

[RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:]

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

FILED

16 DEC 13 PM 1:13

*Carrie Hegor*

COUNTY CLERK  
AUSTIN COUNTY, TEXAS

*jsf*

TS#: 16-17783

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**WHEREAS**, on 6/30/2010, FELIX MARTINEZ, II AND RACHEL MARTINEZ, HUSBAND AND WIFE, as Grantor/Borrower, executed and delivered that certain Deed of Trust, in favor of ROBERT K. FOWLER, as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. FOR TXL MORTGAGE CORPORATION, A TEXAS CORPORATION, as Beneficiary which deed of trust secures the payment of that certain promissory note of even date therewith in the original amount of \$174,603.00, payable to the order of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. FOR TXL MORTGAGE CORPORATION, A TEXAS CORPORATION, which Deed of Trust is Recorded on 7/1/2010 as Volume 102579, Book , Page , in Austin County, Texas, Deed of Trust covers all of the real property, personal property, and fixtures described therein, including , but not limited to, all the following described property, rights and interests (the "Property"), to-wit;

**LOT THIRTY (30) IN WESTGATE ESTATES, A SUBDIVISION IN WALLIS, AUSTIN COUNTY, TEXAS, THE PLAT OF WHICH SAID SUBDIVISION IS DULY RECORDED IN VOLUME 1, PAGE 29-30, OF THE PLAT RECORDS OF AUSTIN COUNTY, TEXAS.**

Commonly known as: **7203 JANICEK ST, WALLIS, TX 77485**

**WHEREAS**, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **Megan Randle-Bender, Aarti Patel, Maryna Danielian, Patricia Sanders, Frederick Britton, Jack Burns II, Kristopher Holub, Patrick Zwiers, Doug Woodard, Kristie Alvarez, Julian Perrine, Dan Hart, Megan L. Randle, Rebecca Bolton** or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust: and

**WHEREAS**, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and Carrington Mortgage Services, LLC whose address is 1600 Douglass Road, Suite 200 A, Anaheim, CA 92806 is acting as the mortgage servicer for **Carrington Mortgage Services, LLC**, which is the mortgagee of the Note and Deed of Trust or mortgage and the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust. Carrington Mortgage Services, LLC is authorized to represent the mortgagee by virtue of a written servicing agreement with the mortgagee. Pursuant to that



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*2016-061*

agreement and Texas Property Code Section 51.0025, Carrington Mortgage Services, LLC is authorized to administer the foreclosure referenced herein.

**NOW, THEREFORE, NOTICE IS HEREBY GIVEN**, that on **TUESDAY, 2/7/2017 at 1:00 PM**, or no later than three (3) hours after such time, being the first Tuesday of such month, of **Austin County, Texas**, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a deed of trust or other contract lien as follows: **THE FOYER OF THE AUSTIN COUNTY COURTHOUSE Austin County Courthouse, One East Main, Bellville, TX 77418**

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

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

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

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

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

WITNESS, my hand this 12/8/2016



By: Substitute Trustee(s)  
Megan Randle-Bender, Aarti Patel, Maryna Danielian, Patricia Sanders, Frederick Britton, Jack Burns II, Kristopher Holub, Patrick Zwiers, Doug Woodard, Kristie Alvarez, Julian Perrine, Dan Hart, Megan L. Randle, Rebecca Bolton

C/O Carrington Foreclosure Services, LLC  
P.O. Box 3309  
Anaheim, California 92803

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: February 07, 2017

Time: The sale will begin at 1:00PM or not later than three hours after that time.

Place: FOYER OF THE AUSTIN COUNTY COURTHOUSE 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, 2003 and recorded in Document CLERK'S FILE NO. 032388 real property records of AUSTIN County, Texas, with SCOTT BROWN AND RENATA BROWN, grantor(s) and WELLS FARGO HOME MORTGAGE, INC., mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by SCOTT BROWN AND RENATA BROWN, securing the payment of the indebtednesses in the original principal amount of \$117,700.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL I INC. TRUST 2003-HE2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2003-HE2 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. WELLS FARGO BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o WELLS FARGO BANK, N.A.  
3476 STATEVIEW BLVD  
FORT MILL, SC 29715


  
\_\_\_\_\_

MEGAN L. RANDLE, REBECCA BOLTON, OR AMY JURASEK  
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 Megan L. Randle, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on 1/13/17 I filed at the office of the AUSTIN County Clerk and caused to be posted at the AUSTIN County courthouse this notice of sale.

