

FILED

FILE No. 9917  
County Clerk, Victoria County, Texas

2020 AUG 27 P 1:13

M. D.

*Debra Cooper*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

**Notice of Substitute Trustee's Sale**

Notice Concerning Military Duty: 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. Tex. Prop. Code § 51.002(i)

<b>Deed of Trust Date:</b> June 22, 2012	<b>Original Mortgagor/Grantor:</b> SHERRY FICKLEN
<b>Original Beneficiary / Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR REAL ESTATE MORTGAGE NETWORK, INC., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
<b>Recorded in:</b> <b>Volume:</b> n/a <b>Page:</b> n/a <b>Instrument No:</b> 201206788	<b>Property County:</b> VICTORIA
<b>Mortgage Servicer:</b> NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING	<b>Mortgage Servicer's Address:</b> 55 Beattie Place, Suite 110, MS#001, Greenville, SC 29601

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

**Secures:**Note in the original principal amount of \$176,739.00, executed by SHERRY FICKLEN and payable to the order of Lender.

**Property Address/Mailing Address:** 606 BLYTH RD, VICTORIA, TX 77904

**Legal Description of Property to be Sold:** BEING LOT NUMBER FIFTEEN (15), IN BLOCK NUMBER TEN (10), OF HIGHLAND ESTATES NO. 2, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP OR PLAT OF SAID ADDITION OF RECORD IN VOLUME 3, PAGE 79 OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS, TO WHICH REFERENCE IS HERE MADE FOR DESCRIPTIVE PURPOSES. .

<b>Date of Sale:</b> November 03, 2020	<b>Earliest time Sale will begin:</b> 11:00 AM
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**Place of sale of Property:** FRONT OF THE EAST DOOR OF THE COURTHOUSE BUILDING LOCATED AT 115 NORTH BRIDGE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

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.

**Appointment of Substitute Trustee:** Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING*, the owner and holder of the Note, has requested Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Jodi Steen whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 or Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Janice Stoner, Jodi Steen whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The

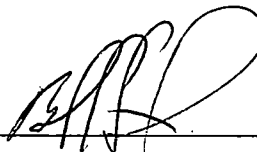
Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

**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 *NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

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, Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Jodi Steen whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 or Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Janice Stoner, Jodi Steen whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, 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 Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Jodi Steen whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 or Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Janice Stoner, Jodi Steen whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

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



\_\_\_\_\_  
SUBSTITUTE TRUSTEE

Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Jodi Steen or Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Janice Stoner, Jodi Steen, Trustee

c/o RAS CRANE, LLC, 10700 Abbott's Bridge Road, Suite 170, Duluth, Georgia 30097; PH: (470)321-7112

2020 SEP 14 P 1:43

NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER  
(CXE)  
HERNANDEZ, SANTOS  
8788 US HWY 87 S, VICTORIA, TX 77905

FHA 514-0604838  
Firm File Number: 20-035825

M. D.  
Delia Caslar  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

**NOTICE OF TRUSTEE'S SALE**

WHEREAS, on April 17, 2015, SANTOS H. HERNANDEZ JR. AND DAWN M. HERNANDEZ, HUSBAND AND WIFE, as Grantor(s), executed a Deed of Trust conveying to ALLAN POLUNSKY, as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR BRAZOS NATIONAL BANK, ITS SUCCESSORS AND ASSIGNS in payment of a debt therein described. The Deed of Trust was filed in the real property records of VICTORIA COUNTY, TX and is recorded under Clerk's File/Instrument Number 201504942, to which reference is herein made for all purposes.

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

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

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, November 3, 2020** between ten o'clock AM and four o'clock PM and beginning not earlier than 11:00 AM or not later than three hours thereafter, the Substitute Trustee will sell said Real Estate in the area designated by the Commissioners Court, of Victoria county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

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

SEE EXHIBIT A

Property Address: 8788 US HWY 87 S  
VICTORIA, TX 77905  
Mortgage Servicer: NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER  
Mortgagee: NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER  
8950 CYPRESS WATERS BLVD  
COPPELL, TX 75019

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

  
SUBSTITUTE TRUSTEE

Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Vicki Hammonds, Jodi Steen, Barbara Sandoval, Martha Boeta, Ramon Perez, Garrett Sanders, Megan Ysassi, John Sisk, Amy Ortiz, Janice Stoner  
c/o Shapiro Schwartz, LLP  
13105 Northwest Freeway, Suite 1200  
Houston, TX 77040  
(713) 462-2565

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

CPA: 076153-0051021600204

EXHIBIT A

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of that 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.

