 26 th Street, Bryan,	§	
Texas 77803, Under Tex. R. Civ. P. 736	§	
	§	
Petitioner:	§	
<u>Wilmington Savings Fund Society, FSB,</u>	§	BRAZOS COUNTY, TEXAS
<u>not in its individual capacity but solely as</u>	§	
<u>trustee for BCAT 2017-19TT</u>	§	
	§	
Respondent(s):	§	
	§	
BLANCA REYES; ADRIAN	§	
CONTRERAS AND ALL OCCUPANTS	§	272 nd DISTRICT COURT

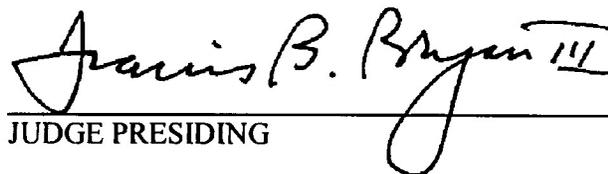
DEFAULT ORDER ON APPLICATION FOR EXPEDITED FORECLOSURE
PROCEEDING PURSUANT TO RULE 736

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 are Blanca G. Reyes, An Unmarried Person and Adrian G. Contreras, An Unmarried Person whose last known address is 4692 Merlin Drive, College Station, Texas 77845. 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 10 days.
3. The property that is the subject of this foreclosure proceeding is commonly known as 609 West 26th Street, with the following legal description:

THOSE CERTAIN LOTS, TRACTS OR PARCELS OF LAND LYING AND BEING SITUATED IN BRAZOS COUNTY, TEXAS, AND BEING LOTS NINE (9) AND TEN(10), BLOCK ONE HUNDRED NINETY-THREE (193), CITY OF BRYAN, A SUBDIVISION IN THE CITY OF BRYAN, BRAZOS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME II, PAGE 721, DEED RECORDS OF BRAZOS COUNTY, TEXAS.

4. The lien to be foreclosed is Indexed in/under Official Records Book 6656, at Page 215, and recorded in the real property records of Brazos County, Texas.
5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting Declaration. Those facts are adopted by the Court and incorporated by reference in this Order.
6. Based on the Declaration of Petition, 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 Texas Home Equity Security Instrument 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 ____ day of February 1, 2019, 2019.


JUDGE PRESIDING

DATE 4-3-19

AT 9:42 O'CLOCK A M

NOTICE OF TRUSTEE SALE

KAREN MCQUEEN

BRAZOS COUNTY CLERK

By Pauline Toplin

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BRAZOS

§

NOTICE IS HEREBY GIVEN of a public nonjudicial foreclosure sale (the "Sale").

1. **Property To Be Sold.** The property to be sold at the Sale is described in Exhibit "A" attached hereto and made a part hereof for all purposes, together with the improvements thereon, as more particularly described in the Deed of Trust, (such real property and improvements being collectively referred to herein as the "Property").

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

- a. **Date:** The Sale will be held on Tuesday, May 7, 2019 ("Date").
- b. **Time:** The Sale will begin no earlier than 10:00 a.m. and no later than 1:00 p.m. ("Time").
- c. **Place:** The Sale will be held at the Atrium, which is located on the first floor of the Brazos County Administrative Building, 200 South Texas Ave., Bryan, Brazos County, Texas ("Place").

3. **Deed of Trust.** The deed of trust pursuant to which the Sale will be held is a Deed of Trust dated November 21, 2014 (the "Deed of Trust") wherein Denodrick A. West, a single man, and Tracy R. Ratliff, a single woman, conveyed the Property to William S. Thornton, Jr., Trustee, ("Trustee"). The Deed of Trust was duly recorded in Volume 12388, Page 179 of the Official Records of Brazos County, Texas.

4. **Substitute Trustee.** The Sale will be conducted by Patricia E. Meronoff ("Substitute Trustee"), or another duly appointed Substitute Trustee. Substitute Trustee has been duly appointed under the Deed of Trust in strict accordance with the manner authorized by the Deed of Trust. The Substitute Trustee was appointed by instrument dated July 10, 2017 and filed of record in Volume 14133, Page 147 of the Official Records of Brazos County, Texas.

5. **Obligations Secured by the Deed of Trust.** The indebtedness and other obligations secured by the Deed of Trust ("Obligations") include, without limitation a Real Estate Lien Note dated November 21, 2014 in the original principal amount of \$106,000.00 (the "Note") executed by Denodrick A. West and Tracy R. Ratliff ("Borrower," whether one or more) and payable to the order of J. Ray Patranella, J. Gary Lightsey and Billy M. Lightsey.

6. **Default under Note and Deed of Trust.** Borrower, as grantor, conveyed the Property to Trustee in the Deed of Trust in order to secure the payment of the Obligations, as more

particularly described in the Deed of Trust. Borrower has defaulted under the terms of the Note and the Deed of Trust and the Note has been accelerated by J. Ray Patranella, J. Gary Lightsey and Billy M. Lightsey. J. Ray Patranella, J. Gary Lightsey and Billy M. Lightsey have specifically requested Substitute Trustee to sell the Property in accordance with the terms of the Deed of Trust in order to fully or partially satisfy the Note and other indebtedness secured by the Deed of Trust.

