

FILE No. 9206
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: 07/04/2017

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

Place: Victoria County Courthouse, 115 N. Bridge Street, Victoria, TX 77901 - THE AREA IN FRONT OF THE EAST DOOR OF THE COURTHOUSE BUILDING, LOCATED AT 115 NORTH BRIDGE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONERS

Property Address: 490 Osage Road, Victoria, TX 77905

- 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 05/06/2005 and recorded 05/10/2005 in Document 200506880, Book --- Page ---, real property records of Victoria County Texas, with **Kevin Schultz, a married man and Dinah D. Schultz his non-purchasing spouse** grantor(s) and Alethes, LLC, as lender, Mortgage Electronic Registration Systems, Inc., as Beneficiary.
- 4. Appointment of Substitute Trustee:** The undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by the above referenced Deed of Trust.
- 5. Obligation Secured:** Deed of Trust or Contract Lien executed by **Kevin Schultz, a married man and Dinah D. Schultz his non-purchasing spouse** securing the payment of the indebtedness in the original principal amount of \$ **151,800.00**, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. **Ocwen Loan Servicing, LLC** is the current mortgagee of the note and the deed of trust or contract lien.
- 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.

Notice of [Substitute] Trustee Sale

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

Being 4.68 Acres of land situated in the Francis M. White Survey, Abstract 343 in Victoria County, Texas, said 4.68 acres of land also being that same 5.00 acre tract of land (save and except a 60.00 roadway easement that is now a county road known as O` Sage Road) conveyed to Charles W. Abshire and wife, Linda G. Abshire by Jack Lee by deed dated October 4, 1983 and recorded in Volume 1448, Page 687 of the Deed Records of Victoria County, Texas, said 4.68 acres of land being more fully described by metes and bounds as follows:

BEGINNING at an existing 5/8 inch iron rod in the Northwest right-of-way line of a 60 foot wide county road known as O` Sage Road, said Iron rod being 60.00 feet Northwest of the East corner of the said 5.00 acre tract of land, said iron rod being the **PLACE OF BEGINNING** and the East corner of the herein described tract;

THENCE, S. 47°56`31" W., a distance of 233.46 feet along the Northwest right-of- way line of the said O` Sage Road to an existing 5/8 inch iron rod, said iron rod being 60.00 feet Northwest of the South corner of the said 5.00 acre tract of land, said iron rod also being the South corner of the herein described tract;

THENCE, N. 42°03`29" W., a distance of 888.48 feet along the Southwest line of the said 5.00 acre tract of land to an existing 5/8 inch iron rod at the West corner of the said 5.00 acre tract of land, said iron rod also being the West corner of the herein described tract;

THENCE, N. 55°32`53" E., a distance of 181.90 feet along the Northwest line of the said 5.00 acre tract of land to an existing 5/8 inch iron rod at an angle point in the said Northwest line, said iron rod also being a corner of the herein described tract;

THENCE, N. 55°30`52" E., a distance of 53.63 feet along the Northwest line of the said 5.00 acre tract of land to an existing 5/8 inch iron rod at the North corner of the said 5.00 acre tract of land, said iron rod also being the North corner of the herein described tract;

THENCE, S. 42°03`29" E., a distance of 857.33 feet along the Northeast line of the said 5.00 acre tract of land to the **PLACE OF BEGINNING**, containing within these metes and bounds 4.68 acres of land.

I hereby certify that the above fieldnote description was based on as on the ground survey, made under my supervision, on January 20, 1995, and is true and correct to the best of my knowledge and belief.

Notice of [Substitute] Trustee Sale

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

**C/O Ocwen Loan Servicing, LLC
1661 Worthington Rd., Suite 100
West Palm Beach, FL 33409
Phone: 1-800-746-2936**

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

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

Date: April 27, 2017

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

Jonathan Schender, Barbara Sandoval, Doug Woodard, Dan Hart, Aarti Patel, Maryna Danielian, Pamela Thomas, Jo Woolsey, **Bob Frisch**, Jamie Steen, Jodi Steen, Leslye Evans, Jo Woolsey, W.D. Larew, Vicki Hammonds, Oscar Caballero, Donna Caballero, Arnold Mendoza, Frederick Britton, Jack Burns II, Evan Press, Patricia Sanders, Kristopher Holub, Patrick Zwiars, Kelley Burns, Tanya Graham, Daniel Willsie, Mike Hanley, Isreal Curtis, Chance Oliver, Max Murphy or Bret Allen, – Substitute Trustee(s)

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

FILED

2017 APR 28 P 2:24

P. D. O'Leary
DEPUTY CLERK
VICTIM SERVICES DIVISION
TARRANT COUNTY, TEXAS

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.

FILE No. 9219
County Clerk, Victoria County, Texas
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 FIFTEEN (15), IN BLOCK NUMBER EIGHT (8), OF AVALON PLACE SECTION III, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF RECORD IN VOLUME 3, PAGE 76, OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 04/21/2006 and recorded in Document 200605559 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: 07/04/2017

Time: 11:00 AM

Place: Victoria County Courthouse, 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 PAULINE A. CRAWFORD, provides that it secures the payment of the indebtedness in the original principal amount of \$131,850.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. The Bank of New York Mellon, not individually but solely as Co-Trustee for RML Trust 2013-2 is the current mortgagee of the note and deed of trust and REVERSE MORTGAGE SOLUTIONS, INC. is mortgage servicer. A servicing agreement between the mortgagee, whose address is The Bank of New York Mellon, not individually but solely as Co-Trustee for RML Trust 2013-2 c/o REVERSE MORTGAGE SOLUTIONS, INC., 14405 Walters Road, Suite 200, Houston, TX 77014 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 JO WOOLSEY, BOB FRISCH, VICKI HAMMONDS OR JAMIE STEEN, 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
Lori Liane Long, Attorney at Law
Tracey Midkiff, Attorney at Law
Marissa Sibal, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254

JO WOOLSEY, BOB FRISCH, VICKI HAMMONDS OR
JAMIE STEEN
c/o AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

Certificate of Posting

I am _____ whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. 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.