  
Declarant's Name: Megan L. Randle  
Date: 6/13/17





## TRACT I

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 0.483 ACRE OF LAND, MORE OR LESS, IN THE JOHN NICHOLS LEAGUE, ABSTRACT 73, AUSTIN COUNTY, TEXAS, SAME BEING ALL THAT CERTAIN TRACT ONE CALLED 21,000 SQUARE FOOT PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 454, PAGE 145 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS, SAID 0.483 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR CORNER, SAME BEING THE INTERSECTION OF THE COMMON SOUTHWESTERLY RIGHT-OF-WAY LINE OF EAST 2ND STREET (50 FEET IN WIDTH) (UNDEVELOPED) AND THE COMMON NORTHWESTERLY RIGHT-OF-WAY LINE OF EAST LINE AVENUE (35 FEET IN WIDTH) (UNDEVELOPED), SAME BEING THE COMMON NORTHEAST CORNER OF LOT 1, BLOCK 2, BELLVILLE REAL ESTATE AND BUILDING ASSOCIATION ADDITION AS RECORDED IN VOLUME 22, PAGE 468 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS, AND SAME BEING THE POINT OF BEGINNING AND NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, LEAVING SAID COMMON SOUTHWESTERLY RIGHT-OF-WAY LINE AND WITH SAID COMMON NORTHWESTERLY RIGHT-OF-WAY LINE SOUTH 25 DEGREES 20 MINUTES 00 SECONDS WEST, A DISTANCE OF 140.11 FEET (CALLED SOUTH 25 DEGREES 20 MINUTES 00 SECONDS WEST 140.00 FEET) (BASIS OF BEARINGS) TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAME BEING IN THE COMMON NORTHEASTERLY LINE OF A 16 FOOT ALLEYWAY, SAME BEING THE COMMON SOUTHEAST CORNER OF SAID LOT 1 AND SAME BEING THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, LEAVING SAID COMMON NORTHWESTERLY RIGHT-OF-WAY LINE AND WITH SAID COMMON NORTHEASTERLY LINE, NORTH 64 DEGREES 40 MINUTES 00 SECONDS WEST, A DISTANCE OF 150.15 FEET ( CALLED NORTH 64 DEGREES 40 MINUTES 00 SECONDS WEST, 150.00 FEET) TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAME BEING THE COMMON SOUTHEAST CORNER OF THAT CERTAIN CALLED 0.241 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 540, PAGE 665 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS, SAME BEING THE COMMON SOUTHWEST CORNER OF LOT 3, SAID BLOCK 2, AND SAME BEING THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, LEAVING SAID COMMON NORTHEASTERLY LINE AND WITH SAID COMMON LINE, NORTH 25 DEGREES 20 MINUTES 00 SECONDS EAST, A DISTANCE OF 140.11 FEET (CALLED NORTH 25 DEGREES 20 MINUTES 00 SECONDS EAST, 140.00 FEET) TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAME BEING THE COMMON NORTHEAST CORNER OF THAT CERTAIN CALLED 0.241 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 756, PAGE 476 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS, SAME BEING IN THE COMMON SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID EAST 2ND STREET, SAME BEING THE COMMON NORTHWEST CORNER OF SAID LOT 3, AND SAME BEING THE NORTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, WITH SAID COMMON SOUTHWESTERLY RIGHT-OF-WAY LINE, SOUTH 64 DEGREES 40 MINUTES 00 SECONDS EAST, A DISTANCE OF 150.15 FEET (CALLED SOUTH 64 DEGREES 40 MINUTES 00 SECONDS EAST, 150.00 FEET) TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED AND CONTAINING 0.483 ACRE OF LAND, MORE OR LESS.

