FILE No. <u>\$747</u> County Clerk, Victoria County, Texas

### **Notice of Trustee's Sale**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date:

May 22, 2015

Trustee:

Jose Alberto Flores

709 E Oak St.

Victoria, TX 77901

Lender:

David L. Rhode

410 Charleston Dr.

Victoria, TX 77904

Deed of Trust

Date: February 8, 2008

Grantor: Alfredo Gomez and Victoria Leos

1401 E. Mistletoe Victoria, TX 77901

Lender:

David L. Rhode

410 Charleston Dr. Victoria, TX 77904

Recording information: County Clerk No. 200801921, Victoria County, Texas

Property:

1401 E. Mistletoe: BEING Lot Number Seven (7), in Block Number Three (3) of PARKWOOD SUBDIVISION, an addition

to the City of Victoria, Victoria County, Texas.

County:

Victoria County, Texas

Date of Sale: July 7, 2015

Time of Sale: 12:30 PM

Place of Sale: Area in front of the east door of the Victoria County Courthouse building located at 115 North Bridge Street, Victoria, Texas.

Lender has appointed <u>Jose Alberto Flores</u> as Substitute Trustee under the Deed of Trust. Lender has instructed Substitute Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, Purchasers are buying the property AS IS, without any warranty on the part of the Seller, either written or implied. The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than three hours thereafter.

#### 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 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.

Jose Alberto Flores Substitute Trustee FILE No. 8748
County Clerk, Victoria County, Texas



### NOTICE OF FORECLOSURE SALE

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

BEING LOT NUMBER THIRTY-FOUR (34), IN BLOCK NUMBER SIX (6), OF MEADOWMERE ARBITION, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID ADDITION OF RECORDS IN VOLUME 309, PAGE 534 OF THE DEED 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 02/01/2013 and recorded in Document 201301555 real property records of Victoria County, Texas.
- 3. Date, Time, and Place of Sale.

Date: 07/07/2015

<u>Time</u>: The sale will begin no earlier than 11:00 AM or no later than three hours thereafter.

<u>Place</u>: 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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

- **5.** Obligations Secured. The Deed of Trust executed by BYRON I. MORALES JR, provides that it secures the payment of the indebtedness in the original principal amount of \$93,400.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Branch Banking & Trust Company is the current mortgagee of the note and deed of trust and BRANCH BANKING AND TRUST COMPANY is mortgage servicer. A servicing agreement between the mortgagee, whose address is Branch Banking & Trust Company c/o BRANCH BANKING AND TRUST COMPANY, P. O. BOX 2467, GREENVILLE, SC 29602 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. Default and Request to Act. Default has occurred under the deed of trust, and the mortgagee has requested a Substitute Trustee conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

JO WOOLSEY, BOB FRISCH, MCKI HAMMONDS OR

JAMIE STEEN

c/o AVT/Title Services, LLC 13770 Noel Road #801529 Dallas, TX 75380-1529

15-000022-770 2704 MEADOWLARK STREET VICTORIA, TX 77901

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.

County Clerk, Victoria County, Texas

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

2015 MAY 28 A 11: 39

Y. TEXAS

**DEED OF TRUST INFORMATION:** 

02/12/2003 Date: Grantor(s):

ADAN MARTINEZ AND SPOUSE, MICHELE MARTINEZ

Original Mortgagee:

WELLS FARGO HOME MORTGAGE, INC.

Original Principal:

\$119,600.00

**Recording Information:** 

Instrument 200303062

**Property County:** 

Victoria

Property:

BEING LOT NUMBER FOURTEEN (14), IN BLOCK NUMBER TWO (2), OF MESQUITEWOOD ESTATES, SECTION I, AN ADDITION IN VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID ADDITION OF RECORD IN VOLUME 6, AT PAGE 34 OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS, TO WHICH REFERENCE IS HEREMADE FOR DESCRIPTIVE

PURPOSES.

Reported Address:

205 BASSWOOD 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, N.A. Mortgage Servicer: Wells Fargo Bank, N. A. Current Beneficiary: Wells Fargo Bank, N.A.

Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

**SALE INFORMATION:** 

Date of Sale: Tuesday, the 7th day of July, 2015 Time of Sale: 11:00AM or within three hours thereafter.