FILED

2017 MAY 15 P 1:10

COUNTY CLERK
VICTORIA COUNTY, TEXAS

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Date: 03/27/2009
Grantor(s): RODOLFO GUERRERO JR. A MARRIED MAN, FELICIA M. GUERRERO
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR WALLICK AND VOLK, INC., A WYOMING CORPORATION, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$107,908.00
Recording Information: Instrument 200903312
Property County: Victoria
Property: BEING LOT NUMBER ELEVEN (11), IN BLOCK NUMBER SEVEN (7), OF THE HAMLET, AN ADDITION TO THE CITY OF VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF RECORD IN VOLUME 6, PAGE 94, OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS.
Reported Address: 107 KENSINGTON DRIVE, VICTORIA, TX 77904

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

SALE INFORMATION:

Date of Sale: Tuesday, the 4th day of July, 2017
Time of Sale: 11:00AM or within three hours thereafter.
Place of Sale: AT THE AREA IN FRONT OF THE EAST DOOR OF THE COURTHOUSE BUILDING, LOCATED AT 115 NORTH BRIDGE STREET in Victoria County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Victoria County Commissioner's Court.
Substitute Trustee(s): Jo Woolsey, W.D. Larew, Leslye Evans, Arnold Mendoza, Oscar Caballero, Donna Caballero, Patricia Sanders, Jonathan Schendel, Doug Woodard, Dan Hart, Aarti Patel, Maryna Danielian, Frederick Britton, Pamela Thomas, Barbara Sandoval, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, 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

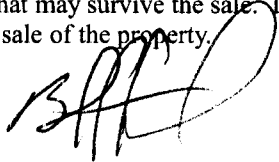
WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Jo Woolsey, W.D. Larew, Leslye Evans, Arnold Mendoza, Oscar Caballero, Donna Caballero, Patricia Sanders, Jonathan Schendel, Doug Woodard, Dan Hart, Aarti Patel, Maryna Danielian, Frederick Britton, Pamela Thomas, Barbara Sandoval, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, 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. Jo Woolsey, W.D. Larew, Leslye Evans, Arnold Mendoza, Oscar Caballero, Donna Caballero, Patricia Sanders, Jonathan Schendel, Doug Woodard, Dan Hart, Aarti Patel, Maryna Danielian, Frederick Britton, Pamela Thomas, Barbara Sandoval, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, 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,
Buckley Madole, P.C.



FILED

2017 MAY 15 P 1:18


COUNTY CLERK
VICTORIA COUNTY, TEXAS

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Date: 09/28/2006
Grantor(s): ERNESTO MEDINA AND WIFE, MARIA MEDINA
Original Mortgagee: WELLS FARGO BANK, N.A.
Original Principal: \$32,000.00
Recording Information: Instrument 200613973
Property County: Victoria
Property:

THE FOLLOWING DESCRIBED REAL PROPERTY: BEING LOT NO. THIRTY-ONE (31), IN BLOCK NO. ONE (1) OF COLEMAN SUBDIVISION, 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 45 OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS, TO WHICH REFERENCE IS HERE MADE FOR DESCRIPTION PURPOSES.

Reported Address: 903 DUPONT STREET, VICTORIA, TX 77901

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 Home Equity
Current Beneficiary: Wells Fargo Bank, N.A.
Mortgage Servicer Address: 3476 Stateview Blvd, Fort Mill, SC 29715

SALE INFORMATION:

Date of Sale: Tuesday, the 4th day of July, 2017
Time of Sale: 11:00AM or within three hours thereafter.

Place of Sale: AT THE AREA IN FRONT OF THE EAST DOOR OF THE COURTHOUSE BUILDING, LOCATED AT 115 NORTH BRIDGE STREET in Victoria County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Victoria County Commissioner's Court.

Substitute Trustee(s): Jo Woolsey, Bob Frisch, Vicki Hammonds, Arnold Mendoza, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, 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 Jo Woolsey, Bob Frisch, Vicki Hammonds, Arnold Mendoza, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

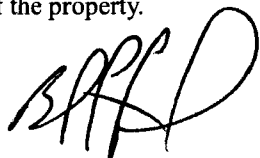
WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

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. Jo Woolsey, Bob Frisch, Vicki Hammonds, Arnold Mendoza, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, 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,

Buckley Madole, P.C.



FILED

2017 MAY 30 P 2:29


COUNTY CLERK
VICTORIA COUNTY, TEXAS

FILED

2017 JUN -1 A 10:49

OH
P. Woolsey
COUNTY CLERK
VICTORIA COUNTY, TEXAS

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

VICTORIA County

Deed of Trust Dated: February 28, 1990

Amount: \$65,000.00

Grantor(s): BONNIE R. WILKINSON and WILLIAM C. WILKINSON

Original Mortgagee: SOUTH TEXAS SAVINGS BANK, FSB

Current Mortgagee: PROSPERITY BANK

Mortgagee Servicer and Address: c/o CITIMORTGAGE, INC., 1000 Technology Drive, O'Fallon, MO 63368

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

Recording Information: Document No. 1933

Legal Description: BEING LOT SIX (6), BLOCK THREE (3), OF TROPICAL ACRES SUBDIVISION, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID SUBDIVISION OF RECORD IN VOLUME 3, PAGE 57, MAP AND PLAT RECORDS, VICTORIA COUNTY, TEXAS; TOGETHER WITH AN UNDIVIDED 1/66TH INTEREST IN AND TO THE "PARK AREA" AS SHOWN ON THE HEREINABOVE DESCRIBED MAP AND PLAT OF SAID SUBDIVISION; REFERENCE TO WHICH IS HERENOW MADE FOR ALL PURPOSES.

