

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

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

DEED OF TRUST INFORMATION:

Date: 02/14/2007
Grantor(s): HELENA RUTH JOHNSON
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR HOME123 CORPORATION, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$95,000.00
Recording Information: Book 7862 Page 79 Instrument 00956644
Property County: Brazos
Property: (See Attached Exhibit "A")
Reported Address: 6721 RAYMOND STOTZER PKWY, 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: DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee for SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2007-BR5, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BR5

Mortgage Servicer: PHH Mortgage
Current Beneficiary: DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee for SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2007-BR5, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BR5

Mortgage Servicer Address: 1 Mortgage Way, Mount Laurel, NJ 08054

SALE INFORMATION:

Date of Sale: Tuesday, the 1st day of September, 2020
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(s) is/are no longer the area(s) designated by the Brazos County Commissioner's Court, at the area most recently designated by the Brazos County Commissioner's Court.

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

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

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, Michael Burns, Tori Jones, or Suzanne Suarez, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

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

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

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

EMMA LOREN
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

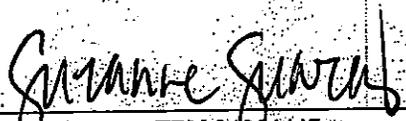
100-2 PD 2-44

100-2 PD 2-44

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.

Substitute Trustee(s) appointed to Conduct Sale: In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed and by these presents does name and appoint Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, Michael Burns, Tori Jones, or Suzanne Suarez, any to act as substitute trustee under and by virtue of said Deed of Trust.

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



Michael Burns, TBN 24074447
Suzanne Suarez, TBN 24076723
Marilyn Jones, TBN 24077649
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICE

Certificate of Posting

I am Pete Florez whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on 7-2-20 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Brazos County Clerk and caused it to be posted at the location directed by the Brazos County Commissioners Court.

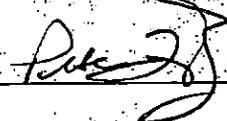
By: 

Exhibit "A"

BEING 0.2926 ACRES, MORE OR LESS, AND BEING SITUATED IN BRAZOS COUNTY, TEXAS, OUT OF THE STEPHEN JONES LEAGUE, A-27 AND BEING A PART OF THE TRACT OF LAND CONVEYED TO TOMMIE H. PRESTON, AS RECORDED IN VOLUME 397, PAGE 352, OF THE BRAZOS COUNTY, TEXAS DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A-1 ATTACHED HERETO AND MADE A PART HEREOF.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN BRAZOS COUNTY, TEXAS OUT OF THE STEPHEN JONES LEAGUE, A-27, AND BEING A PART OF THE TRACT OF LAND CONVEYED TO TOMMIE H. PRESTON, AS RECORDED IN VOLUME 397, PAGE 352, OF THE BRAZOS COUNTY DEED RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD SET BY RAILROAD TIE AT THE SOUTH CORNER OF THE ORIGINAL TRACT AND NOW BEING THE SOUTH CORNER OF THIS TRACT;

THENCE: NORTH 43 DEGREES 11 MINUTES 06 SECONDS WEST, A DISTANCE OF 184.57 FEET ALONG THE SOUTHWEST LINE OF THE ORIGINAL TRACT TO A 5/8" IRON ROD SET AT THE WEST CORNER OF THIS TRACT, ON THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY #60;

THENCE: NORTH 44 DEGREES 59 MINUTES 40 SECONDS EAST, A DISTANCE OF 69.03 FEET ALONG THE SAID RIGHT-OF-WAY LINE TO A 5/8" IRON ROD SET AT THE NORTH CORNER OF THIS TRACT, ALSO BEING THE WEST CORNER OF A 0.5937 ACRE TRACT;

THENCE: SOUTH 43 DEGREES 11 MINUTES 06 SECONDS EAST, A DISTANCE OF 184.89 FEET ALONG THE COMMON LINE BETWEEN THIS TRACT AND THE SAID 0.5937 ACRE TRACT, TO A 5/8" IRON ROD SET ON THE SOUTHEAST LINE OF THE ORIGINAL TRACT FOR THE EAST CORNER OF THIS TRACT, ALSO BEING THE SOUTH CORNER OF THE 0.5937 ACRE TRACT;

THENCE SOUTH 45 DEGREES 15 MINUTES 44 SECONDS WEST, A DISTANCE OF 69.03 FEET TO THE PLACE OF BEGINNING CONTAINING 12746 SQUARE FEET OR 0.2926 ACRES, MORE OR LESS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