Being 17.49 acres situated in and a part of the William French Survey, Abstract No. 165 and the James Manning Survey, Abstract No. 283, Victoria County, Texas, and is a portion of that certain 25.40 acre tract recorded in Volume 700, Page 677 of the Deed Records of Victoria County, Texas, This 17.49 acres is more fully described by metes and bounds as follows;

BEGINNING at a 5/8 inch iron rod found in the Southwest line of U.S. Highway 87 South (State of Texas, Vol. 373, Page 473, Official Records) for the East corner of this 15.49 acres;

THENCE, with the common line of this tract and a tract of land recorded in Volume 197, Page 216 of the Deed Records of Victoria County, Texas, as follows;

S 63° 08' 35" W a distance of 1623.99 feet to a 5/8 inch iron rod found for the South corner of this 17.49 acres;

N 36° 51' 45" W a distance of 557.22 feet to an iron pipe found for the West corner of this 17.49 acres;

THENCE, N 62° 28' 21" E with the common line of this tract and a 24.28 acre tract recorded in Volume 697, Page 685 of the Deed Records of Victoria County, Texas, a distance of 1120.88 feet to a 5/8 inch iron rod found for a corner;

THENCE, With the common line of this tract and a 2.36 acre tract recorded in Instrument No. 200208818 of the Official Records of Victoria County, Texas, as follows;

S 37° 03' 01" E a distance of 285.38 feet to a 5/8 inch iron rod found for a corner;

N 63° 06' 03" E a distance of 407.11 feet to a 5/8 inch iron rod found for the North corner of this 17.49 acres;

THENCE, S 55° 21' 37" E with the Southwest line of U.S. Highway No. 87 a distance of 300.50 feet to the PLACE OF BEGINNING; CONTAINING within these metes and bounds, 17.49 acres

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

EXHIBIT A - LEGAL DESCRIPTION  
1771#256\_0051021600204



**NOTICE OF TRUSTEE'S SALE**

Notice is hereby given of a public nonjudicial foreclosure sale.

1. **PROPERTY TO BE SOLD:** *BEING Lot Number Fifty-five (55), in Block Number Seven (7), of INWOOD TERRACE SECTION II, an addition to the City of Victoria, Victoria County, Texas, according to the established map and plat of record in Volume 2, Page 60 of the Plat Records of Victoria County, Texas, reference to which is heremade for all purposes.*

2. **DATE, TIME, AND PLACE OF SALE:**

The sale is scheduled to be held at the following date, time, and place:

**DATE:** November 3, 2020

**TIME:** The sale shall begin no earlier than 10:00 am or no later than three hours thereafter. The sale shall be completed by no later than 1:00 pm.

**PLACE:** Victoria County Courthouse in Victoria, Texas, at the following location: 101 N. Bridge St., Victoria, Texas 77901 on the steps of the Courthouse.

Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refileing may be after the date originally scheduled for this sale.

3. **TERMS OF SALE:**

The sale will be conducted as a public auction to the highest bidder for cash.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters, 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. **TYPE OF SALE:**

The sale is a nonjudicial foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust dated April 1, 2020, executed by **COREY ALLAN TUCKER** to Kelly Garrett Kucera, Trustee for the benefit of lender, covering the property and recorded in Instrument Number 202004783 of the Official Public Records of Victoria County, Texas.

5. **OBLIGATIONS SECURED:**

**Date:** April 1, 2020

**Recording Information:** Instrument Number 202004783 of the Official Public Records of Victoria County, Texas.

**Obligor/Current Owner of Record:** COREY ALLAN TUCKER

**Property Description:** *BEING Lot Number Fifty-five (55), in Block Number Seven (7), of INWOOD TERRACE SECTION II, an addition to the City of Victoria, Victoria County, Texas, according to the established map and plat of record in Volume 2, Page 60 of the Plat Records of Victoria County, Texas, reference to which is heremade for all purposes.*

Assert and protect your rights as a member of the armed forces under 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.

Questions concerning the sale may be directed to Kelly Garrett Kucera, Attorney, PO Box 5393, Victoria, Texas, 77903, 361-576-0145.

DATED September 22, 2020.

FILED *PO*

2020 SEP 22 P 12:41

*Diana C. Corder*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

*Kelly Kucera*  
Kelly Garrett Kucera, Attorney  
101 W. Goodwin Ave, Suite 302  
Victoria, Texas 77901  
(361) 576-0145

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Pursuant to authority conferred upon me by that certain Deed of Trust executed by Gregg Ozenne of Victoria County, Texas, dated 11/14/2019, and duly recorded as Instrument No 202000942, of the Official Records of Victoria County, Texas, I will, as 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 payment thereof, sell on Tuesday, 11/2/2020, (that being the first Tuesday of said month), at public auction to the highest bidder for cash at the area of the Victoria County Courthouse designated by the Victoria County Commissioners Court for foreclosure sales (the Commissioners Court designation is recorded in the Real Property Records of Victoria County, Texas), said Courthouse being located in Victoria, Texas, between the hours of 10 00 o'clock a.m. and 1 00 o'clock p m of that day (the earliest time at which the sale will occur is 10 00 o'clock a.m., and the latest time at which it may occur is 1 00 o'clock p m.), the following-described property, to-wit

BEING Lot Numbers One (1) and Two (2), Block Number Three (3), of River Oaks Section I, Victoria County, Texas, according to the established map and plat of record in Volume 4, Page 27, Plat Records of Victoria County, Texas,

Subject, however, to any title exceptions and other matters set forth in the Deed of Trust described above or as may appear of record in the Office of the Victoria County Clerk of Victoria County, Texas, any ad valorem taxes that may be owing against the above-described property, and to any rights of parties in possession of the above-described property

NOTICE

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

Executed this 22<sup>nd</sup> day of September, 2020.