## TRACT II

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 0.483 ACRE OF LAND, MORE OR LESS, IN THE JOHN NICHOLS LEAGUE, ABSTRACT 73, AUSTIN COUNTY, TEXAS, SAME BEING ALL THAT CERTAIN TRACT TWO CALLED 21,000 SQUARE FOOT PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 454, PAGE 145 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS, SAID 0.483 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR CORNER, SAME BEING THE INTERSECTION OF THE COMMON NORTHWESTERLY RIGHT-OF-WAY LINE OF EAST LINE AVENUE (35 FEET IN WIDTH) (UNDEVELOPED) AND THE COMMON NORTHEASTERLY RIGHT-OF-WAY LINE OF EAST 3RD STREET (50 FEET IN WIDTH), SAME BEING THE COMMON SOUTHEAST CORNER OF LOT 7, BLOCK 2, BELLVILLE REAL ESTATE AND BUILDING ASSOCIATION ADDITION AS RECORDED IN VOLUME 22, PAGE 468 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS, AND SAME BEING THE POINT OF BEGINNING AND SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, LEAVING SAID COMMON NORTHWESTERLY RIGHT-OF-WAY LINE AND WITH SAID COMMON NORTHEASTERLY RIGHT-OF-WAY LINE, NORTH 64 DEGREES 40 MINUTES 00 SECONDS WEST, A DISTANCE OF 150.15 FEET (CALLED NORTH 64 DEGREES 40 MINUTES 00 SECONDS WEST, 150.00 FEET) TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAME BEING THE COMMON SOUTHEAST CORNER OF LOT 10 OF SAID BLOCK 2 AS RECORDED IN VOLUME 767, PAGE 329 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS, SAME BEING THE COMMON SOUTHWEST CORNER OF LOT 9 OF SAID BLOCK 2, AND SAME BEING THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, LEAVING SAID COMMON NORTHEASTERLY RIGHT-OF-WAY LINE AND WITH SAID COMMON LINE, NORTH 25 DEGREES 20 MINUTES 00 SECONDS EAST, A DISTANCE OF 140.06 FEET (CALLED NORTH 25 DEGREES 20 MINUTES 00 SECONDS EAST, 140 FEET) TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAME BEING THE COMMON NORTHEAST CORNER OF SAID LOT 10, SAME BEING IN THE COMMON SOUTHWESTERLY LINE OF A 16 FOOT ALLEYWAY, SAME BEING THE COMMON NORTHWEST CORNER OF SAID LOT 9, AND SAME BEING THE NORTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;



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THENCE, WITH SAID COMMON SOUTHWESTERLY LINE, SOUTH 64 DEGREES 40 MINUTES 00 SECONDS EAST, A DISTANCE OF 150.15 FEET (CALLED SOUTH 64 DEGREES 40 MINUTES 00 SECONDS EAST, 150.00 FEET) TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAME BEING IN THE COMMON NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID EAST LINE AVENUE, SAME BEING THE COMMON NORTHEAST CORNER OF SAID LOT 7, AND SAME BEING THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, LEAVING SAID COMMON SOUTHWESTERLY LINE AND WITH SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SOUTH 25 DEGREES 20 MINUTES 00 SECONDS WEST, A DISTANCE OF 140.06 FEET (CALLED SOUTH 25 DEGREES 20 MINUTES 00 SECONDS WEST, 140.00 FEET) (BASIS OF BEARINGS) TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED AND CONTAINING 0.483 ACRE OF LAND, MORE OR LESS.

FILED

17 JAN 13 AM 11:09

*Carrie Gregor*

COUNTY CLERK  
AUSTIN COUNTY, TEXAS



NOS0000005996186

**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE**

**DEED OF TRUST INFORMATION:**

**Date:** 05/07/2003  
**Grantor(s):** MARY JANE TACKER, A SINGLE PERSON  
**Original Mortgagee:** MEGAMERICA MORTGAGE GROUP, INC.  
**Original Principal:** \$63,700.00  
**Recording Information:** Instrument 033113  
**Property County:** Austin  
**Property:**