NOTICE OF TRUSTEE'S SALE

FILED

Date: August 3, 2020

Trustee: Christopher J. Smitherman

2020 AUG -3 A 11:34

Lender: Steven Pittman and Sharon Pittman

KAREN McQUEEN, COUNTY CLERK
BRAZOS COUNTY, BRYAN, TEXAS
BY: [Signature] DEPUTY

Note: Promissory Note dated March 31, 2017, in the original principal amount of NINE HUNDRED FIFTY THOUSAND and 00/100S DOLLARS (\$950,000.00)

Deed of Trust:

Date: March 31, 2017

Grantor: RCSP Investments, LLC, a Texas limited liability company

Beneficiary: Steven Pittman and Sharon Pittman, collectively

Recording Information: Deed of Trust filed at Volume 13942, Page 233 of the Official Public Records of Brazos County, Texas.

Other Lien Documents: Vendor's Lien retained in that certain Warranty Deed filed at Volume 13942, Page 228 of the Official Public Records of Brazos County, Texas.

Property: That certain 10.00 acre tract or parcel of land, lying and being situated in the James C. Stuteville Survey, Abstract No. 216, Brazos County, Texas, and being part of the called 17.54 acre tract described in the deed from Judith Lanell Stroud, Paul Ernest Nolan and Harold Edward Nolan to Judith Lanell Stroud, as recorded in Volume 8961, Page 245, of the Official Records of Brazos County, Texas, and said 10.00 acre tract being more particularly described on **Exhibit "A"** attached hereto and incorporated herein.

County: Brazos County, Texas

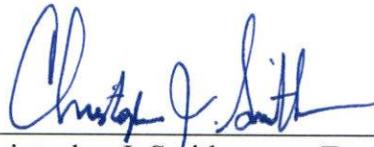
Date of Sale: September 1, 2020

Time of Sale: 1:30 p.m.

Place of Sale: Brazos County Administration Building, 200 S. Texas Avenue, Bryan, Texas 77803, or as otherwise designated by the Brazos County Commissioners Court.

Christopher J. Smitherman is the Trustee under the Deed of Trust. Lender 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 "AS IS" for sale at public auction at the Place of Sale, to the highest bidder for cash. The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than two hours thereafter.



Christopher J. Smitherman, Trustee
6166 Imperial Loop, Ste, 15
College Station, Texas 77845

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.

Exhibit "A"

Field notes of a 10.00 acre tract or parcel of land, lying and being situated in the James C. Stuteville Survey, Abstract No. 216, Brazos County, Texas, and being part of the called 17.54 acre tract described in the deed from Judith Lanell Stroud, Paul Ernest Nolan and Harold Edward Nolan to Judith Lanell Stroud, as recorded in Volume 8961, Page 245, of the Official Records of Brazos County, Texas, and said 10.00 acre tract being more particularly described as follows:

BEGINNING at the 5/8" iron rod found at a 10" creosote post fence corner in the southwest line of Stousland Road (County Road), marking the north corner of the beforementioned 17.54 acre tract, same being the east corner of the Terry - called 12.44 acre tract recorded in Volume 1196, Page 681, of the Official Records of Brazos County, Texas;

THENCE S 27° 10' 00" E along the northeast line of the beforementioned 17.54 acre tract, same being the southwest line of Stousland Road, adjacent to a fence, for a distance of 588.58 feet to a 1/2" iron rod set in existing gravel entrance, from which a crosstie fence corner at south side of entrance bears S 27° 10' 00" E - 14.32 feet;

THENCE through the interior of the beforementioned 17.54 acre tract, as follows:

S 63° 02' 28" W at a distance of 11.47 feet, pass a 3" steel fence gate post, continue along driveway fence for a total distance of 91.89 feet to a 3" cedar post in fence, S 43° 49' 11" W for a distance of 628.49 feet to a 1/2" iron rod set in the southwest line of the 17.54 acre tract, from which a

1/2" iron rod found marking the south corner of the 17.54 acre tract in the northwest line of Stousland Road bears S 44° 48' 53" E - 511.83 feet;

THENCE N 44° 48' 53" W along the southwest line of the beforementioned 17.54 acre tract, same being the northeast line of the Harold E. Nolan - called 20.00 acre tract described in Volume 8961, Page 252, of the Official Records of Brazos County, Texas, for a distance of 543.94 feet to a 5/8" iron rod found marking the west corner of the 17.54 acre tract, same being the north corner of the 20.00 acre tract and being in the southeast line of the Charles Clifton Terry - called 5.00 acre tract

described in Volume 1346, Page 183, of the Official Records of Brazos County, Texas;

THENCE N 44° 56' 45" E along the northwest line of the beforementioned 17.54 acre tract, same being the southeast line of the beforementioned 5.00 acre tract and the beforementioned 12.44 acre tract, along or near the common line between the beforementioned Stuteville Survey and the Samuel Davidson Survey, Abstract No. 13, adjacent to a fence, for a distance of 894.22 feet to the PLACE OF BEGINNING, containing 10.00 acres of land, more or less.