AT THE AREA IN FRONT OF THE EAST DOOR OF THE COURTHOUSE BUILDING, Place of Sale:

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, Cristina Camarata, Sammy

Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

pleoobsey

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, Cristina Camarata, Sammy Hooda, Michael Burns, 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:

- 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, Cristina Camarata, Sammy Hooda, Michael Burns, 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

2146951766 PG1 **POSTPKG** 9980-N-7605

FILED

## NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SAME MAY 28 A 11: 41

## **DEED OF TRUST INFORMATION:**

02/18/2011 Date: Grantor(s):

MICHAEL L. CASON AND SPOUSE BILLIE CASON

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.Y SOLEEY AS NOVENEE Original Mortgagee:

FOR WALLICK AND VOLK, INC., ITS SUCCESSORS AND ASSIGNS

**Original Principal:** 

\$247,713.00

**Recording Information:** 

Instrument 201101840

**Property County:** 

Victoria

Property:

FIELDNOTE DESCRIPTION OF A 4.9945 ACRE TRACT OF LAND BEING IN THE FRANCIS M. WHITE SURVEY, A-343 IN VICTORIA COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN 4.99 ACRE TRACT CONVEYED TO SAM W. HUGHSTON AND NIKI L. HUGHSTON (200505976) AND BEING MORE FULLY DESCIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING AT A DISTURBED 5/8" STEEL ROD FOUND FOR THE WEST CORNER OF THIS TRACT IN THE NORTHEAST MARGIN OF BERGER ROAD, SAME BEING THE SOUTH CORNER OF THE JERRY ROSSI TRACT (1461-332);

THENCE, ALONG THE COMMON LINE OF THIS AND SAID ROSSI TRACTS, N45 DEGREES 26'02"E, 729.76 FEET TO A 5/8" STEEL ROD FOUND ON THE NORTHEAST SIDE OF A FENCE CORNER POST (D.C. = N45 DEGREES 24'34"E, 730.16');

THENCE, S44 DEGREES 57'48"E, 182.03 FEET TO A 5/8" STEEL ROD FOUND SOUTHWEST OF A RAILROAD TIE FENCE POST (D.C. = S44 DEGREES 54'20"E, 182.11');

THENCE, S44 DEGREES 39'08"E, 115.43 FEET TO A 5/8" STEEL ROD FOUND ON THE NORTHEAST SIDE OF A FENCE CORNER FOR THE NORTHEAST CORNER OF THIS, SAME BEING THE NORTHWEST CORNER OF THE W.T. YOUNG TRACT (736-338) (D.C. = \$44 DEGREES 39`47"E, 115.36`);

THENCE, ALONG THE COMMON LINE OF THIS AND SAID YOUNG TRACTS, S45 DEGREES 22'49"W, 731.01 FEET TO A 5/8" STEEL ROD FOUND FOR THEIR COMMON CORNER IN THE NORTHEAST MARGIN OF BERGER ROAD (D.C. = 731.00' BASE BEARING);

THENCE, ALONG SAID NORTHEAST MARGIN, N44 DEGREES 36'03"W, 298.14 FEET (D.C. = N44 DEGREES 39"W, 297.83') TO THE PLACE OF BEGINNING; CONTAINING

WITHIN THESE METES AND BOUNDS 4.9945 ACRES OF LAND.

THE FOREGOING METES AND BOUNDS DESCRIPTION IS PREPARED FROM AN ON-THE-GROUND SURVEY ON 17 JULY 2006 WITH THE AID OF GF NO. 061456 AND IS ACCOMPANIED BY A PLAT OF EVEN SURVEY DATE.

Reported Address:

522 BERGER ROAD, VICTORIA, TX 77905

### **MORTGAGE SERVICING INFORMATION:**

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

Current Mortgagee: Mortgage Servicer:

Wells Fargo Bank, NA Wells Fargo Bank, N. A. Wells Fargo Bank, NA

Current Beneficiary: Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

### **SALE INFORMATION:**

Date of Sale:

Tuesday, the 7th day of July, 2015

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, Cristina Camarata, Sammy

Hooda, Michael Burns, 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, Cristina Camarata, Sammy Hooda, Michael Burns, 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, Cristina Camarata, Sammy Hooda, Michael Burns, 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

2146941572 PG1 **POSTPKG** 9986-N-3674

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.