ALL THAT TRACT OR PARCEL OF LAND CONSISTING OF 1.945 ACRES LOCATED IN THE STEPHEN F. AUSTIN LEAGUE, A-6, AUSTIN COUNTY, TEXAS. SUBJECT TRACT BEING THE RESIDUE OF THE CALLED 4.00 ACRE TRACT THAT IS DESCRIBED IN A DEED TO J.T. TACKER, AND WIFE, JANE TACKER AS RECORDED IN VOLUME 363, PAGE 1 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS. SAID TRACT CONSISTING OF 1.945 ACRES AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE SOUTHEAST RIGHT-OF-WAY OF JURICA ROAD (PUBLIC ROAD) AND BEING THE WEST CORNER OF THE CALLED 8.008 ACRE TRACT DESCRIBED IN A DEED TO MARK MACHALA AS RECORDED IN VOLUME 690, PAGE 111 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS AND BEING THE NORTH CORNER OF THE 4.00 ACRE PARENT TRACT AND THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 45 D 00' 00" E, WITH THE COMMON LINE WITH SAID 8.008 ACRE ADJOINING TRACT AND GENERALLY WITH AN EXISTING FENCE LINE, A DISTANCE OF 699.02 FT. (CALLED S 45 D 00' E, 697.1 FT.) TO A 1/2" IRON PIPE FOUND (BENT) AT A FENCE CORNER POST IN THE NORTHWEST LINE OF THE CALLED 149.5 ACRE TRACT DESCRIBED IN A DEED TO ERNEST ANYZ KOY AS RECORDED IN VOLUME 184, PAGE 370 D.R.A.C.T. AND BEING THE SOUTHEASTERLY CORNER OF THE PARENT TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE S 44 D 59' 00" W, WITH THE COMMON LINE WITH SAID 149.5 ACRE ADJOINING TRACT AND GENERALLY WITH AN EXISTING FENCE LINE, A DISTANCE OF 121.22 FT. (CALLED BRG. S 44 D 59' W) TO A 1/2" IRON ROD SET FOR THE SOUTHEASTERLY CORNER OF THE CALLED 2.07 ACRE TRACT DESCRIBED IN A DEED TO DANIEL TACKER AS RECORDED IN FILE #020606 O.R.A.C.T. AND BEING THE SOUTH OR SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 45 D 00' 00" W, WITH THE COMMON LINE WITH SAID 2.07 ACRE ADJOINING TRACT AND WITH A LINE, WHICH IS NOT FENCED, A DISTANCE OF 699.05 FT. (NO CALL) TO A 1/2" IRON ROD SET IN THE SOUTHEAST RIGHT-OF-WAY OF JURICA ROAD AND BEING THE NORTH CORNER OF THE 2.07 ACRE ADJOINING TRACT, FOR THE NORTHWESTERLY OR WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 45 D 00' 00" E, WITH THE SOUTHEAST RIGHT-OF-WAY OF JURICA ROAD, A DISTANCE OF 121.22 FT. (CALLED BRG. N 45 D 00' E) TO THE PLACE OF BEGINNING AND CONTAINING 1.945 ACRES.

NOTES: BEARING SHOWN HEREON ARE BASED UPON THE CALLED BEARING OF N 45 D 00' E, USED IN THE DESCRIPTION OF THE 4.00 ACRE TRACT RECORDED IN VOLUME 363, PAGE 1 D.R.A.C.T. REFERENCE IS HEREBY MADE TO PLAT OF THE SUBJECT TRACT, PREPARED THIS DAY, APRIL 2, 2003.

**Reported Address:** 628 JURICA ROAD, SEALY, TX 77474

**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 February, 2017  
**Time of Sale:** 01:00PM  
or within three hours thereafter.

**Place of Sale:** AT THE FOYER OF THE AUSTIN COUNTY COURTHOUSE in Austin County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Austin County Commissioner's Court.

**Substitute Trustee(s):** Megan Randle-Bender, Aarti Patel, Maryna Danielian, Patricia Sanders, Frederick Britton, Jack Burns II, Kristopher Holub, Patrick Zwiars, Doug Woodard, Kristie Alvarez, Julian Perrine, Dan Hart, Braden Barnes, Michael Burns, Thuy Frazier, Elizabeth Hayes, 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 Megan Randle-Bender, Aarti Patel, Maryna Danielian, Patricia Sanders, Frederick Britton, Jack Burns II, Kristopher Holub, Patrick Zwiers, Doug Woodard, Kristie Alvarez, Julian Perrine, Dan Hart, Braden Barnes, Michael Burns, Thuy Frazier, Elizabeth Hayes, 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. Megan Randle-Bender, Aarti Patel, Maryna Danielian, Patricia Sanders, Frederick Britton, Jack Burns II, Kristopher Holub, Patrick Zwiers, Doug Woodard, Kristie Alvarez, Julian Perrine, Dan Hart, Braden Barnes, Michael Burns, Thuy Frazier, Elizabeth Hayes, 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

17 JAN 13 AM 11:08

*Carrie Gregor*

COUNTY CLERK  
AUSTIN COUNTY, TEXAS

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

AUSTIN County  
Deed of Trust Dated: February 27, 2014  
Amount: \$275,793.00  
Grantor(s): CARL FLOYD and CATHERINE FLOYD

Original Mortgagee: NORTH AMERICAN SAVINGS BANK, FSB  
Current Mortgagee: FLAGSTAR BANK, FSB

Mortgagee Address: FLAGSTAR BANK, FSB, 5151 Corporate Drive, Troy, MI 48098

Recording Information: Document No. 140847

Legal Description: 2.285 ACRE TRACT OF LAND LOCATED IN THE MARTIN M. KENNEY SURVEY (HTCRR CO. SURVEY, SECTION 156), ABSTRACT 352, AUSTIN COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

Date of Sale: February 7, 2017 between the hours of 1:00 PM and 4:00 PM.

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the AUSTIN 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.