NOTICE OF TRUSTEE'S SALE

FILED

Date: August 3, 2020

Substitute Trustee: Christopher J. Smitherman

2020 AUG -3 A 11:34

Lender: Steve Pittman

KAREN McQUEEN, COUNTY CLERK
BRAZOS COUNTY, BRYAN, TEXAS

Note: Promissory Note dated April 4, 2016, in the original principal amount of SIX HUNDRED SIXTY-NINE THOUSAND FOUR HUNDRED FIVE and 00/100S DOLLARS (\$669,405.00)

Deed of Trust:

Date: April 4, 2016

Grantor: RCSP Investments, LLC, a Texas limited liability company

Beneficiary: Steve Pittman

Recording Information: Deed of Trust filed at Volume 13280, Page 55 of the Official Public Records of Brazos County, Texas.

Other Lien Documents: *n/a*

Property: All of Lots TWENTY (20), TWENTY-ONE (21) and TWENTY-TWO (22), Block TWO (2), BRIAR MEADOWS CREEK SUBDIVISION, PHASE FIVE, a subdivision in Bryan, Brazos County, Texas, according to the Plat thereof recorded in Volume 13226, Pages 215 & 216, Official Records of Brazos County, Texas.

County: Brazos County, Texas

Date of Sale: September 1, 2020

Time of Sale: 1:30 p.m.

Place of Sale: Brazos County Administration Building, 200 S. Texas Avenue, Bryan, Texas 77803, or as otherwise designated by the Brazos County Commissioners Court.

Christopher J. Smitherman is the Substitute Trustee under the attached Appointment of Substitute Trustee. Lender has instructed Substitute Trustee to offer the Property for sale toward the satisfaction of the Note.

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

Christopher J. Smitherman, Substitute Trustee
6166 Imperial Loop, Ste, 15
College Station, Texas 77845

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.

APPOINTMENT OF SUBSTITUTE TRUSTEE

Date: July 31, 2020

Borrower: RCSP Investments, LLC, a Texas limited liability company

Borrower's Address: 1500 University Oaks, College Station, Texas 77840

Lender: Steve Pittman

Lender's Address: 1500 University Oaks, College Station, Texas 77840

Holder: Steve Pittman

Holder's Address: 1500 University Oaks, College Station, Texas 77840

Substitute Trustee: Christopher J. Smitherman

Substitute Trustee's Address: 6166 Imperial Loop, Suite 15, College Station, Texas 77845

Deed of Trust:

Date: April 4, 2016

Grantor: RCSP Investments, LLC, a Texas limited liability company

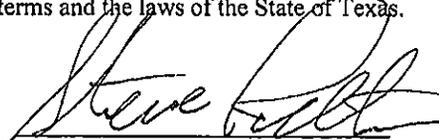
Beneficiary: Steve Pittman

Recording Information: Deed of Trust filed in the Official Records of Brazos County, Texas at Volume 13280, Page 55.

Other Lien Documents: *n/a*

Property: All of Lots TWENTY (20), TWENTY-ONE (21) and TWENTY-TWO (22), Block TWO (2), BRIAR MEADOWS CREEK SUBDIVISION, PHASE FIVE, a subdivision in Bryan, Brazos County, Texas, according to the Plat thereof recorded in Volume 13226, Pages 215 & 216, Official Records of Brazos County, Texas.

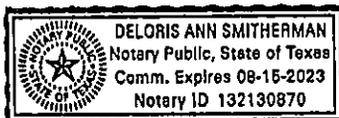
The Deed of Trust allows Lender to remove the trustee and appoint a substitute trustee. Lender hereby removes the present trustee and appoints Substitute Trustee as the trustee under the Deed of Trust. Lender directs Substitute Trustee to foreclose the liens of the Deed of Trust in accordance with its terms and the laws of the State of Texas.


Steve Pittman

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 31st day of July, 2020 by Steve Pittman.