Date of Sale: July 4, 2017 between the hours of 11:00 AM and 2:00 PM.

Earliest Time Sale Will Begin: 11:00 AM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the VICTORIA County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

JO WOOLSEY OR BOB FRISCH, VICKI HAMMONDS, ARNOLD MENDOZA, SANDRA MENDOZA OR JAMIE STEEN have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

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

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

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice.

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

KB

KRISTEN BATES, ATTORNEY AT LAW
HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, Suite 2800
Houston, Texas 77002
Reference: 2015-008984

Jo Woolsey

JO WOOLSEY OR BOB FRISCH, VICKI HAMMONDS, ARNOLD MENDOZA, SANDRA MENDOZA OR JAMIE STEEN
c/o Tejas Trustee Services
4100 Midway Rd Ste 1040
Carrollton, TX 75007

NOTICE OF TRUSTEE'S SALE

Pursuant to authority conferred upon me by that certain Deed of Trust executed by DAVID THOMPSON, of Victoria County, Texas, dated March 3, 2014 and duly recorded at #201500429, of the Official Records Instrument of Victoria County, Texas, I will, as 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, July 4, 2017, (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:

Lots 12 & 13, Block 8, of SHADY OAKS SUBDIVISION, SECTION II, according to the established map or plat of said subdivision recorded in the Map or 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 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.

EXECUTED this 1st day of June, 2017.

2017 JUN -1 A 11:17

Patti Cooley
COUNTY CLERK
VICTORIA COUNTY, TEXAS

Charlie Faupel
Charlie Faupel
Trustee

Notice of Substitute Trustee's Sale

Date: June 8, 2017

Substitute Trustee: Carly W. Wall, David Roberts, Anne Marie Odefey or Sandra Witte
P.O. Box
Port Lavaca, Texas 77979

Borrower: W. J. Sparks, III
2204 S W Moody Street
Victoria, Texas 77901

Mortgagee: International Bank of Commerce
P.O. Box 228
Port Lavaca, Texas 77979

Note: Real Estate Lien Note dated July 6, 2010, in the original amount of \$250,000.00.

**Modifications
and Renewals:**

Renewal, Extension and/or Modification and Release Agreement for Commercial Loans dated effective December 8, 2016 in the amount of \$193,868.67 (as used herein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as so modified, renewed, and/or extended).

Deed of Trust

Date: July 13, 2010

Grantor: W. J. Sparks, III

Mortgagee: International Bank of Commerce

Recording information: Instrument Number 201006527 in the Official Records of Victoria County, Texas.

Property:

TRACT I: 43.875 acres out of the Jose Maria Escalera Grant, Abstract 26, Victoria County, Texas, more fully described by metes and bounds in Exhibit "A" attached.

TRACT II: 150.00 acres out of the Jose Maria Escalera Grant, Abstract 26, Victoria County, Texas, more fully described by metes and bounds in Exhibit "A" attached.

TRACT III: 103.125 acres out of the Jose Maria Escalera Grant, Abstract 26, Victoria County, Texas, more fully described by metes and bounds in Exhibit "A" attached.

TRACT IV: 2.00 acres out of the Jose Maria Escalera Grant, Abstract 26, Victoria

COPY

FILED
2017 JUN -8 A 8:31
DA
Debi Odefey
COUNTY CLERK
VICTORIA COUNTY, TEXAS

County, Texas, more fully described by metes and bounds in Exhibit "A" attached.

TRACT V: 10.0 acres out of the Jose Maria Escalera Grant, Abstract 26, Victoria County, Texas, more fully described by metes and bounds in Exhibit "A" attached.

County: Victoria

Date of Sale (first Tuesday of month): July 4, 2017

Time of Sale: No earlier than 10:00 a.m. on said date, and no later than 1:00 p.m. on said date.

Place of Sale: At the area in front of the east door of the Victoria County Courthouse building located at 115 N. Bridge Street or as designated by the County Commissioners of Victoria County, Texas.

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

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 International Bank of Commerce 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 International Bank of Commerce. 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.

A handwritten signature in black ink, appearing to read 'CW Wall', written over a horizontal line.

Carly W. Wall, Substitute Trustee
2206 Hwy 35 N
P. O. Box 9
Port Lavaca, Texas 77979
Telephone: (361) 552-2971
Telecopier: (361) 552-5368
Email: carly@portlavacalaw.com

EXHIBIT "A"

TRACT I: Being a 43.875 acre portion of the Jose Maria Escalera Grant, Abat 26, Victoria County, Texas, and being a portion of that 46.875 acre tract which was set apart and confirmed unto James Joseph Willemin and Leila Belle Willemin by Deed of Partition dated the 15th day of June, 1963, and recorded in Vol. 596, Page 69, of the Deed Records of Victoria County, Texas, this 43.875 acre tract being described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel stake in the Northeast line of said 46.875 acre tract which is S 43° 38' E a distance of 115.2 varas from the North corner of said 46.875 acre tract, which was also the North corner of the Sophie Willemin Estate 300 acre tract;

THENCE S 43° 38' E a distance of 197.3 varas to an existing concrete monument for the East corner of said 46.875 acre tract, which is also the East corner of this 43.875 acre tract;

THENCE S 45° 15' W a distance of 846.969 varas to the South corner of said 46.875 acre tract, which is also the South corner of this 43.875 acre tract;

THENCE N 43° 38' W a distance of 312.5 varas to the West corner of said 46.875 acre tract, which is also the West corner of this 43.875 acre tract;

THENCE N 45° 15' E a distance of 699.949 varas with the Northwest line of said 46.875 acre tract to a 5/8 inch steel stake for corner of this 43.875 acre tract;

THENCE S 43° 38' E a distance of 115.2 varas to a 5/8 inch steel stake for an interior corner of this 43.875 acre tract;

THENCE N 45° 15' E a distance of 147.02 varas to the Place of Beginning, Containing 43.875 acres of land.