MEGAN RANDLE-BENDER OR REBECCA BOLTON 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

  
RACHEL U. DONNELLY, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2016-017768

  
MEGAN RANDLE-BENDER OR REBECCA BOLTON  
c/o Texas Trustee Services  
4100 Midway Rd Ste 1040  
Carrollton, TX 75007

2017-002 RAB



STATE OF TEXAS

COUNTY OF AUSTIN

Before me, the undersigned authority, on this 13<sup>th</sup> day of January, personally appeared Megan L. Randle, known to me to be the person(s) whose name is/are subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Joyce M. Guthmann

TEXAS



NOTARY PUBLIC, STATE OF

AFTER RECORDING RETURN TO:  
Hughes, Watters & Askanase, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2016-017768

**EXHIBIT "A"**  
(Page 1 of 2)

**2.285 ACRES**

**ALL THAT TRACT OR PARCEL OF LAND** consisting of 2.285 Acres located in the Martin H. Kenney Survey (H. & T. C. R.R. Co. Survey, Section 156), A-352, Austin County, Texas. Subject tract being composed of all of the called 1.00 Acre tract described in Deed to George & Lydia Gaston recorded in Volume 759, Page 132 of the Official Records of Austin County, Texas and all of the called 1.285 Acre tract described in Deed to George & Lydia Gaston recorded in File# 021377 O.R.A.C.T. Said tract consisting of a total of 2.285 Acres and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found in the Northwest Right-of-way of Paschel Lane (Public Road) for the East corner of the residue tract belonging to Will Wade & Hazel Dale Paschel recorded in Volume 301, Page 232 of the Deed Records of Austin County, Texas for the South corner of the 1.00 Acre tract mentioned above and the South corner of the herein described tract;

**THENCE** N 46d 30' 58" W, with the common line with the Paschel tract a distance of 176.49 ft. to a 1/2" iron rod found in the common line with the called 0.977 Acre tract described in Deed to Lonnie Ray Paschel, et ux recorded in Volume 466, Page 621 D.R. A.C.T. for the North corner of the Will Paschel tract and an angle point in the West line of the herein described tract;

**THENCE** N 42d 10' 05" E, with the common line with the 0.977 Acre adjoining tract and generally with an existing fence, a distance of 29.58 ft. to a point at a chainlink fence corner post found set in concrete for the East corner of the 0.977 Acre adjoining tract and an angle point in the West line of the herein described tract;

**THENCE** N 46d 23' 26" W, continuing with the common line with the 0.977 Acre adjoining tract and generally with an existing fence, a distance of 142.02 ft. to a 1/2" iron rod found at a fence corner post for the North corner of the 0.977 Acre adjoining tract and being in the common line with the residue of the called 2.00 Acre tract described in Deed to Clara Stastoy recorded in Volume 738, Page 136 O.R.A.C.T. for the Westerly corner of the herein described tract;

EXHIBIT "A"  
(Page 2 of 2)

~~TRACED~~ N 42d 20' 37" E, with the common line with the residue of the 2.00 Acre adjoining tract and passing at 115.78 ft. a 3/4" iron pipe found at a fence corner post for the East corner of the residue of the called 2.00 Acre adjoining tract, the same being the South corner of the called 32.80 Acre tract described in Deed to The Baamon Children's Partnership recorded in File# 125263 O.R.A.C.T. for the North corner of the 1.00 Acre parent tract and the West corner of the 1.285 Acre parent tract and continuing with the common line with the 32.80 Acre adjoining tract and generally with an existing fence, a total distance of 290.01 Ft. to a 1/2" iron rod found for the West corner of the 1.214 Acre tract described in Deed to Tony C. & Clementine Moore recorded in File# 014716 O.R.A.C.T. for the North corner of the 1.285 Acre parent tract and the North corner of the herein described tract;

~~TRACED~~ S 47d 45' 07" E, with the common line with the 1.214 Acre adjoining tract and with a line which is not fenced, a distance of 322.94 ft. to a 1/2" iron rod found in the Northwest Right-of-way of Paschel Lane, for the South corner of the 1.214 Acre adjoining tract, the East corner of the 1.285 Acre parent tract and the East corner of the herein described tract;

~~TRACED~~ S 43d 06' 59" N, with the Northwest Right-of-way of Paschel Lane and passing at 173.32 ft. a 3/4" iron pipe found for the South corner of the 1.285 Acre parent tract, the same being the East corner of the 1.00 Acre parent tract and continuing, a total distance of 326.90 ft. to the PLACE OF BEGINNING and containing 2.285 Acres.