Notary Public



NOTICE OF TRUSTEE'S SALE

FILED

Date: August 3, 2020

2020 AUG -3 A 11: 35

Trustee: Christopher J. Smitherman

Lender: Steven Pittman and Sharon Pittman

KAREN McQUEEN, COUNTY CLERK
BRAZOS COUNTY, BRAZOS, TEXAS

Note: Promissory Note dated March 31, 2017, in the original principal amount of NINE HUNDRED FIFTY THOUSAND and 00/100S DOLLARS (\$950,000.00)

Deed of Trust:

Date: March 31, 2017

Grantor: RCSP Investments, LLC, a Texas limited liability company

Beneficiary: Steven Pittman and Sharon Pittman, collectively

Recording Information: Deed of Trust filed at Volume 13943, Page 25 of the Official Public Records of Brazos County, Texas.

Other Lien Documents: Vendor's Lien retained in that certain Warranty Deed filed at Volume 13943, Page 20 of the Official Public Records of Brazos County, Texas.

Property: That certain 7.54 acre tract or parcel of land, lying and being situated in the James C. Stuteville Survey, Abstract No. 216, Brazos County, Texas, and being part of the called 17.54 acre tract described in the deed from Judith Lanell Stroud, Paul Ernest Nolan and Harold Edward Nolan to Judith Lanell Stroud, as recorded in Volume 8961, Page 245, of the Official Records of Brazos County, Texas, and said 7.54 acre tract being more particularly described on **Exhibit "A"** attached hereto and incorporated herein.

County: Brazos County, Texas

Date of Sale: September 1, 2020

Time of Sale: 1:30 p.m.

Place of Sale: Brazos County Administration Building, 200 S. Texas Avenue, Bryan, Texas 77803, or as otherwise designated by the Brazos County Commissioners Court.

Christopher J. Smitherman is the Trustee under the Deed of Trust. Lender has instructed Trustee to offer the Property for sale toward the satisfaction of the Note.

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Christopher J. Smitherman, Trustee
6166 Imperial Loop, Ste, 15
College Station, Texas 77845

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COMMENCING at the 5/8" iron rod found at a 10" creosote post fence corner in the southwest line of Stousland Road (County Road), marking the north corner of the beforementioned 17.54 acre tract, same being the east corner of the Terry - called 12.44 acre tract recorded in Volume 1196, Page 681, of the Official Records of Brazos County, Texas;

THENCE S 27° 10' 00" E along the northeast line of the beforementioned 17.54 acre tract, same being the southwest line of Stousland Road, adjacent to a fence, for a distance of 588.58 feet to a 1/2" iron rod set in existing gravel entrance for the PLACE OF BEGINNING of this description;

THENCE along the northeast line of the beforementioned 17.54 acre tract, same being the southwest line of Stousland Road, adjacent to a fence, as follows:

S 27° 10' 00" E for a distance of 14.32 feet to a crosstie fence corner at south side of entrance,

S 59° 32' 30" E for a distance of 18.00 feet to 6" creosote post fence angle point,

S 26° 04' 25" E for a distance of 354.40 feet to a 5" creosote post fence angle point,

S 22° 40' 00" E for a distance of 76.30 feet to a crosstie fence angle point,

S 01° 19' 00" E for a distance of 41.70 feet to a 4" creosote post fence angle point,

S 38° 18' 00" W for a distance of 217.30 feet to a 17" post oak tree fence angle point,

S 44° 19' 00" W for a distance of 328.98 feet to a 5/8" iron rod found marking the south corner of the 17.54 acre tract, same being the east corner of the Harold E. Nolan - called 20.00 acre tract described in Volume 8961, Page 252, of the Official Records of Brazos County, Texas;

THENCE N 44° 48' 53" W along the southwest line of the beforementioned 17.54 acre tract, same being the northeast line of the beforementioned 20.00 acre tract for a distance of 511.83 feet to a 1/2" iron rod set, from which a 1/2" iron rod found marking the west corner of the 17.54 acre tract bears N 44° 48' 53" W - 543.94 feet;

THENCE through the interior of the beforementioned 17.54 acre tract, as follows:

N 43° 49' 11" E for a distance of 628.49 feet to a 3" cedar post in existing driveway fence,

N 63° 02' 28" E adjacent to said driveway fence, at a distance of 80.42 feet, pass a 3" steel fence gate post, continue on, for a total distance of 91.89 feet to the PLACE OF BEGINNING, containing 7.54 acres of land, more or less