7. Terms of Sale.

a. At the Sale, the Property will be sold "AS-IS" and "WHERE-IS" and without representation or warranty of any kind by Substitute Trustee, express, implied, statutory, quasi-statutory or otherwise. Any warranty of merchantability or fitness for any particular purpose will be expressly disclaimed. Substitute Trustee will make no representations or warranties with respect to the compliance with the laws, rules, agreements, or specifications, condition, quality, capacity, design, operation, absence of any latent defects or any other warranty or representation whatsoever with respect to the Property, all of which will be expressly waived by the purchaser of the property. This sale will be conducted subject to the right of rescission contained in section 51.016 of the Texas Property Code; and

b. The Sale will be conducted as a public auction to the highest bidder for cash; provided, however, J. Ray Patranella, J. Gary Lightsey and Billy M. Lightsey intend to bid at the Sale and have authorized Substitute Trustee to bid on their behalf. Bids entered by J. Ray Patranella, J. Gary Lightsey and Billy M. Lightsey at the Sale will, to the extent of the obligations secured by the Deed of Trust, be by credit against the Obligations secured by the Deed of Trust. J. Ray Patranella, J. Gary Lightsey and Billy M. Lightsey will not be obligated to produce cash to purchase the Property at the Sale, except to the extent that its bid is in excess of the Obligations secured by the Deed of Trust; and

c. Substitute Trustee will convey the Property to the buyer by substitute trustee's deed. Such conveyance will be subject to the rights and interest of other parties with respect to each of the restrictions, reservations, covenants or previously conveyed or reserved mineral or royalty interests, if any, that are of record in the office of the County Clerk of Brazos, County, but only to the extent that the same are valid, in effect and relate to the Property, and all matters which are prior to the Deed of Trust, which affect title to the Property and which are a superior interest therein, to the extent the same are still in existence.

The terms of sale described in paragraphs 7a, 7b and 7c above will be collectively hereinafter referred to as the "Term of Sale".

NOTICE IS FURTHER HEREBY GIVEN that I, Patricia E. Meronoff, as Substitute Trustee, or another duly appointed Substitute Trustee, will sell the Property on the Date and at the Time and Place set forth above. However, the Deed of Trust permits J. Ray Patranella, J. Gary Lightsey and Billy M. Lightsey to postpone, withdraw, or reschedule the Sale for another day. In that case, the substitute trustee under the Deed of Trust need not appear at the Date, Time, and Place to announce the postponement, withdrawal, or rescheduling of the Sale. Notice of the date, time and place of any rescheduled nonjudicial foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting

or refiling may be after the Date set forth above. The Property will be sold on the Terms of Sale set forth above.

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 as of the 3rd day of April, 2019.

TRUSTEE

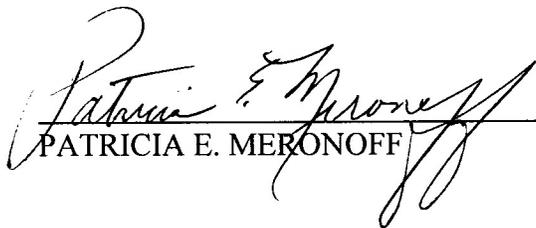

PATRICIA E. MERONOFF

EXHIBIT "A"

All of Lot NINE (9), Block FOUR (4), WHEELER RIDGE, PHASE ONE, an addition to the City of Bryan, Brazos County, according to the Plat recorded in Volume 380, Page 337 of the Deed Records of Brazos County, Texas.

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Date: 06/11/2001
Grantor(s): DANIEL STERLING, HUSBAND AND HOLLY STERLING, WIFE
Original Mortgagee: CORNERSTONE MORTGAGE COMPANY
Original Principal: \$43,350.00
Recording Information: Book 04190 Page 00220 Instrument 0746244
Property County: Brazos
Property:

FILED
JUN 28 2019
11:40
D. Pin

BEING ALL THAT CERTAIN LOT, TRACT, PART OR PARCEL OF LAND SITUATED IN BRAZOS COUNTY, TEXAS, AND KNOWN AS BEING LOT TWELVE (12), BLOCK ONE (1), SHERWOOD HEIGHTS, SECTION 2, AN ADDITION IN BRAZOS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 361, PAGE 237, DEED RECORDS OF BRAZOS COUNTY TEXAS.

Reported Address: 12959 ROBIN DRIVE, COLLEGE STATION, TX 77845

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Wells Fargo Bank, N.A.
Mortgage Servicer: Wells Fargo Bank, N.A.
Current Beneficiary: Wells Fargo Bank, N.A.
Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

SALE INFORMATION:

Date of Sale: Tuesday, the 7th day of May, 2019
Time of Sale: 11:00AM or within three hours thereafter.

Place of Sale: THE ATRIUM ON THE 1ST FLOOR OF THE COUNTY ADMINISTRATION BUILDING, 200 SOUTH TEXAS AVENUE, BRYAN, TEXAS in Brazos County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Brazos County Commissioner's Court.

Substitute Trustee(s): Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, Michael Burns, Sammy Hooda, 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 Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, Michael Burns, Sammy Hooda, 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. Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, Michael Burns, Sammy Hooda, 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.