Instrument # 170198  
1/13/2017 10:55 AM

STATE OF TEXAS COUNTY OF AUSTIN  
I certify that this instrument was filed on the date and time stamped by me and was recorded in the Official Public Records of Austin County, Texas.

Carrie Gregor, County Clerk  
Austin County, Texas

FILED

17 JAN 13 AM 11:08

*Carrie Gregor*

COUNTY CLERK  
AUSTIN COUNTY, TEXAS

By:

*[Handwritten Signature]*

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

**AUSTIN County**  
**Deed of Trust Dated:** October 5, 2004  
**Amount:** \$45,000.00  
**Grantor(s):** RUTH PARKER

**Original Mortgagee:** NATIONAL CITY MORTGAGE CO DBA ACCUBANC MORTGAGE  
**Current Mortgagee:** Deutsche Bank Trust Company Americas, as Trustee for Residential Accredit Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2005-QS7

**Mortgagee Servicer and Address:** c/o PNC BANK, NATIONAL ASSOCIATION, 3232 Newmark Drive, Miamisburg, OH 45342  
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. 046394

**Legal Description:** SEE EXHIBIT "A"

WHEREAS RUTH PARKER is deceased.

Whereas, an Order Allowing Foreclosure of Preferred Debt and Lien was entered on October 3, 2016 under Cause No. in the 15PB9952 Judicial Probate Court of AUSTIN County, Texas  
**Date of Sale:** February 7, 2017 between the hours of 1:00 PM and 4:00 PM.

**Earliest Time Sale Will Begin:** 1:00 PM

**Place of Sale:** The foreclosure sale will be conducted at public venue in the area designated by the AUSTIN 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.

MEGAN RANDLE-BENDER OR REBECCA BOLTON 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.

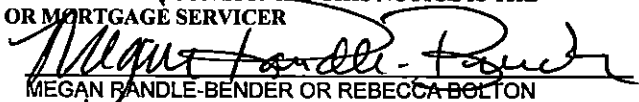
If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

**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**

  
RACHEL U. DONNELLY, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2015-005167

  
MEGAN RANDLE-BENDER OR REBECCA BOLTON  
c/o Tejas Trustee Services  
4100 Midway Rd Ste 1040  
Carrollton, TX 75007

2017-001

20030073405748

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND CONSISTING OF 2.000 ACRES LOCATED IN THE C.C. ALLEN SURVEY, A-404, AUSTIN COUNTY, TEXAS. SUBJECT TRACT BEING A PORTION OF THE CALLED 4.01 ACRE TRACT THAT IS DESCRIBED IN A DEED TO CLAUDIA KOLOJACO, DATED NOVEMBER 30, 1993 AND RECORDED IN VOLUME 694, PAGE 57 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS. SAID TRACT CONSISTING OF 2.000 ACRES AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE NORTH LINE OF BLAKELY ROAD (60.0 FT. R.O.W., COUNTY ROAD) AND BEING THE SOUTHWEST OR SOUTH CORNER OF THE 4.994 ACRE TRACT BELONGING TO CLAUDIA KOLOJACO AS RECORDED IN VOLUME 700, PAGE 80 O.R.A.C.T. AND BEING THE EAST CORNER OF THE 4.01 ACRE TRACT AND THE EAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 44 DEG. 49' 11" W, WITH THE NORTHWEST OR NORTH LINE OF BLAKELY ROAD, A DISTANCE OF 268.09 FT. TO A 1/2" IRON ROD SET FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 46 DEG. 04' 13" W, A DISTANCE OF 325.00 FT. TO A 1/2" IRON ROD SET FOR THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 44 DEG. 49' 11" E, A DISTANCE OF 268.09 FT. TO A 1/2" IRON ROD SET ON THE SOUTHWEST OR WESTERLY LINE OF THE 4.994 ACRE TRACT MENTIONED ABOVE AND BEING THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 46 DEG. 04' 13" E, WITH THE SOUTHWEST LINE OF THE 4.994 ACRE TRACT, THE SAME BEING THE NORTHEAST LINE OF THE PARENT TRACT, A DISTANCE OF 325.00 FT. TO THE PLACE OF BEGINNING AND CONTAINING 2.000 ACRES.

FILED

17 JAN -4 AM 9: 54

*Carrie Gregor*

COUNTY CLERK  
AUSTIN 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:** 02/07/2017

**Time:** The sale will begin at **01:00 PM** or not later than three hours after that time

**Place:** The Foyer of the Austin County Courthouse or any other area designated by the County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place OR AS DESIGNATED BY THE COUNTY COMMISSIONERS

**Property Address:** 1327 Maler Rd, Sealy, TX 77474-1671

**2. Terms of Sale: Cash**

**3. Instrument to be Foreclosed:** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated 04/11/2005 and recorded 04/18/2005 in Document 052321, Book --- Page ---, real property records of Austin County Texas, with Edward Hill and wife Victor Hill grantor(s) and Option One Mortgage Corporation, a California Corporation.