9986-N-3674 2146941572 PG2 POSTPKG

FILE NO. County Clerk

FILED

# NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE AT 11: 44

**DEED OF TRUST INFORMATION:** 

08/01/2013 Date:

JASON GONZALES, A SINGLE MAN Grantor(s):

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. SOLELY AS Original Mortgagee: NOMINEE FOR WALLICK AND VOLK, INC., ITS SUCCESSORS AND ASSIGNS

Original Principal:

Instrument 201309568 Recording Information:

**Property County:** Victoria

Property:

BEING A 1.004 ACRE TRACT OF LAND SITUATED IN THE JOHN D. WRIGHT LEAGUE, ABSTRACT 125, VICTORIA COUNTY, TEXAS, AND BEING THAT SAME TRACT OF LAND CONVEYED BY EUGENE WILLIAMS, ET UX TO JAMES E. ROGERS, ET UX ACCORDING TO INSTRUMENT RECORDED IN VOLUME 202, PAGE 770 OF THE OFFICIAL RECORDS OF SAID COUNTY, SAID 1.004 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT AN IRON ROD FOUND MARKING THE COMMON CORNER OF SAID ROGERS TRACT AND THAT CERTAIN TRACT OF LAND DESCRIBED AS 1.003 ACRES CONVEYED TO SAM T. HYAK, ET UX ACCORDING TO INSTRUMENT RECORDED IN VOLUME 655, PAGE 393 OF THE DEED RECORDS OF SAID COUNTY, SAID IRON ROD ALSO BEING IN THE SOUTHWEST RIGHT-OF-WAY LINE OF F.M. 1685 (AKA LOWER MISSION VALLEY ROAD), SAID RIGHT-OF-WAY LINE BEING ESTABLISHED BY INSTRUMENT RECORDED IN VOLUME 353, PAGE 465 OF THE DEED RECORDS OF SAID COUNTY;

THENCE, SOUTH 49 DEG. 17' 00" EAST (BASIS OF BEARING) ALONG SAID RIGHT-OF WAY LINE, A DISTANCE OF 211.55 FEET TO AN IRON PIPE FOUND MARKING THE POINT AT WHICH SAID SOUTHWEST LINE OF F.M. 1685 INTERSECTS THE NORTHWEST LINE OF A 50 FOOT WIDE COUNTY, MAINTAINED ROADWAY;

THENCE, SOUTH 45 DEG. 00' 00" WEST, ALONG SAID NORTHWEST LINE, A DISTANCE OF 207.40 FEET TO A 5/8 INCH DIAMETER IRON ROD FOUND FOR CORNER, SAME BEING THE EAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED AS 1.004 ACRES AS CONVEYED TO MILTON SHORT, ET UX ACCORDING TO INSTRUMENT RECORDED IN VOLUME 938, PAGE 151 OF THE DEED RECORDS OF SAID COUNTY:

THENCE, NORTH 49 DEG. 17' 00" WEST, ALONG THE NORTHEAST LINE OF SAID SHORT TRACT, A DISTANCE OF 211.55 FEET TO A 5/8 INCH DIAMETER IRON ROD FOUND TO MARK THE COMMON CORNER OF SAID ROGERS, HYAK AND SHORT TRACTS;

THENCE, NORTH 45 DEG. 00' 00" EAST, ALONG THE SOUTHEAST LINE OF SAID HYAK TRACT, A DISTANCE OF 207.40 FEET TO THE POINT OF BEGINNING, CONTAINING WITHIN THESE METES AND BOUNDS 1.004 ACRES OF LAND, MORE

OR LESS.

Reported Address: 2764 FM 1685, VICTORIA, TX 77905

### **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 Wells Fargo Bank, N. A. Mortgage Servicer: Current Beneficiary: Wells Fargo Bank, NA

Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

### **SALE INFORMATION:**

Date of Sale: Tuesday, the 7th day of July, 2015 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.

Jo Woolsey, Bob Frisch, Vicki Hammonds, Arnold Mendoza, Cristina Camarata, Sammy Substitute Trustee(s):

Hooda, Michael Burns, 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, Cristina Camarata, Sammy Hooda, Michael Burns, 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.
- Jo Woolsey, Bob Frisch, Vicki Hammonds, Arnold Mendoza, Cristina Camarata, Sammy Hooda, Michael Burns,

**POSTPKG** 2146951294 PG<sub>1</sub> 9986-N-5538

- 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.

plloolsey

Very truly yours,

Buckley Madole, P.C.

9986-N-5538 2146951294 PG2 POSTPKG

## FILE No. 8752 County Clerk, Victoria County, Texas

### Notice of Trustee's Sale

Date: June 6, 2015

Trustee: Stephen A. Beal

Street Address for Trustee: 104 S. Pecos Midland. Midland County, Texas 79701

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

Obligation: Real Estate Lien Note dated September 18, 2009, from Maker, Ms. Jacqueline Verastegui and Mr. Eduardo Rodriguez, as husband and wife to Payee, BP-Residential, L.L.C., in the original principal amount of \$50,000.00

Deed of Trust

Date: September 18, 2009

Recording Information: Filed on September 23, 2009, and recorded under document number 200910570 Official Public Records of VICTORIA County, Texas

Grantor: Ms. Jacqueline Verastegui and Mr. Eduardo Rodriguez, as husband and wife

Trustee: Stephen A. Beal

Beneficiary: BP-Residential, L.L.C.