EXHIBIT "A"

TRACT II: Being 150.00 acre portion of the Jose Maria Escalera Grant, Abst. 26, Victoria County, Texas, and being the South-east half of that 300 acre tract acquired by Sophie Willemin from Louis Kolle and wife, Annie Kolle, by deed dated the 5th day of April, A. D., 1920, and recorded in Vol. 93, Page 382 of the Deed Records, Victoria County, Texas, and this 150.00 acre tract being described by metes and bounds as follows:

BEGINNING at an iron pipe in the fence line for the South corner of said 300 acre tract, also the South corner of this 150.00 acre tract, which pipe is N 46° 52' E 1191 varas; N 45° 04' E 134 varas; and N 45° 26' W a distance of 456 varas from the South corner of the Jose Maria Escalera Grant in the Northeast line of the Cacelia DeLa Garza Grant;

THENCE No 43° 38' W a distance of 499.1 varas with boundary fence to a concrete monument for corner;

THENCE N 45° 15' E a distance of 671.51 varas to a concrete monument for corner;

THENCE N 25° 28' W a distance of 370.872 varas to a concrete monument for corner;

THENCE N 45° 15' E a distance of 1132.2 varas to a concrete monument in the Northeast boundary fence of said 300 acre tract for the North corner of this 150.00 acre tract;

THENCE S 43° 38' E a distance of 312.5 varas with boundary fence to a post for the East corner of this 150.00 acre tract, also the East corner of said 300 acre tract;

THENCE S 45° 59' W a distance of 464 varas;

THENCE S 46° 13' W a distance of 500 varas to fence corner;

THENCE S 43° 28' E a distance of 546 varas to fence corner;

THENCE S 44° 42' W a distance of 672 varas;

THENCE S 45° 26' W a distance of 282 varas to the Place of Beginning Containing 150.00 acres of land; being the same 150.00 acres of land set apart and confirmed unto Lillian Willemin by Deed of Partition dated the 12th day of September, 1962, and recorded in Vol. 574, Page 283, Deed Records, Victoria County, Texas.

EXHIBIT "A"

TRACT III: Being a portion of the Jose Maria Escalera Grant, Abst. 28, in Victoria County, Texas, and being the Southwest portion of that 150 acre tract set apart and confirmed unto Ruth A. Willemin, et al, by deed of partition dated the 12th day of September, A. D. 1962, and recorded in Vol. 574, Page 283, Deed Records, Victoria County, Texas, this tract of 103.125 acres of land, more or less, being described by metes and bounds as follows:

BEGINNING at a concrete monument in the Southwest boundary fence of that certain tract of 300 acres or land conveyed by Louis Kelle and wife, Annie Kelle, to Sophie Willemin by deed dated the 5th day of April, A. D., 1920, and recorded in Volume 92, at page 382 of the Deed Records of Victoria County, Texas, for South corner of this tract of 103.125 acres of land, more or less, same being also the South corner of said 150 acre tract of land; said corner being N 46° 53' E a distance of 1191 varas; N 45° 04' E a distance of 134 varas; N 45° 26' W a distance of 456 varas (pipe at the South corner of said 300 acre tract); and N 43° 38' W a distance of 499.1 varas from the South corner of the Jose Maria Escalera Grant in the Northeast line of the Cecilia De La Garza Grant;

THENCE N 43° 38' W a distance of 616.9 varas with the boundary fence to an iron pipe in the fence line for the West corner of this tract;

THENCE N 45° 37' E a distance of 175 varas to fence corner;

THENCE N 39° 36' W a distance of 47 varas to fence corner;

THENCE N 45° 15' E a distance of 894.031 varas with the Northwest boundary fence of said 150 acre tract to a stake for the North corner of this tract of 103.125 acres, more or less, of land;

THENCE S 43° 38' E a distance of 312.5 varas to a stake in the Southeast boundary line of said 150 acres tract for corner;

THENCE S 45° 15' W a distance of 285.231 varas to a concrete monument for corner;

THENCE S 25° 28' E a distance of 370.872 varas to a concrete monument for corner;

THENCE S 45° 15' W a distance of 671.51 varas to the Place of Beginning, Containing 103.125 acres of land, more or less.

EXHIBIT "A"

2.00-ACRE TRACT

FIELD NOTE

THE STATE OF TEXAS

COUNTY OF VICTORIA

BEING a 2.00-acre portion of the Jose Maria Escalera Grant, Abstract 26, Victoria County, Texas, and being a tract out of the west corner of that 72.57-acre tract acquired by Mrs. Eunice S. Kern in the partition of Tract No. 7, of 156.6 acres acquired by Louis F. Schmidt, by deed of partition titles, Henry G. Schmidt, et al, to Clemence O. Schmidt, et al, dated August 18, 1951, and recorded in Volume 308, Page 166, of the Deed Records of Victoria County, Texas, and this 2.00-acre tract being described by metes and bounds as follows:

BEGINNING at an existing one-inch pipe for the west corner of the above-mentioned Kern 72.57-acre tract, also the south corner of that 72.57-acre tract partitioned to Milton L. Schmidt for the west corner of this 2.00-acre tract;

THENCE N 45° 30' E a distance of 417.4 feet with the common line of the Kern and Schmidt tracts to a 5/8-inch steel stake for the north corner of this 2.00-acre tract;

THENCE S 44° 15' E a distance of 208.7 feet across said Kern tract to a 5/8-inch steel stake in the most westerly southeast line of the Kern tract for the east corner of this 2.00-acre tract;

THENCE S 45° 30' W a distance of 417.4 feet to an existing one-inch pipe for corner of said 72.57-acre tract for the south corner of this 2.00-acre tract;

THENCE N 44° 15' W a distance of 208.7 feet with the southwest line of the Kern tract to the place of Beginning, CONTAINING 2.00 acres of land.