Pearl M Garcia

PEARL M GARCIA, Substitute Trustee  
Platinum Home Investments, LLC  
3805 E Rio Grande  
Victoria, Texas 77901  
361-573-7653 - Telephone  
361-582-4784 - Facsimile

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FILED

2020 SEP 23 P 1:27

Victoria County  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

2020 SEP 24 P 1:14

TS No.: 2020-01225-TX  
20-000665-673

M. D.  
County Clerk  
VICTORIA COUNTY, TEXAS

**Notice of [Substitute] Trustee Sale**

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

**1. Date, Time and Place of Sale.**

**Date:** 11/03/2020

**Time:** The sale will begin at 11:00 AM or not later than three hours after that time

**Place:** Victoria County, Texas at the following location: **FRONT OF THE EAST DOOR OF THE COURTHOUSE BUILDING LOCATED AT 115 NORTH BRIDGE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS**

**Property Address:** 2108 EAST WALNUT AVENUE, ~~WICHITA~~ <sup>Victoria</sup> TX 77901

**2. Terms of Sale:** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust. Any conveyance of the property is subject to all matters of record affecting the property.

**3. Instrument to be Foreclosed:** The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 04/12/2006 and recorded 04/13/2006 in Document 200604950, real property records of Victoria County, Texas, with **Larry Pena and Maria B. Pena** grantor(s) and **ALETHES, LLC** as Lender, **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.** as Beneficiary.

**4. Appointment of Substitute Trustee:** In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent for the mortgage servicer has named and appointed, and by these presents does name and appoint **AVT Title Services, LLC**, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**5. Obligation Secured:** Deed of Trust or Contract Lien executed by **Larry Pena and Maria B. Pena**, securing the payment of the indebtedness in the original principal amount of **\$77,388.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **PHH MORTGAGE CORPORATION** is the current mortgagee of the note and deed of trust or contract lien.

### **Notice of [Substitute] Trustee Sale**

**6. Default:** A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

**7. Property to be sold:** The property to be sold is described as follows:

**BEING ALL OF LOT NO NINE (9), IN BLOCK NO ONE (1), OF AIRLINE TERRACE, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID ADDITION OF RECORD IN VOLUME 1, PAGE 1, OF THE MAP AND PLAT RECORD OF VICTORIA COUNTY, TEXAS.**

**8. Mortgage Servicer Information:** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the property referenced above. **PHH Mortgage Corporation**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

**C/O PHH Mortgage Corporation**

**1 Mortgage Way  
Mt. Laurel, NJ 08054**

**Phone: 877-744-2506**



## Notice of [Substitute] Trustee Sale

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

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

**Date:** September 22, 2020

*Glenda Hamilton*

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

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

**POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.**

Certificate of Posting

I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the Victoria County Clerk and caused it to be posted at the location directed by the Victoria County Commissioners Court.

**NOTICE OF FORECLOSURE SALE**

**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OR 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. Property to Be Sold.** The property to be sold is described as follows: BEING LOT NUMBER THIRTEEN(13), IN BLOCK NUMBER ONE (1), OF MAYFAIR TERRACE SECTION III, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID ADDITION OF RECORD IN VOLUME 4, PAGE 52 OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS, TO WHICH REFERENCE IS HERE MADE FOR DESCRIPTIVE PURPOSES.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 04/24/2015 and recorded in Document 201504486 real property records of Victoria County, Texas.


**3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:  
Date: 11/03/2020  
Time: 11:00 AM  
Place: Victoria County, Texas at the following location: FRONT OF THE EAST DOOR OF THE COURTHOUSE BUILDING LOCATED AT 115 NORTH BRIDGE STREET 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.


**5. Obligations Secured.** The Deed of Trust executed by ANTHONY HUTSON AND HEATHER MARIE HUTSON, provides that it secures the payment of the indebtedness in the original principal amount of \$91,315.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. WALLICK & VOLK, INC. is the current mortgagee of the note and deed of trust and WALLICK & VOLK INC. is mortgage servicer. A servicing agreement between the mortgagee, whose address is WALLICK & VOLK, INC. c/o WALLICK & VOLK INC., 1 Corporate Dr., Ste. 360, Lake Zurich, IL 60047 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

**6. 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 AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**

  
\_\_\_\_\_  
Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Michael Zientz, Attorney at Law  
Lori Liane Long, Attorney at Law  
Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Parkway Office Center, Suite 900  
14160 Dallas Parkway  
Dallas, TX 75254

**THIS FORECLOSURE SALE IS BEING CONDUCTED UNDER THE EXCEPTION REFERENCED IN GOVERNOR ABBOTT'S EXECUTIVE ORDER GA-28(1)(A)**

**FILED**  
2020 OCT -8 P 4: 13  
  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

NOTICE OF DEFAULT AND FORECLOSURE SALE

WHEREAS, on February 19, 2010, a certain Adjustable Rate Home Equity Conversion Deed of Trust ("Reverse Mortgage") was executed by ELNITA JONES, as mortgagor in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR PLAZA HOME MORTGAGE, INC, ITS SUCCESSORS AND ASSIGNS, as mortgagee and TOMMY BASTIAN, as trustee, and was recorded on February 25, 2010 under Clerk's Instrument Number 201001712 in the real property records of Victoria, Texas.