Property:

BEING Lot Number Ten (10), in Block Number One (1), of MEADOWVIEW 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 3, Page 28 of the Plate Records of Victoria County, Texas, to which reference is

heremade for descriptive purposes.

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

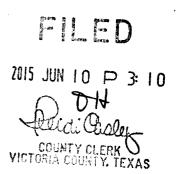
Time of Sale: The sale will begin no earlier than 10:00 AM, and no later than three hours thereafter.

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

FILE No. 8753
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 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. <u>Property to Be Sold</u>. The real and personal property (collectively referred to herein as the "*Property*") to be sold is described as follows:

The property situated in Victoria County, Texas, being a part of the Manuel Zapeda Grant, Abstract No. 128, containing 2.00 acres of land, more or less, and more particularly described on Exhibit "A" attached hereto, reference which is hereby made for all purposes ("Property"), together with a manufactured home identified as a 14.0' by 76.0' Sherwood Mobile Home Label/Seal Number LOU0019443 and Serial Number LAW1246631 (the "Personal Property").

- 2. <u>Instrument to be Foreclosed</u>. The instrument to be foreclosed is the Deed of Trust executed by Jose C. Galindo to John Griffin, Jr., Trustee for the benefit of Curtis Jay Grace and Mary Alice Grace recorded under Instrument No. 200606760 of the Official Records of Real Property of Victoria County, Texas (the "Deed of Trust").
- 3. <u>Date, Time, and Place of Sale</u>. The sale is scheduled to be held at the following date, time, and place:

**Date**: July 7, 2015

**Time**: The sale will begin no earlier than 1:00 P.M., or no later than three hours thereafter. The sale will be completed by no later than 4:00 p.m.

Place: Victoria County Courthouse, Victoria, Texas, at the front of the East Door of the Courthouse Building located at 115 North Bridge Street, or in the area designated by the Commissions Court pursuant to Section 51.002 of the Texas Property Code for conducting foreclosure sales.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be re-posted and re-filed in accordance with the posting and filing requirements of the Texas Property Code. The re-posting or re-filing may be after the date originally scheduled for this sale.

4. <u>Terms of Sale</u>. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

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

The sale will be made expressly subject to any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record (including voluntary and involuntary liens) 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, and ad valorem property taxes, assessments or other charges (including penalties, interest and fees, if applicable) for the current year and prior years (if any) due with regard to the Property (the "Permitted Exceptions"). The sale shall not cover any part of the Property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records and tax records to determine the nature and extent of such matters, if any. IN TEXAS, PURCHASERS OF FORECLOSURE PROPERTY BUY AT THEIR PERIL.

Pursuant to the deed of trust, the beneficiary has the right to direct the trustee or any substitute 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 its "AS IS", "WHERE IS" condition, with "ALL FAULTS", and without any express or implied warranties, except as to the warranties of title (if any) provided for under the terms of the deed of trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property. By bidding, bidders agree to assume all risk of loss in connection with the condition of the Property (including the improvements, if any, located thereon), including, but not limited to whether the Property (including the improvements, if any, located thereon), is suitable or fit for a particular purpose or use or habitability. No representations are made by the undersigned concerning (a) the physical condition of the Property (including the improvements, if any, located thereon), (b) the soil

conditions existing at the Property for any particular purpose or development potential, (c) the nature or quality of the construction, structural design and/or engineering of the improvements, if any, (d) the quality of labor and materials included in the improvements, if any, (e) the presence or absence of any hazardous substance or matter in or on the Property (including the improvements, if any, located thereon), (f) compliance of the Property (including the improvements, if any, located thereon) with applicable laws, regulations, or other governmental requirements including any and all laws, statutes, ordinances, rules, regulations, orders, or determinations of any governmental authority pertaining to the health or the environment in effect in any and all jurisdictions in which the Property is located, or (g) the Permitted Exceptions.

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

5. <u>Type of Sale</u>. The sale is a non-judicial deed-of-trust lien and security interest granted in the Note foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by original borrower.