This tract was surveyed on the ground under my supervision in November, 1971 assisted by Johnny Wagner as transitman, and James Kloesel and Roy Wilems as tapemen.

EXHIBIT "A"

10.0-ACRE TRACT.

FIELD NOTE

THE STATE OF TEXAS |

COUNTY OF VICTORIA |

BEING a 10.0-acre portion of the Jose Maria Escalera Grant, Abstract 26, Victoria County, Texas, and being a tract out of the Southwest side of that 72.57-acre tract which was acquired by Lucille Wearden Beck, et al, from Milton L. Schmidt by deed dated September 18, 1970, and recorded in Volume 754, Page 226 of the Deed Records of Victoria County Texas, and this 10.0-acre tract being described by metes and bounds as follows:

BEGINNING at a 5/8-inch steel stake in the Northwest line of said 72.57-acre tract and being S 45° 04' W a distance of 1061.0 feet, N 55° 30' E a distance of 208.7 feet and S 45° 04' W a distance of 1200.50 feet from the North corner of said 72.57-acre tract, also the East corner of the Joe Pakabusch 5.00-acre tract;

THENCE S 44° 15' E a distance of 1056.88 feet to a 5/8-inch steel stake in the Southeast line of said 72.57-acre tract for the East corner of this 10.0-acre tract;

THENCE S 45° 30' W a distance of 412.90 feet with the Southeast line of said 72.57-acre tract to a 1-inch pipe for the South corner of this 10.0-acre tract, also the South corner of said 72.57-acre tract;

THENCE N 44° 15' W a distance of 1053.80 feet with the Southwest line of said 72.57-acre tract to a 1-inch pipe for the West corner of this 10.0-acre tract, also the West corner of said 72.57-acre tract;

THENCE N 45° 04' E with the Northwest line of said 72.57-acre tract a distance of 412.85 feet to the place of beginning, CONTAINING 10.0-acres of land.

This Field Note is based on a survey made on the ground under my supervision on March 23, 1971, assisted by Joseph A. Gasch as transitman, Johnny Wagner and Dennis Knippa as tapemen.

Charles Bates and Pearline Bates
3306 Wildwood
Victoria, Texas 77901
Our file #1216-573F

ATTENTION SERVICE MEMBERS:

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, or if you have recently been discharged from active military duty, please send written notice of the active duty military service to the sender of this notice immediately.

NOTICE OF TRUSTEE'S SALE

WHEREAS, on October 27, 2005, Charles Bates and Pearline Bates executed a Deed of Trust conveying to Steven S. McGilvra or Charles E. Klein, a Trustee, the Real Estate hereinafter described, to secure American General Financial Services, Inc. in the payment of a debt therein described, said Deed of Trust being recorded in Instrument Number 200514857 in the Real Property Records of Victoria County, Texas; and

WHEREAS, The undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust, the street address for the substitute trustees is 1126 W. Gray, Houston, Texas 77019; and

WHEREAS, Default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder of said debt has requested the undersigned to sell said property to satisfy said indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, July 4, 2017, the foreclosure sale will be conducted in Victoria County in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than 11:00 AM and must be concluded within three hours of such starting time. Said sale shall be to the highest bidder for cash.

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

BEING LOT NUMBER THIRTY-SIX (36), IN BLOCK NUMBER TWO (2), OF MAYFAIR SUBDIVISION, SECTION I, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID ADDITION OF RECORD IN VOLUME 3, PAGE 18 OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS.

Nationstar Mortgage LLC is the mortgage servicer for the mortgagee of the Deed of Trust. Nationstar Mortgage LLC and the mortgagee have entered into an agreement granting Nationstar Mortgage LLC authority to service the mortgage. Nationstar Mortgage LLC, as mortgage servicer, is representing the Mortgagee under a servicing agreement with the Mortgagee (the "Servicing Agreement"). The name of the Mortgagee is U.S. Bank National Association As Indenture Trustee For CIM Trust 2015-3AG Mortgage-Backed Notes, Series 2015-3AG. Pursuant to the Servicing Agreement, Nationstar Mortgage LLC is granted authority to collect and service the debt associated with the Deed of Trust. Under Section 51.0025 of the Texas Property Code, Nationstar Mortgage LLC, as mortgage servicer, is authorized to administer any resulting foreclosure of the property covered by the Deed of Trust on behalf of the Mortgagee. The Mortgagee's address is c/o the mortgage servicer, Nationstar Mortgage LLC, 8950 Cypress Waters Blvd., Coppell, TX 75019.

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.

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 and Successor Substitute Trustees are identified below.