WHEREAS, the Reverse Mortgage was insured by the United States Secretary of Housing and Urban Development (the "Secretary") pursuant to the National Housing Act for the purpose of providing single family housing; and

WHEREAS, the beneficial interest in the Reverse Mortgage is now owned by the Secretary, pursuant to an assignment dated September 10, 2014, and recorded on September 22, 2014, under Clerk's Instrument Number 201410739 in the real property records of Victoria County, Texas; and

WHEREAS, a default has been made in the covenants and conditions of the Reverse Mortgage in that the Mortgagors no longer occupies the property; and

WHEREAS, the entire amount delinquent as of November 3, 2020 is \$54,774.20; and

WHEREAS, by virtue of the default, the Secretary has declared the entire amount of the indebtedness secured by the Reverse Mortgage to be immediately due and payable;

NOW THEREFORE, pursuant to powers vested in me by the Single Family Mortgage Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR part 27, subpart B, and by the Secretary's designation of me as Foreclosure Commissioner, recorded on October 15, 2007 in Dallas County under Clerk's File Number 20070369306, notice is hereby given that on November 3, 2020, at 11:00 AM local time or no later than three hours thereafter, all real and personal property at or used in connection with the following described premises ("Property") will be sold at public auction to the highest bidder:

FILED

2020 OCT -8 P 4: 13

*an*  
*Debra Gooden*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

BEING A 0.232 ACRE (10, 117 SQUARE FOOT) TRACT OF LAND SITUATED IN FARM LOT TWO (2), BLOCK THREE (3), RANGE THREE (3), EAST ABOVE TOWN IN THE ORIGINAL FOUR LEAGUE GRANT TO THE TOWN OF VICTORIA, VICTORIA COUNTY, TEXAS, SAID 0.232 ACRE TRACT BEING THE SAME TRACT OF LAND CONVEYED FROM LIN TUCKER, ET UX TO JAMES JONES, ET UX BY DEED DATED OCTOBER 15, 1964 AS RECORDED IN VOLUME 631, PAGE 479 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, SAID 0.232 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH DIAMETER IRON PIPE FOUND FOR THE EAST CORNER OF THE HEREIN DESCRIBED TRACT, SAID IRON PIPE ALSO BEING THE SOUTH CORNER OF A 3.33 ACRE TRACT OF LAND CONVEYED FROM MAXINE DAVENPORT, ET AL TO AGUSTA BRASWELL AS RECORDED IN OFFICIAL RECORDS, INSTRUMENT NO. 200316655 OF SAID COUNTY AND IN THE NORTHWEST RIGHT-OF-WAY LINE OF PLEASANT GREEN DRIVE (RIGHT OF WAY VARIES);

THENCE, SOUTH 63 DEGREES 00 MINUTES 00 SECONDS WEST, WITH THE NORTHWEST RIGHT-OF-WAY LINE OF PLEASANT GREEN DRIVE, A DISTANCE OF 100.40 FEET (DEED CALL, 100 FEET) TO AN "X" SCRIBED IN CONCRETE SET FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT, SAID "X" ALSO BEING THE EAST CORNER OF 1.00 ACRE TRACT OF LAND CONVEYED FROM WARREN DAVIS TO WANDA ENUHA AS RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 200213443 OF SAID COUNTY;

THENCE, NORTH 27 DEGREES 30 MINUTES 00 SECONDS WEST, WITH THE COMMON LINE OF THE 1.00 ACRE ENUHA TRACT, PASSING AT A DISTANCE OF 4.82 FEET A 1/2 INCH DIAMETER IRON PIPE FOUND ON LINE FOR REFERENCE, AND CONTINUING FOR AN OVERALL DISTANCE OF 100.77 FEET (DEED CALL, 100 FEET) TO A 5/8 INCH DIAMETER IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CIVILCORP" SET FOR THE WEST CORNER OF THE HEREIN DESCRIBED TRACT, SAID IRON ROD ALSO BEING THE SOUTH CORNER OF A 2.77 ACRE TRACT OF LAND CONVEYED FROM SHERIFF T. MICHAEL O'CONNOR TO PAUL D. PEREZ AS RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 200610361 OF SAID COUNTY;

THENCE, NORTH 63 DEGREES 00 MINUTES 00 SECONDS EAST, WITH THE COMMON LINE OF THE 2.77 ACRE PEREZ TRACT, A DISTANCE OF 100.40 FEET (DEED CALL, 100 FEET) TO A 1/2 INCH DIAMETER IRON PIPE FOUND FOR THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT, SAID IRON PIPE ALSO BEING THE EAST CORNER OF THE 2.77 ACRE PEREZ TRACT AND IN THE SOUTHWEST LINE OF THE 3.33 ACRE BRASWELL TRACT;

THENCE, SOUTH 27 DEGREES 30 MINUTES 00 SECONDS EAST (BASIS OF BEARING), WITH THE SOUTHWEST LINE OF THE 3.33 ACRE BRASWELL TRACT, A DISTANCE OF 100.77 FEET (DEED CALL, 100 FEET) TO THE POINT OF BEGINNING, CONTAINING WITHIN THESE METES AND BOUNDS 0.232 ACRES (10,117 SQUARE FEET) OF LAND, MORE OR LESS.