The real property and Personal Property encumbered by the Deed of Trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

- 6. <u>Obligations Secured</u>. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to: (a) the Note; (b) all renewals and extensions of the Note; and (c) any and all amounts being due under the terms of the Deed of Trust. **INVESTORS FINANCIAL LIMITED PARTNERSHIP**, an Idaho limited partnership is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.
- 7. <u>Default and Request to Act</u>. Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Questions concerning the sale may be directed to the undersigned; *however*, the undersigned has no knowledge of, and no opinions will be offered, or questions answered concerning the condition of the Property (including improvements, if any), or as to what Permitted Exceptions may affect the Property.

Dated: June 11, 2015.

Julian M. Moss, Jr., Substitute Trustee 1770 St. James Place, Suite 400 Houston, Texas 77056 Telephone (713) 993-9363

## THE STATE OF TEXAS:

### **COUNTY OF HARRIS:**

This instrument was acknowledged before me on the June 11, 2015, by Julian M. Moss, Jr., Substitute Trustee.

KAREN KAY BOLDING
Notary Public, State of Texas
My Commission Expires
March 04, 2017

Notary Public in and for the State of TEXAS

My Commission Expires:

3/4/3011

### EXHIBIT "A"

BRING 2.00 acres oficiend situated in the Himsel/Sepeda Grant, Abstract 118 in Victoria County Trans. And billing a portion of that wertain 200 acre traction is laid (lase Trans. Eighway Department right-of-way taking and found to be 198.439 acres by resurvey) conveyed to Joe Lee Evans, as trustee, from Heyo Angerstain by deed dated September 25, 1981 and recorded in Volume 1171, Fage 781 of the Deed Henerds of Victoria County, Texas, said 2.00 acre tract of land being more fully described by actes and bounds as follows:

configuration at an existing post in the Horthwest right-of-way line of U. S. Righway 59 (as widened to 186.0 fast), said post being the most Eastern occur of the said Joe Lee Byans stal 196.439 agree track of land, THERCE, S.62'19'04'W., a distance of 494.34 feet along the said Morthwest right-of-way line of U. S. Righway 59 to an existing 5/6 inch iron rod at the intersection of the said Morthwest right-of-way line of U. S. Righway 59 and the Borthwest right-of-way line of U. S. Righway 59 and the Borthwest right-of-way line of Word, and Locally known as gustur's circle, THERCE, H.45'00'00'W., a distance of 572.30 feet along said Morthwest right-of-way line of Munter's Circle to a 5/6 inch iron rod set for the most Southern corner of the hersin described tract;

THEMER, M.45°00'00'V., a distance of 104.35 feet along said Northeast right-of-way line of Buntar's Circle to an amisting 5/8 insh iron red, said iron red being the most Southern corner of that 3.00 sore trant of land conveyed out of the said Joe Lee Evans, etcl 196.439 sore tract of land to W. W. Friebia, Jr. by deed recorded in Volume 1354, Page 124 of the Beed Records of Victoria County, Texas, said iron red being the most Western conner of the herein described tract;

THEREM, N.45°66°46°B, a distance of 471.06 feet along the Southeast line of the said Frimbie 3.86 ears tract of land to an existing 5/8 fack iron red in the Northeast line of the said Joe Lie France, stal 196.439 core tract of land, seem being a line of that 167.60 core tract of land described in that deed to Mulda Moradam recorded in Volume 153, Page 131 of the Deed Records of Victoria County, Taxas, said 367.65 core tract of land now owned by the Meirs of Victor Soundam, said iron red being the most Eastern corner of the said Frieble 3.00 corn tract of land, said iron red also being the most Borthern corner of the herein described tract;

TREMCH, 8.48°80'80"H. (best bearing shown in Jos Lee Evans, etal deed), a distance of 184.95 feat along said Fortheast line of the said Jos Lee Evans stal 195.419 some brack of Land, same being a line of the said Boradam 367.68 acre track of land to a 5/8 inch iron and set for the most Eustern sorner of the herein described track;

THEREN, 5.45°00'00"H., a distance of 671.66 feet to the PLACE OF SHEERHEING, containing within these metes and bounds 2.68 acres of land:

FILED

2015 JUN 15 A 10:52

COUNTY CLERK VICTORIA COUNTY, TEXAS

3503 CATALPA STREET VICTORIA, TX 77901

# FILE No. 8754 County Clerk, Victoria County, Texas

00000005234117

### 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.
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Date:

July 07, 2015

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 December 15, 1993 and recorded in Document VOLUME 0092, PAGE 769 real property records of VICTORIA County, Texas, with GUADALUPE ROCHA, JR AND THELMA J ROCHA, grantor(s) and VICTORIA BANK & TRUST COMPANY, mortgagee.
- 4. **Obligations Secured.** Deed of Trust or Contract Lien executed by GUADALUPE ROCHA, JR AND THELMA J ROCHA, securing the payment of the indebtednesses in the original principal amount of \$34,550.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. JPMORGAN CHASE 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. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, as Mortgage Servicer, is representing the current mortgagee, whose address is:

FILED c/o JPMORGAN CHASE BANK, NATIONAL ASSOCIATION 3415 VISION DRIVE COLUMBUS, OH 43219 2015 JUN 15 P 4: 02 JO WOOLSEY, BOB FRISCH. MMONDS OR JAMIE STEEN Substitute Trustee c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP 15000 Surveyor Boulevard, Suite 100 Addison, Texas 75001 Active Duty Notifications: Special Loans Unit /CHASE Home Lending Attn: SCRA/2210 Enterprise Drive /Florence, SC 29501 /Fax: 843 413 5433/scra, military.orders@chase.com Certificate of Posting My name is and my address is c/o 15000 Surveyor Boulevard, 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:



## EXHIBIT "A"

BEING LOT NO. TWENTY-SIX (26), IN BLOCK NO. SIX (6), OF HIGH SCHOOL 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 72, OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS, REFERENCE TO WHICH IS HERE NOW MADE FOR ALL PURPOSES.

NOS00000005234117

## FILE No. 8755 County Clerk, Victoria County, Texas

### HOME EQUITY POSTING

1607 EAST ANAQUA VICTORIA,TX 77901 20130162400091

### 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:

July 07, 2015

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 OF

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 October 15, 2007 and recorded in Document INSTRUMENT NO. 200713448 real property records of VICTORIA County, Texas, with RAYMOND MARTINEZ AND SHEILA MARTINEZ, grantor(s) and CITIFINANCIAL, INC., mortgagee.
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by RAYMOND MARTINEZ AND SHEILA MARTINEZ, securing the payment of the indebtednesses in the original principal amount of \$48,468.22, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. CITIFINANCIAL SERVICING, LLC is the current mortgagee of the note and Deed of Trust or Contract Lien.
- 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. CITIFINANCIAL SERVICING LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o CITIFINANCIAL SERVICING LLC

300 ST. PAUL PLACE

BALTIMORE, MD 21202

JO WOOLSEY, BOB FRISCH, VICKI HAMMONDS OR JAMIE STEEN

Substitute Trustee

c/o 15000 Surveyor Boulevard, Suite 100, Addison, Texas 75001

ED

2015 JUN 15 P 4: 02

COUNTY CLERK V

## EXHIBIT "A"

LOT NUMBER TEN (10), IN BLOCK NUMBER NINE (9), OF PARKWOOD SUBDIVISION, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF RECORD IN VOLUME 3, AT PAGE 26, OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS.

FILE No. 8756
County Clerk, Victoria County, Texas

TX1400264272

### 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: 07/07/2015

Time: The sale will begin at 11:00 A.M. or no later than three hours after that time.

Place: VICTORIA County Courthouse, Texas, at the following location: THE AREA IN FRONT OF THE EAST DOOR OF THE COURTHOUSE BUILDING, LOCATED AT 115 NORTH BRIDGE STREET, 115 North Bridge Street, Victoria, TX 77901

2. Terms of Sale. Sale of the property will be conducted as an 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 §51.009 of the Texas Property Code, the property will be sold in "AS IS, WHERE IS" condition, without any expressed or implied warranties, except as to warranties of title, and at the purchaser's own risk. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

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

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, the Substitute Trustee, or any Mortgagee agent.

- 3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated 08/28/2000 and recorded in Document 200011151 VOLUME NA, PAGE NA real property records of VICTORIA County, Texas, with ALBERTO GARCES as grantor(s) and CENTEX HOME EQUITY CORPORATION, as mortgagee.
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by ALBERTO GARCES securing the payment of the indebtedness in the original principal amount of \$20,000.00 and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. THE BANK OF NEW YORK MEJLON AS INDENTURE TRUSTEE FOR NEWCASTLE MORTGAGE SECURITIES TRUST 2006-1 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 as follows:

4520600

4529690

2015 JUN 16 P 1: 58

BEING LOT NUMBER EIGHTEEN (18), IN BLOCK NUMBER ONE (1), RED RIVER HEIGHTS SUBDIVISION SECTION II, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID ADDITION OF RECORD IN VOLUME 2, AT PAGE 14 OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS, TO WHICH REFERENCE IS HEREMADE FOR DESCRIPTIVE PURPOSES.