**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 Edward Hill and wife Victor Hill securing the payment of the indebtedness in the original principal amount of \$ 147,250.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. Deutsche Bank National Trust Company, as Trustee for Soundview Home Loan Trust 2005-OPT1, Asset-Backed Certificates, Series 2005-OPT1 is the current mortgagee of the note and the deed of trust or contract lien.

2016-066

## Notice of [Substitute] Trustee Sale

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

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

**1 Acre Tract of land in the Isaac Gifford (surveyor)**

**All that certain tract or parcel of land situated in Austin County, Texas, in the Isaac Gifford Survey, Abstract No. 179, and being part of a certain 4.8869 acre tract of land set aside for Lester Downey in an Agreed Judgement of Partition recorded in Volume 683, Page 118 of the Official Records of Austin County, Texas. and being more particularly described as follows:**

**Beginning at a ½ inch iron pipe found at the east corner of the said Downey 4.8869 acre tract of land in the southwest line of Maler Road. This point also being the north corner of a 4.8869 acre tract of land set aside for Jo Downey Sevalia, a/k/a Joella Jerrells, a/k/a Joe Downey Jerrels in an Agreed Judgement of Partition recorded in volume 683, page 118 of the official records of Austin County, Texas:**

**Thence, with the common line between the Downey and Jerrells tract of land, South 45°00'00" west for 208.71 feet to a ½ inch iron pin set for the south corner of this 1.000 acre tract of land;**

**Thence, North 45°05'00" west for 208.71 feet to a ½ inch iron pin set for the west corner of this 1.000 acre tract of land;**

**Thence, North 45°00'00" east for 208.71 feet to a ½ inch iron pin set for the north corner of this 1.000 acre tract of land in the southwest fine of Maler Road;**

**Thence, with the southwest line of Maler Road, South 45°05'00" east for 208.71 feet to the place of beginning and containing 1.000 acre of land.**

**The bearings recited herein are based on the southeast line of the Lester Downey tract of land.**

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:

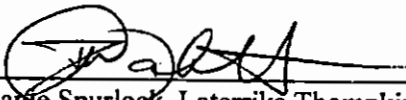
**Notice of [Substitute] Trustee Sale**

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

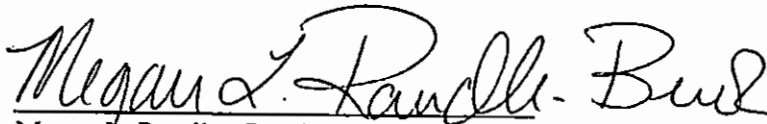
- 9. **Limitation of Damages:** If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's attorney.

**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: December 19, 2016



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



Megan L. Randle - Bender, Evan Press, Kristopher Holub, Patrick Zwiers, Kelley Burns, Dann Porter, Chris Demarest, Tanya Graham, Matthew Wolfson, Daniel Willsie, Wayne Wheat, Wes Wheat, Leb Kemp, Traci Yeaman, Vince Ross, Rebecca Bolton, 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  
16 DEC 28 AM 9:05  
Carrie Hegor  
COUNTY CLERK  
AUSTIN 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.**



[RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:]

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

TS#: 16-17335

### **NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**WHEREAS**, on 5/11/2005, WILMA SCOTT AND SEAN PRISK, BOTH SINGLE PERSONS, as Grantor/Borrower, executed and delivered that certain Deed of Trust, in favor of MALCOLM D. GIBSON, as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. FOR SECURE MORTGAGE COMPANY, as Beneficiary which deed of trust secures the payment of that certain promissory note of even date therewith in the original amount of \$111,853.00, payable to the order of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. FOR SECURE MORTGAGE COMPANY, which Deed of Trust is Recorded on 5/17/2005 as Volume 052940, Book , Page , in Austin County, Texas, Deed of Trust covers all of the real property, personal property, and fixtures described therein, including , but not limited to, all the following described property, rights and interests (the "Property"), to-wit;

**LOT 13 IN EASTLAKE ESTATES, A SUBDIVISION OF 28.042 ACRES OF LAND IN THE STEPHEN F. AUSTIN LEAGUE, (A-7) IN AUSTIN COUNTY, TEXAS, ACCORDING TO THE MAP AND PLAT THEREOF RECORDED. TOGETHER WITH THAT ONE CERTAIN MANUFACTURED HOME BEING DESCRIBED AS FOLLOWS: YEAR: 2003; MAKE: CAVALIER HOMEBUILDERS; SERIAL NO.: TC04TX0107685A & B.**