Commonly known as: 2006 PLEASANT GREEN DRIVE, VICTORIA, TX 77901.

The sale will be held in Victoria County, Texas at the following location: FRONT OF THE EAST DOOR OF THE COURTHOUSE BUILDING LOCATED AT 115 NORTH BRIDGE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

The Secretary of Housing and Urban Development will bid \$54,774.20.

There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay,

at or before closing, his prorata share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale.

When making their bids, all bidders except the Secretary must submit a deposit totaling \$5,477.42 in the form of a certified check or cashier's check made out to the Secretary of HUD. A deposit need not accompany each oral bid. If the successful bid is oral, a deposit of \$5,477.42 must be presented before the bidding is closed. The deposit is nonrefundable. The remainder of the purchase price must be delivered within 30 days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a certified or cashier's check. If the Secretary is the highest bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveying fees, all real estate and other taxes that are due on or after the delivery date of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee of \$500.00, paid in advance. The extension fee shall be in the form of a certified or cashier's check made payable to the Secretary of HUD. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due.

If the high bidder is unable to close the sale within the required period, or within any extension of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit or, at the election of the foreclosure commissioner after consultation with the HUD representative, will be liable to HUD for any costs incurred as a result of such failure. The Commissioner may, at the direction of the HUD representative, offer the property to the second highest bidder for an amount equal to the highest price offered by that bidder.

There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant.


The scheduled foreclosure sale shall be cancelled or adjourned if it is established, by documented written application of the mortgagor to the Foreclosure Commissioner not less than 3 days before the date of sale, or otherwise, that the default or defaults upon which the foreclosure is based did not exist at the time of service of this notice of default and foreclosure sale, or all amounts due under the mortgage agreement are tendered to the Foreclosure Commissioner, in the form of a certified or cashier's check payable to the Secretary of HUD, before public auction of the property is completed.

The amount that must be paid if the mortgage is to be paid in full prior the scheduled sale is \$54,774.20, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred in giving notice, mileage by the most reasonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out-of-pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement.

Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner provided below.

Date: October 7, 2020

L. Keller Mackie  
Foreclosure Commissioner  
Mackie Wolf Zientz & Mann, P.C.  
Parkway Office Center, Suite 900  
14160 Dallas Parkway  
Dallas, TX 75254  
(214) 635-2650  
(214) 635-2686 Fax

Bob L. Frisch  


Substitute Trustee

**THIS FORECLOSURE SALE IS BEING CONDUCTED  
UNDER THE EXCEPTION REFERENCED IN  
GOVERNOR ABBOTT'S EXECUTIVE ORDER GA-  
28(1)(A)**

**NOTICE OF FORECLOSURE SALE**

**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OR 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. *Property to Be Sold.* The property to be sold is described as follows: BEING 2 0 ACRES, MORE OR LESS, OUT OF THE E P PULLIAM SURVEY. A-401, VICTORIA COUNTY, TEXAS, AND BEING A PART OF THAT CERTAIN 43 709 ACRE TRACT CONVEYED TO SHARON RAINES MCLENNAN BY LINDA RAINES JANIS DESCRIBED AS TRACT II IN THAT CERTAIN PARTITION DEED FILED NOVEMBER 19.1982, RECORDED IN VOLUME 1173, PAGE 641 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS.

SAID 2 0 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
BEGINNING AT A 1/4-INCH IRON ROD FOUND IN THE SOUTHEAST LINE OF BAYER ROAD, SAME BEING THE NORTHWEST LINE OF THE ABOVE REFERRED TO SHARON RAINES MCLENNAN 43 709 ACRE TRACT MARKING THE NORTH CORNER OF A 15 ACRE TRACT PREVIOUSLY CONVEYED TO EDWARD S TOWNSEND OUT OF SAID MCLENNAN 43 709 ACRE TRACT FOR THE WEST CORNER OF THIS TRACT, SAID BEGINNING POINT LOCATED NORTH 55 DEGREES 48 MINUTES 46 SECONDS EAST 714 86- FEET FROM A 5/8 INCH IRON ROD FOUND MARKING THE WEST CORNER OF THE SHARON RAINES MCLENNAN 43.709 ACRE TRACT;  
THENCE NORTH 55 DEGREES 48 MINUTES 46 SECONDS EAST WITH THE NORTHWEST LINE OF THE ABOVE REFERRED TO SHARON RAINES MCLENNAN 43 709 ACRE TRACT AND THE SOUTHEAST LINE OF BAYER ROAD, 135.0- FEET TO A 3/4 INCH IRON PIPE SET FOR THE NORTH CORNER OF THIS TRACT;  
THENCE SOUTH 34 DEGREES 11 MINUTES 00 SECONDS EAST, 645 33- FEET TO A 3/4- INCH IRON PIPE SET FOR THE EAST CORNER OF THIS TRACT;  
THENCE SOUTH 55 DEGREES 48 MINUTES 46 SECONDS WEST, 135- FEET TO A 3/4 INCH IRON PIPE SET FOR THE SOUTH CORNER OF THIS TRACT;  
THENCE NORTH 34 DEGREES 11 MINUTES 00 SECONDS WEST AT 161 33- FEET PASS A 1/4 INCH IRON ROD FOUND MARKING THE EAST CORNER OF THE EDWARD S TOWNSEND 1 5 ACRE TRACT AND CONTINUING IN ALL 645 33- FEET TO THE PLACE OF BEGINNING, CONTAINING 2 0 ACRES, MORE OR LESS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 02/26/2007 and recorded in Document 201705594 real property records of Victoria County, Texas.