FILED

HARVEY LAW GROUP

2017 JUN 12 P 2:30

DG
Pearline Bates
COUNTY CLERK
VICTORIA COUNTY, TEXAS

Kelly J. Harvey, Texas State Bar No. 09180150
Jerry W. Mason, Texas State Bar No. 24081794
Attorneys for Mortgagee and Mortgage Servicer
Date: 5/25/2017

J. Harvey

Jo Woolsey, Substitute Trustee, or
Bob Frisch, Successor Substitute Trustee, or
Vicki Hammonds, Successor Substitute Trustee, or
Arnold Mendoza, Successor Substitute Trustee, or
Sandra Mendoza, Successor Substitute Trustee, or
Jamie Steen, Successor Substitute Trustee, or
Leslye Evans, Successor Substitute Trustee, or
Jo Woolsey, Successor Substitute Trustee, or
W.D. Larew, Successor Substitute Trustee, or
Vicki Hammonds, Successor Substitute Trustee, or
Arnold Mendoza, Successor Substitute Trustee

Notice sent by:
HARVEY LAW GROUP
P.O. Box 131407
Houston, Texas
77219
Tel.: (832) 922-4000
Fax: (832) 922-6262

Cathy Stuart
District Clerk
Victoria County, Texas
By: Stone, Rhonda

CAUSE NO. 17-02-80558-D

**IN RE ORDER FOR FORECLOSURE
CONCERNING**

**3306 WILDWOOD,
VICTORIA, TEXAS 77901**

UNDER TEX. R. CIV. PROC. 736

§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

VICTORIA COUNTY, TEXAS

377th JUDICIAL DISTRICT

**ORDER TO PROCEED WITH NOTICE OF FORECLOSURE SALE
AND FORECLOSURE**

Came on for consideration the Motion for Entry of Default Order Allowing Foreclosure filed by U.S. Bank National Association As Indenture Trustee For CIM Trust 2015-3AG Mortgage-Backed Notes, Series 2015-3AG (“Petitioner”), for Order for Foreclosure pursuant to Rule 736 of the Texas Rules of Civil Procedure. The Court is of the opinion that said application should be GRANTED.

The Court finds that no response has been filed and that the return of service has been on file for at least 10 days.

Pursuant to Rule 736.8(b), the Court further finds that the Petitioner has established the basis for the foreclosure and that:

(1) the material facts establishing the basis for foreclosure are as follows:

- a monetary default of the subject Note exists;
- on January 4, 2016, the Petitioner gave the Respondents proper Notice of Default;
- the default was not cured and the Note was accelerated on December 20, 2016;
- and
- the loan is due for the November 5, 2015 payment and all subsequent payments.

(2) The property to be foreclosed is commonly known as 3306 Wildwood, Victoria, Texas 77901 (the “Property”) which has the following legal description:

BEING LOT NUMBER THIRTY-SIX (36), IN BLOCK NUMBER TWO (2), OF MAYFAIR SUBDIVISION, SECTION I, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS,

ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID ADDITION OF RECORD IN VOLUME 3, PAGE 18 OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS.

(3) The name and last known address of each respondent subject to this Order are:

- Pearline Bates, 2002 E. Anaqua Ave., Victoria Texas 77901
- Sandra Durham, 2002 E. Anaqua Ave., Victoria Texas 77901
- Shirley Bates Toliver, 3306 Wildwood, Victoria, Texas 77901

(4) The Security Instrument to be foreclosed is recorded or indexed under Instrument Number 200514857 of the real property records of Victoria County, Texas.

IT IS THEREFORE ORDERED that the Petitioner may proceed with foreclosure of the Property pursuant to TEX. PROP. CODE § 51.002 and the subject Security Instrument.


SIGNED this 29th day of March Signed: 3/29/2017 9:12:20 AM 2017.



JUDGE PRESIDING

Approved As To Form And Entry Requested:

HARVEY LAW GROUP

By: 
Kelly J. Harvey
SBN: 09180150
Kelly@kellyharvey.com
Jerry W. Mason
SBN: 24081794
Jerry@kellyharvey.com
P.O. Box 131407
Houston, Texas 77219
Tel. (832) 922-4000
Fax. (832) 922-6262
ATTORNEYS FOR PETITIONER

NOTICE OF [SUBSTITUTE] TRUSTEE'S 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: July 04, 2017

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

Place: AREA IN FRONT OF THE EAST DOOR OF THE VICTORIA COUNTY COURTHOUSE BUILDING LOCATED AT 115 N. BRIDGE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

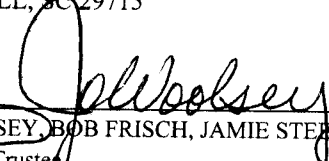
3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated June 04, 2007 and recorded in Document CLERK'S FILE NO. 200708500 real property records of VICTORIA County, Texas, with ADAN MARTINEZ, JR AND MICHELE MARTINEZ W/A/T/A ADAN MARTINEZ AND MICHELE MARTINEZ, grantor(s) and WELLS FARGO BANK, N.A., mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by ADAN MARTINEZ, JR AND MICHELE MARTINEZ W/A/T/A ADAN MARTINEZ AND MICHELE MARTINEZ, securing the payment of the indebtednesses in the original principal amount of \$59,878.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WELLS FARGO BANK, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

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 § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. AMERICA'S SERVICING COMPANY, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o AMERICA'S SERVICING COMPANY
3476 STATEVIEW BLVD
FORT MILL, SC 29715


JO WOOLSEY, BOB FRISCH, JAMIE STEEN OR JODI STEEN
Substitute Trustee
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on _____ I filed at the office of the VICTORIA County Clerk and caused to be posted at the VICTORIA County courthouse this notice of sale.