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. Nationstar Mortgage LLC as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o Nationstar Mortgage LLC 8950 Cypress Waters Blvd Coppell, TX 75019

7. **Default and Request to Act.** Default has occurred under the deed of trust and all sums secured by the Deed of Trust are declared immediately due and payable. The mortgagee, or the mortgage servicer on its behalf, has requested that a Substitute Trustee conduct this sale. Notice is given that before the sale, another person may be appointed as the substitute trustee to conduct the sale.

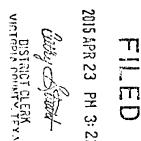
Substitute Trustee:

AARON BROWN, KELLY FEIL, OSCAR CABALLERO OR DONNA CABALLERO

c/o

VERIPRISE PROCESSING SOLUTIONS LLC 750 Hwy 121 BYP STE 100 Lewisville, TX 75067 PHONE: 855-683-3097 FAX: 214-488-1521

3304 CEDAR VICTORIA, TX 77901



### **CAUSE NUMBER 15-03-77656-D**

In Re: Order of Foreclosure Concerning

3304 CEDAR VICTORIA, TX 77901

Under Tex. R. Civ. P. 736

Petitioner: The Bank of New York Mellon § as Indenture Trustee for Newcastle Mortgage Securities Trust 2006-1 §

Respondent(s): Alberto Garces, Deceased

IN THE DISTRICT COURT

OF VICTORIA COUNTY, TEXAS

377TH JUDICIAL DISTRICT

## DEFAULT ORDER ALLOWING FORECLOSURE

The Bank of New York Mellon as Indenture Trustee for Newcastle Mortgage Securities Trust 2006-1, Petitioner, on behalf of itself, its successors and assigns, has brought before this Court for consideration its Application for Court Order Allowing Foreclosure of a Lien Under Texas Constitution article 16, section 50(a)(6)(D) (Application). Having considered the evidence presented, the Court finds that:

- 1) the Application complies with Rule 736.1;
- 2) the Application was properly served in accordance with Rule 736.3;
- 3) a respondent did not file a response to the Application by the due date; and
- 4) the return of service has been on file with the Clerk of the Court for at least 10 days; and

DEFAULT ORDER ALLOWING FORECLOSURE 170-00115

PAGE 1

- 5) Petitioner has established the basis for foreclosure and finds that:
  - (a) Petitioner is the holder of a Texas Home Equity Note secured by a lien created under Texas Constitution article XVI, section 50(a)(6). A debt exists.
  - (b) Installment payments have not been made when due and owing pursuant to the terms of the Note and Deed of Trust.
  - (c) The obligation secured by the lien sought to be foreclosed is in default.
  - (d) The requisite notice to cure the default has been mailed to each person as required under applicable law and the loan agreement, contract, or lien sought to be foreclosed and the opportunity to cure has expired. Before the Application was filed, any other action required under applicable law and the loan agreement, contract, or lien sought to be foreclosed was performed.

## IT IS THEREFORE ORDERED THAT:

1. The Bank of New York Mellon as Indenture Trustee for Newcastle Mortgage Securities Trust 2006-1, together with its successors and assigns, is hereby authorized to serve Notice of Sale on each Respondent and may proceed with a foreclosure sale in accordance with the security agreement and Texas Property Code section 51.002 concerning the property with a commonly known mailing address of 3304 Cedar, Victoria, TX 77901 and legal description as described in the Real Property Records of VICTORIA COUNTY, Texas as follows:

BEING ALL OF LOT NO. EIGHTEEN (18), IN BLOCK NUMBER ONE (1), RED RIVER HEIGHTS SUBDIVISION, SECTION II, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID ADDITION OF RECORD IN VOLUME 2, AT PAGE 14 OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS,

TO WHICH REFERENCE IS HEREMADE FOR DESCRIPTIVE PURPOSES.

2. The name and last known address of each respondent subject to the order are:

Alberto Garces, Deceased 3304 Cedar Victoria, TX 77901

Sylvia Garces Casasos Rt 2, Box 2765 Heyburn, ID 83336

Mary Ann Garces Ramirez 1008 S. Wheeler Victoria, TX 77903

Maria Louisa Soliz 3103 Thornwood Drive Pasadena, TX 77503

3. The recording or indexing information of each lien to be foreclosed is as follows:

Instrument #: 200011151 in the Real Property Records of Victoria County, Texas.