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

Date: 11/03/2020  
Time: 11:00 AM  
Place: Victoria County, Texas at the following location: FRONT OF THE EAST DOOR OF THE COURTHOUSE BUILDING LOCATED AT 115 NORTH BRIDGE STREET 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.

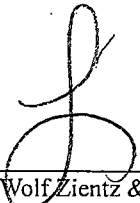
5. *Obligations Secured.* The Deed of Trust executed by JAMES E. LESIKAR, provides that it secures the payment of the indebtedness in the original principal amount of \$46,462.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. J.P. MORGAN MORTGAGE ACQUISITION CORP. is the current mortgagee of the note and deed of trust and RUSHMORE LOAN MANAGEMENT SERVICES, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is J.P. MORGAN MORTGAGE ACQUISITION CORP. c/o RUSHMORE LOAN MANAGEMENT SERVICES, LLC, 15480 Laguna Cyn Road, Suite 100, IRVINE, CA 92618 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Order to Foreclose.* J.P. MORGAN MORTGAGE ACQUISITION CORP. obtained a Order from the 24th District Court of Victoria County on 02/11/2020 under Cause No. 19-11-85229-A . The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

7. *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 AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**

THIS FORECLOSURE SALE IS BEING CONDUCTED  
UNDER THE EXCEPTION REFERENCED IN  
GOVERNOR ABBOTT'S EXECUTIVE ORDER GA-  
28(1)(A)



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Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Michael Zientz, Attorney at Law  
Lori Liane Long, Attorney at Law  
Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Parkway Office Center, Suite 900  
14160 Dallas Parkway  
Dallas, TX 75254

Certificate of Posting

I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230,  
Houston, TX 77056. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office  
of the Victoria County Clerk and caused it to be posted at the location directed by the Victoria County Commissioners Court.

2020 OCT 13 A 11: 53

**Notice of Trustee's Sale**

Date October 13, 2020

*Debi Caskey*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

Trustee Stephen A Beal

Street Address for Trustee PO Box 195607, Dallas County, Texas 75219

Current Owner and Holder of the Note and Deed of Trust BP-Residential, L L C

Obligation. Real Estate Lien Note dated March 7, 2019, from Maker, Isabel Lucio Zavala and Carlos Gutierrez Zamora, as husband and wife to Payee, BP-Residential, L L C, in the original principal amount of \$74,500 00

**Deed of Trust**

Date March 7, 2019

Recording Information Filed on March 12, 2019, and recorded under document number 201902845 Official Public Records of VICTORIA County, Texas

Grantor Isabel Lucio Zavala and Carlos Gutierrez Zamora, as husband and wife

Trustee Stephen A Beal

Beneficiary BP-Residential, L L C

Property BEING Lot Number Nine-R (9R), in Block Number "E", of BUHLER ADDITION RESUBDIVISION No 1, an addition to the City of Victoria, Victoria County, Texas, according to the established map and plat of record in Volume 7, Page 97D, of the Plat Records of Victoria County, Texas, to which reference is heremade for descriptive purposes

SUBJECT, HOWEVER, to the utility easements and building set back lines herein covered and as shown by the map and plat of record in Volume 7, Page 97D of the Plat Records of Victoria County, Texas

Date of Sale (first Tuesday of month) November 3, 2020

Time of Sale The sale will begin no earlier than 10 00 AM, and no later than three hours thereafter

Place of Sale Victoria County Courthouse

Default has occurred under the Deed of Trust The current owner and holder of the Real Estate Lien Note and the Deed of Trust has instructed the Trustee to offer the Property for sale toward the satisfaction of the Real Estate Lien Note, by a nonjudicial foreclosure sale in accordance with the power of sale granted by the Deed of Trust.



**Notice is given that on the Date of Sale, the Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS", without any express or implied warranties, except warranties of title.**

*Terms of Sale* The sale will be conducted as a public auction to the highest bidder. If the highest bidder is someone other than the Lender, the purchase price will be payable in cash or its equivalent, at the discretion of the Trustee, and will be payable immediately on acceptance of the bid by the Trustee. If the Lender is the highest bidder, payment will be by a credit on the Obligation, as permitted by the Deed of Trust.