Declarants Name: _____
Date: _____

FILED

2017 JUN 12 P 2:35


Jodi Osley
COUNTY CLERK
VICTORIA COUNTY, TEXAS



EXHIBIT "A"

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN VICTORIA COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS, TO WIT: BEING LOT 14, BLOCK 2, MESQUITEWOOD ESTATES, SECTION 1, A SUBDIVISION IN VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID SUBDIVISION OF RECORD AT VOLUME 6, PAGE 34, MAP AND PLAT RECORDS OF VICTORIA COUNTY, TEXAS. SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, COVENANTS, OIL, GAS, OR MINERAL RIGHTS OF RECORD, IN ANY. APN: 54941.



NOTICE OF [SUBSTITUTE] TRUSTEE'S 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: July 04, 2017

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

Place AREA IN FRONT OF THE EAST DOOR OF THE VICTORIA COUNTY COURTHOUSE BUILDING LOCATED AT 115 N. BRIDGE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

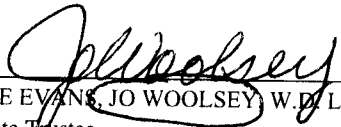
3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated February 19, 2015 and recorded in Document CLERK'S FILE NO. 201502338 real property records of VICTORIA County, Texas, with JAMES A SIMS, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by JAMES A SIMS, securing the payment of the indebtednesses in the original principal amount of \$241,668.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. 360 MORTGAGE GROUP, LLC is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

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 § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. 360 MORTGAGE GROUP, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o 360 MORTGAGE GROUP, LLC
11305 FOUR POINTS DRIVE BUILDING 1, SUITE 200
AUSTIN, TX 78726



LESLYE EVANS, JO WOOLSEY, W.D. LAREW, VICKI HAMMONDS OR ARNOLD MENDOZA

Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on _____ I filed at the office of the VICTORIA County Clerk and caused to be posted at the VICTORIA County courthouse this notice of sale.

Declarants Name: _____
Date: _____

FILED

2017 JUN 12 P 2:38


COUNTY CLERK
VICTORIA COUNTY, TEXAS



EXHIBIT "A"

LOT ONE (1), IN BLOCK ONE (1), WOODWAY III, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 6, PAGE 312 OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS. FOR INFORMATIONAL PURPOSES ONLY: THE ABOVE DESCRIBED PROPERTY IS ALSO KNOWN AS 103 WOODHAVEN DR, VICTORIA, TEXAS 77904.



NOTICE OF [SUBSTITUTE] TRUSTEE'S 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: July 04, 2017

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

Place: AREA IN FRONT OF THE EAST DOOR OF THE VICTORIA COUNTY COURTHOUSE BUILDING LOCATED AT 115 N. BRIDGE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

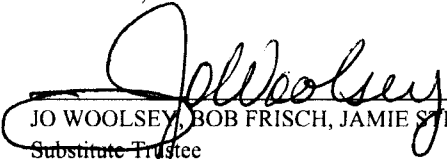
3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated May 25, 2007 and recorded in Document CLERK'S FILE NUMBER 200706918 real property records of VICTORIA County, Texas, with AMADOR TORRES, JR., grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by AMADOR TORRES, JR., securing the payment of the indebtednesses in the original principal amount of \$82,500.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. DITECH FINANCIAL LLC is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

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 § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. DITECH FINANCIAL LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o DITECH FINANCIAL LLC
345 SAINT PETER STREET
ST. PAUL, MN 55102


JO WOOLSEY, BOB FRISCH, JAMIE STEEN OR JODI STEEN
Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on _____ I filed at the office of the VICTORIA County Clerk and caused to be posted at the VICTORIA County courthouse this notice of sale.

Declarants Name: _____
Date: _____

FILED

2017 JUN 12 P 2:39


COUNTY CLERK
VICTORIA COUNTY, TEXAS



EXHIBIT "A"

BEING LOT NUMBER THREE (3), IN BLOCK NUMBER FOURTEEN (14), OF BON-AIRE ADDITION, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF RECORD IN VOLUME 245, PAGE 581, OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS.



NOS0000006831762

NOTICE OF [SUBSTITUTE] TRUSTEE'S 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: July 04, 2017

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

Place: AREA IN FRONT OF THE EAST DOOR OF THE VICTORIA COUNTY COURTHOUSE BUILDING LOCATED AT 115 N. BRIDGE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

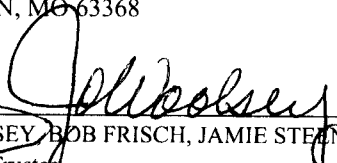
3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated February 25, 2000 and recorded in Document CLERK'S FILE NO. 200002439 real property records of VICTORIA County, Texas, with BONNIE R WILKINSON AND WILLIAM C WILKINSON, grantor(s) and ASSOCIATES FINANCIAL SERVICES COMPANY OF TEXAS, INC., mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by BONNIE R WILKINSON AND WILLIAM C WILKINSON, securing the payment of the indebtednesses in the original principal amount of \$22,973.77, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. CITIMORTGAGE, INC. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

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 § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. CITIMORTGAGE, INC., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o CITIMORTGAGE, INC.
1000 TECHNOLOGY DRIVE
O'FALLON, MO 63368



JO WOOLSEY, BOB FRISCH, JAMIE STEEN OR JODI STEEN
Substitute Trustee
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on _____ I filed at the office of the VICTORIA County Clerk and caused to be posted at the VICTORIA County courthouse this notice of sale.

Declarants Name: _____
Date: _____

FILED

2017 JUN 12 P 2:39

DG

COUNTY CLERK
VICTORIA COUNTY, TEXAS



EXHIBIT "A"

BEING LOT SIX (6), BLOCK THREE (3), TROPICAL ACRES SUBDIVISION, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID SUBDIVISION OF RECORD IN VOLUME 3, PAGE 57, MAP AND PLAT RECORDS OF VICTORIA COUNTY, TEXAS.