DEFAULT ORDER ALLOWING FORECLOSURE 170-00115

PAGE 3

- 4. A conformed copy of an Order Allowing Foreclosure must be attached to the trustee or substitute trustee's foreclosure deed in accordance with Rule 736.12 of the Texas Rules of Civil Procedure.
- 5. Petitioner may communicate with each Respondent and all third parties as reasonably necessary to conduct a foreclosure sale.
- 6. Notice of Foreclosure Sale must be mailed to respondent's counsel by certified mail if a respondent is represented by counsel.

Signed, this 22 day of 92 2015.

Judge Presiding

FILE No. 8757 County Clerk, Victoria County, Texas

Current Borrower: ANDREW AMARO AND PATRICIA AMARO, HUSBAND AND WIFE

MHA File Number: TX-15-25362-FC

VA/FIIA/PMI Number:

Loan Type: FHA

Property Address: 4806 CAMELLIA ST, VICTORIA, TX 77904-2128

### NOTICE OF SUBSTITUTE TRUSTEE SALE

Deed of Trust Date: Grantor(s)/Mortgagor(s):

4/14/2008 ANDREW AMARO AND PATRICIA AMARO,

HUSBAND AND WIFE

Original Beneficiary/Mortgagee: Current Beneficiary/Mortgagee:

MORTGAGE ELECTRONIC REGISTRATION BANK OF AMERICA, N.A. SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR CITIZENS MORTGAGE CORP.,

AND ASSIGNS

Recorded in: Property County:
Volume: N/A VICTORIA

A TEXAS CORPORATION, ITS SUCCESSORS

agreement with the Current Beneficiary/Mortgagee.

Page: N/A

**Instrument No: 200804489** 

Mortgage Servicer: Mortgage Servicer's Address:

BANK OF AMERICA, N.A. is representing the Current Beneficiary/Mortgagee under a servicing 7105 Corporate Drive, Plano, TX 75024

**Legal Description:** BEING LOT NUMBER THREE (3), IN BLOCK NUMBER FIVE (5). OF PRIMROSE PLACE, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP OR PLAT OF RECORD IN VOLUME 3, PAGE 48, OF THE MAP AND PLAT RECORDS OF VICTORIA COUNTY, TEXAS.

Date of Sale: 8/4/2015 Earliest Time Sale Will Begin: 11:00 AM

Place of Sale of Property: THE AREA IN FRONT OF THE EAST DOOR OF THE COURTHOUSE BUILDING LOCATED AT 115 NORTH BRIDGE STREET 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.

Notice Pursuant to Tex. Prop. Code § 51.002(i): 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.

Oscar Caballero or Donna Caballero

or Cole D. Patton or Catherine Allen-Rea

McCarthy, Holthus & Ackerman, LLP

ATTN: SALES

1255 West 15th Street, Suite 1060

Plano, TX 75075

7815 #PN 15 P 2:00



4529404

C&S No. 44-14-2513 / FHA / No JPMorgan Chase Bank, National Association

### NOTICE OF 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. Sender is: Codilis & Stawiarski, PC, 650 North Sam Houston Parkway East, Suite 450, Houston, Texas 77060

**Date of Security Instrument:** September 27, 1995

Richard Flores and Esther Flores, husband and wife Grantor(s):

David E. Russell **Original Trustee:** 

Original Mortgagee: Victoria Bank & Trust Company

Recording Information: Vol. 0187, Page 711, in the Official Public Records of VICTORIA County, Texas.

JPMorgan Chase Bank, National Association Current Mortgagee:

JPMorgan Chase Bank, National Association, National Association whose address is C/O 3415 Mortgage Servicer: Vision Drive Columbus, OH 43219-6009 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

Date of Sale: 07/07/2015 Earliest Time Sale Will Begin:

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.

### Legal Description:

BEING LOT NO. ONE (1), IN BLOCK NO. SIX (6), OF MAYFAIR TERRACE, 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 23, AND AS AMENDED IN VOLUME 421, PAGE 336, OF THE MAP AND DEED RECORDS OF VICTORIA COUNTY, TEXAS.

Place of Sale of Property: The foreclosure sale will be conducted in the area designated by the VICTORIA County Commissioners Court pursuant to Section 51,002 of the Texas Property Code as the place where the 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.

For Information:

Codilis & Stawiarski, P.C. 650 N. Sam Houston Parkway East Suite 450 Houston, TX 77060 (281) 925-5200

Oscar Caballero as Substitute Trustee, Donna Caballero as Successor Substitute Trustee, or Mary M. Speidel as Successor Substitute Trustee

e/o Servicelink Default Abstract Solutions 7301 N. State Hwy 161. Ste 305. Irving, TX 75039