Those persons and entities desiring to purchase the Property at the public auction, other than the Lender, will need to demonstrate their ability to pay cash on acceptance of the bid by the Trustee.

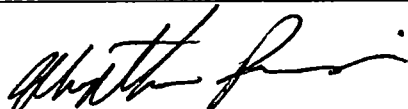
The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and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

The Trustee may sell the Property in one or more parcels and/or 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.

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.

"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 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."

  
STEPHEN A. BEAL, TRUSTEE

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

WHEREAS, by that one certain Texas Home Equity Security Instrument dated August 6, 2013, recorded under Document No. 201310178, in the Official Public Records of Victoria County, Texas (the "Deed of Trust"), to which record reference is here made for all purposes, Zebedee Harper and Bobbie Harper (hereinafter called the "Mortgagor" whether one or more) granted, sold and conveyed to the Trustee named therein the real property described in Exhibit "A" attached hereto and made a part hereof for all purposes (said real property, together with any and all appurtenances, improvements and fixtures of any kind located thereon or pertaining thereto, and together with any personal property located thereon or pertaining thereto to the extent such personal property is described in and covered by the Deed of Trust, being collectively referred to herein as the "Property"), in order to secure payment of that one certain Texas Home Equity Note dated August 6, 2013, in the original principal sum of \$125,000.00 executed by Zebedee Harper, and Bobbie Harper and made payable to the order of Texas Dow Employees Credit Union (said Texas Home Equity Note, as modified or extended by any modifications or extensions thereof, being herein referred to as the "Note"), and payment of any and all other indebtedness secured by and described in the Deed of Trust; and

WHEREAS, Texas Dow Employees Credit Union ("Beneficiary") is the legal owner and holder of the Note and the beneficiary of the Deed of Trust; and

WHEREAS, pursuant to authority granted in the Deed of Trust, Beneficiary did appoint and designate the undersigned whose street address is 6700 N. New Braunfels Avenue, San Antonio, Texas 78209, as Substitute Trustee to act under the Deed of Trust instead of the original Trustee named therein; and

WHEREAS, the Note is in default and the entire unpaid balance thereof is due and payable and Beneficiary has demanded payment from the Mortgagor and intends to have the power of sale set forth in the Deed of Trust enforced; and

WHEREAS, Beneficiary obtained an Order in Cause Number 2-18460, styled *In the Matter of the Estate of Zebedee Harper, Jr.*, dated September 17, 2020, allowing Beneficiary to sell the Property pursuant to the Deed of Trust and TEX. PROP. CODE §51.002; and

WHEREAS, Beneficiary has directed the undersigned, as Substitute Trustee, to enforce the power of sale granted under the Deed of Trust over the Property for the purpose of collecting the indebtedness secured thereby, after giving notice of the time, place and terms of such sale and of the property to be sold in compliance with the terms of the Deed of Trust and the laws of the State of Texas;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, Jo Woolsey or Bob Frisch or Janice Stoner or Jodi Steen or James L. Hollerbach, Substitute Trustee, hereby give notice that, after due publication of this Notice by posting it at the courthouse door of Victoria County, Texas at least twenty-one

(21) days preceding the date of the foreclosure sale of the Property (as stated below), and after having filed this Notice in the Foreclosure Records of Victoria County, Texas, at least twenty-one (21) days preceding the date of such sale, and after having given written notice at least twenty-one (21) days preceding the date of such sale by certified mail to each debtor obligated to pay the Note and the indebtedness secured by the Deed of Trust at the address of each such debtor according to the records of Beneficiary as required by the Deed of Trust and the laws of the State of Texas, I will sell the Property at public auction to the highest bidder or bidders for cash at the area in front of the east door of the Victoria County Courthouse Building located at 115 N. Bridge Street, Victoria, Victoria County, Texas (as designated by the Commissioners Court of that county), at 11:00 a.m. (at the earliest), or within three (3) hours thereafter, on November 3, 2020, that being the first Tuesday of that month.

**Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately. The sender of the Notice is Diann M. Bartek and can be notified of the active duty military service at 112 E. Pecan Street, Ste. 1800, San Antonio, Texas 78205.**

Executed in multiple originals on this 13<sup>th</sup> day of October, 2020.

FILED

2020 OCT 13 P 3:59

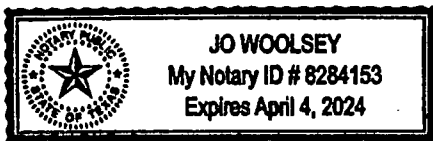
M.A.  
*Diann M. Bartek*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

Jo Woolsey or Bob Frisch or Janice Stoner  
or Jodi Steen or James L. Hollerbach,  
Substitute Trustee  
6700 N. New Braunfels Avenue  
San Antonio, Texas 78209

STATE OF TEXAS §

COUNTY OF Nueces §

This instrument was acknowledged before me on the 13<sup>th</sup> day of October, 2020, by ~~Jo Woolsey or Bob Frisch or Janice Stoner or Jodi Steen or James L. Hollerbach~~, Substitute Trustee, on behalf of said Trust.