NOS20100022000012

PURSUANT TO TEXAS TAX CODE SECTION 32.06, THE FORECLOSURE SALE REFERRED TO IN THIS DOCUMENT IS A SUPERIOR TRANSFER TAX LIEN SUBJECT TO RIGHT OF REDEMPTION UNDER CERTAIN CONDITIONS. THE FORECLOSURE IS SCHEDULED TO OCCUR ON TUESDAY, JULY 4, 2017

NOTICE OF FORECLOSURE SALE

WHEREAS, on or about April 18, 2011, an Affidavit Certifying Transfer of Tax Lien, or other Transfer of Lien document (regardless of actual title, herein called the "Transfer Affidavit") was recorded by the applicable Tax Assessor-Collector (the "Tax Assessor"), Deputy or Agent, recorded in/under Documents No. 201105199, of the Real Property Records of, Victoria County, TX, transferring the tax lien referred to therein to Tax Rescue II, LLC (the "Lienholder") for the ad valorem property taxes assessed against the following real property (the "Property"):

Property means - All that certain tract or parcel of land (together with all improvements thereon, if any) situated in Victoria County, Texas, being more particularly described as Lot Four (4) in Block Number "A", of the Pilgrim Addition, an addition to the City of Victoria, Victoria County, TX, according to the Plat Records of Victoria County, Texas, to which reference is heremade for all purposes (more particularly described in the Loan Documents).

WHEREAS, on or about April 18, 2011, Mary Ann Hernandez-Balboa and Trish Marie Rocha ("Owners", whether one or more) executed a tax lien promissory note (the "Note") in the original principal amount of \$2,838.79 payable to the order of the Lienholder, evidencing the obligations of the Owners to re-pay the Lienholder for advancing funds to pay the ad valorem taxes owed on the Property to the Tax Assessor. The Note provides for a schedule of repayment with which the Owners agreed to comply.

WHEREAS, of even date with the said Note, in order to secure the re-payment of the Note, Owners executed, together with the Lienholder, a Contract for Foreclosure of Tax Lien or Deed of Trust- Tax Lien (the "Tax Lien Contract/Deed of Trust"), recorded in/under clerk's file No. 201104727, Real Property Records of Victoria County, TX, wherein the Owners, among other provisions, (i) consented to the Lienholder paying the ad valorem taxes on the Property, (ii) granted to the Lienholder a lien against the Property, which, which lien was subrogated to the lien priority and foreclosure rights against the Property granted by law to the Tax Assessor, (iii) granted to the Lienholder a power of sale, which allows the Lienholder to non-judicially foreclose on the Property for non-payment of the Note, and (iv) consented to foreclosure of the said lien by the Lienholder within one (1) year after the recording of the lien as provided in Sec.32.06(i) of the Texas Property Tax Code; and

WHEREAS, Tax Rescue II, LLC, is representing the Lienholder under a servicing agreement with the Lienholder, The Lienholder is the Mortgagee. The name and address of the mortgage servicer are: Tax Rescue II, LLC, is P.O. Box 741109, Houston, Texas 77274-1109; and,

WHEREAS, default has occurred in the payment of said debt and the same is now due, and the Lienholder as the legal owner and the holder thereof, has demanded payment thereof and has requested the undersigned to enforce the power of sale set forth in the Tax Lien Contract/Deed of Trust and to sell said property pursuant to the terms of said Tax Lien Contract/Deed of Trust; and,

WHEREAS, the undersigned (the "Trustee") was appointed either in the Tax Lien Contract/Deed of Trust or subsequently as Trustee or Substitute Trustee in accordance with the provisions of said Tax Lien Contract/Deed of

Trust to sell the Property, and Whereas the Trustee filed and furnished to Grantor, all persons obligated on the Note, and all Guarantors, if any, and the mortgage lien holder, if any, copies of this Notice of Foreclosure Sale in accordance with Sec. 32.06 and Sec. 32.065 of the Texas Property Tax Code, Sec. 51.002 of the Texas Property Code and the Tax Lien Contract/Deed of Trust;

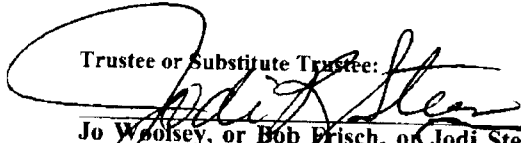
THEREFORE, NOTICE is given that the undersigned or such other person appointed as Trustee or Substitute Trustee in accordance with the provisions of said Tax Lien Contract/Deed of Trust will sell the Property on TUESDAY, JULY 4, 2017 that being the first Tuesday in said month, beginning 11:00 AM or within three (3) hours thereafter, at the Victoria County Courthouse at the place designated by the Commissioner's Court of Victoria County, Texas, at Public Sale to the highest bidder for cash.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER THE BENEFICIARY NOR THE TRUSTEE/SUBSTITUTE TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO 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 ARE EXPRESSLY WAIVED BY PURCHASER.

ACTIVE MILITARY SERVICE NOTICE

Assert and protect your rights as a member of the armed forces of the United States. If you or your spouse is serving on active 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.

Trustee or Substitute Trustee:


Jo Woolsey, or Bob Frisch, or Jodi Steen or Jamie Steen or Jose Martinez or Julie Cisnero or David Cerda or Gary Laws
6101 Southwest Fwy., Suite 400, Houston, Texas 77057
06/13/2017

After Recording Return To:
Tax Rescue II, L.L.C.
P. O. Box 741109
Houston, Texas 77274-1109

FILED

2017 JUN 13 A 9:45


DG
COUNTY CLERK
VICTORIA COUNTY, TEXAS