Commonly known as: **1979 LEZAK ROAD, SEALY, TX 77474**

**WHEREAS**, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **Megan L. Randle-Bender AKA Megan L. Randle, Rebecca Bolton** or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust: and

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



4604181

2016-065

NOW, THEREFORE, NOTICE IS HEREBY GIVEN, that on TUESDAY, 2/7/2017 at 1:00 PM, or no later than three (3) hours after such time, being the first Tuesday of such month, of Austin County, Texas, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a deed of trust or other contract lien as follows: **FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS**

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

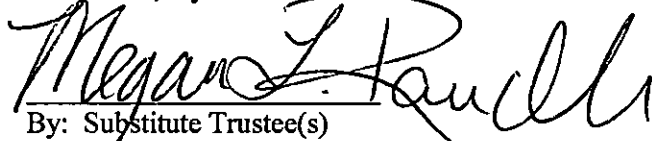
If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

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

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

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

WITNESS, my hand this 12/27/2016



By: Substitute Trustee(s)

Megan L. Randle-Bender AKA Megan L. Randle, Rebecca Bolton  
C/O Carrington Foreclosure Services, LLC  
P.O. Box 3309  
Anaheim, California 92803

FILED

16 DEC 28 AM 9:05

Carrie Stegors  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

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



8-444969

FIELD NOTES FOR A 8.993 ACRE TRACT OF LAND BEING THE RESIDUE OF A CALLED 14.000 ACRE TRACT OF LAND (CLERK'S FILE No. 990197 DEED RECORDS), BEING SITUATED IN THE SAN FELIPE de AUSTIN TOWN TRACT, ABSTRACT 5 AND BEING PART OF LOT 4, BLOCK 29 OF THE SEALY SUBDIVISION RECORDED IN VOLUME Y, PAGE 318 DEED RECORDS, LOCATED IN THE CITY OF SEALY, AUSTIN COUNTY, TEXAS.

BEGINNING: At a 1/2 inch iron rod set in the Southwest right-of-way line of Gebhardt Road, and being the North corner of this tract, and being the East corner of an adjoining 5.000 acre tract (Clerk's File No. 144749), bearing South 44° 44' 00" East a distance of 333.59 feet from a 1/2 inch iron rod found for the North corner of the described 14.000 acre residue tract;

THENCE: South 44° 44' 00" East a distance of 601.89 feet along the Southwest right-of-way line of Gebhardt Road to a 1/2 inch iron rod found for the East corner of this tract and the North corner of an adjoining 25.00 acre tract (Volume 302, Page 48 Deed Records);

THENCE: South 45° 20' 29" West a distance of 651.40 feet to a 1/2 inch iron pipe found for the South corner of this tract and the West corner an 8.360 acre tract (Volume 729 & 786, Page 23 & 42 Deed Records) and being located in the Northwest line of the described 25.00 acre tract;

THENCE: North 44° 48' 02" West a distance of 600.21 feet to a 1/2 inch iron rod set for the West corner of this tract, the South corner of the above described 5.000 acre tract and being located in the Northeast line of an adjoining 2.45 acre tract (Volume 707, Page 866 Deed Records);

THENCE: North 45° 11' 39" East a distance of 652.11 feet to the PLACE OF BEGINNING and containing 8.993 acres of land.

All bearings recited hereon are based on the Southwest right-of-way line of Gebhardt Road (Northeast property line of this tract) running South 44° 44' 00" East.

This survey consists of a separate plat and a legal description.

*David Leyendecker*

For Clay & Leyendecker, Inc.  
David Leyendecker, R.P.L.S.  
Texas Registration No. 2085  
August 19, 2015  
JL  
SanFelipeDeAustin5-8.993ac-15-138

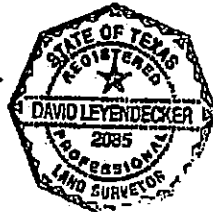


Exhibit A

Instrument # 153956  
10/1/2015 10:55 AM

STATE OF TEXAS COUNTY OF AUSTIN  
I certify that this instrument was filed on the  
date and time stamped by me and was recorded in the  
Official Public Records of Austin County, Texas.

Carrie Gresor, County Clerk  
Austin County, Texas

FILED

17 JAN 17 PM 4: 07

*Carrie Gresor*  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

By: *Andrea Cardenas*