Notary Public, State of Texas

## **PROPERTY DESCRIPTION**

Lot Nineteen (19) in Block One (1) of Tangerine Place, an addition to the City of Victoria, Victoria County, Texas, according to the map or plat thereof recorded in Volume 7, Page 142 A & B of the Plat Records of Victoria County, Texas.

**EXHIBIT "A"**

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

WHEREAS, by that one certain Deed of Trust dated July 31, 2015, recorded under Document No. 201508486 in the Official Public Records of Victoria County, Texas (the "Deed of Trust"), to which record reference is here made for all purposes, Fernando Alamilla and wife, Inez Alamilla (hereinafter called the "Mortgagor" whether one or more) granted, sold and conveyed to the Trustee named therein the real property described in Exhibit "A" attached hereto and made a part hereof for all purposes (said real property, together with any and all appurtenances, improvements and fixtures of any kind located thereon or pertaining thereto, and together with any personal property located thereon or pertaining thereto to the extent such personal property is described in and covered by the Deed of Trust, being collectively referred to herein as the "Property"), in order to secure payment of that one certain promissory note dated July 31, 2015, in the original principal sum of \$169,166.00 executed by Fernando Alamilla and made payable to the order of Texas Dow Employees Credit Union (said promissory note, as modified or extended by any modifications or extensions thereof, being herein referred to as the "Note"), and payment of any and all other indebtedness secured by and described in the Deed of Trust; and

WHEREAS, Texas Dow Employees Credit Union ("Beneficiary") is the legal owner and holder of the Note and the beneficiary of the Deed of Trust; and

WHEREAS, pursuant to authority granted in the Deed of Trust, Beneficiary did appoint and designate the undersigned whose street address is 6700 N. New Braunfels Avenue, San Antonio, Texas 78209, as Substitute Trustee to act under the Deed of Trust instead of the original Trustee named therein; and

WHEREAS, the Note is in default and the entire unpaid balance thereof is due and payable and Beneficiary has demanded payment from the Mortgagor and intends to have the power of sale set forth in the Deed of Trust enforced; and

WHEREAS, Beneficiary has directed the undersigned, as Substitute Trustee, to enforce the power of sale granted under the Deed of Trust over the Property for the purpose of collecting the indebtedness secured thereby, after giving notice of the time, place and terms of such sale and of the property to be sold in compliance with the terms of the Deed of Trust and the laws of the State of Texas;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, Jo Woolsey or Bob Frisch or Janice Stoner or Jodi Steen or James L. Hollerbach, Substitute Trustee, hereby give notice that, after due publication of this Notice by posting it at the courthouse door of Victoria County, Texas at least twenty-one (21) days preceding the date of the foreclosure sale of the Property (as stated below), and after having filed this Notice in the Foreclosure Records of Victoria County, Texas, at least twenty-one (21) days preceding the date of such sale, and after having given written notice at least twenty-one (21) days preceding the date of such sale by certified mail to each debtor obligated to pay the Note and the indebtedness secured by the Deed of Trust at the address of each such debtor according to the records of

Beneficiary as required by the Deed of Trust and the laws of the State of Texas, I will sell the Property at public auction to the highest bidder or bidders for cash at the area in front of the east door of the Victoria County Courthouse Building located at 115 N. Bridge Street, Victoria, Victoria County, Texas (as designated by the Commissioners Court of that county), at 11:00 a.m. (at the earliest), or within three (3) hours thereafter, on November 3, 2020, that being the first Tuesday of that month.

**Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately. The sender of the Notice is Diann M. Bartek and can be notified of the active duty military service at 112 E. Pecan, Ste. 1800, San Antonio, Texas 78205.**

Executed in multiple originals on this 13<sup>th</sup> day of October, 2020.

FILED

2020 OCT 13 P 3: 58

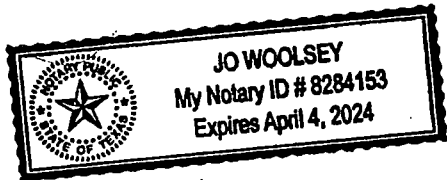
*M. D.*  
*Diann M. Bartek*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

*[Handwritten Signature]*

Jo Woolsey or Bob Frisch or Janice Stoner  
or Jodi Steen or James L. Hollerbach,  
Substitute Trustee  
6700 N. New Braunfels Avenue  
San Antonio, Texas 78209

STATE OF TEXAS           §  
  §  
COUNTY OF Wueces   §

This instrument was acknowledged before me on the 13<sup>th</sup> day of October, 2020, by ~~Jo Woolsey or Bob Frisch or Janice Stoner or Jodi Steen or James L. Hollerbach~~ Substitute Trustee, on behalf of said Trust.



*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public, State of Texas

## **PROPERTY DESCRIPTION**

Being Lot Number Twenty-Three (23), in Block Number Eleven (11), of Castle Hill Section III, an addition to the City of Victoria, Victoria County, Texas, according to the established map and plat of record in Volume 4, Page 20 of the Plat Records of Victoria County, Texas.

**EXHIBIT "A"**