

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Shelley Nail or Donna Trout  
c/o Malcolm Cisneros/Trustee Corps  
17100 Gillette Avenue  
Irvine, CA 92614  
(949) 252-8300

TS No TX07000070-22-1

APN R000066403

TO No 220313212-TX-RWI

### NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on October 13, 2017, OMAR A FLORES AND SABRINA FLORES, HUSBAND AND WIFE as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of THOMAS E. BLACK, JR. as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, as nominee for MORIA DEVELOPMENT., INC. DBA PEOPLES MORTGAGE, its successors and assigns, as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$173,794.00, payable to the order of M&T Bank as current Beneficiary, which Deed of Trust recorded on October 13, 2017 as Document No. 2017-00010978 in Book 1661 , on Page 746 in Howard County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

APN R000066403

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 **Shelley Nail or Donna Trout** 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 **M&T Bank**, 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.

POSTED

~~FILED~~

2022 JUN -9 PM 3:22

BRENT ZITTERKOPF  
COUNTY CLERK HOWARD COUNTY

BY DEPUTY

*[Handwritten signatures]*

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NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, August 2, 2022 at 10:00 AM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Howard County, Texas, 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: **On the north steps of the Howard County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.**

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and M&T Bank's election to proceed against and sell both the real property and any personal property described in said Deed of Trust in accordance with and M&T Bank's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

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. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition 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 expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 11 day of June, 2022  
By: Shelley Nail or Donna Trout  
Substitute Trustee(s)

**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.**

**SALE INFORMATION CAN BE OBTAINED ONLINE AT [www.Xome.com](http://www.Xome.com)  
FOR AUTOMATED SALES INFORMATION PLEASE CALL: Xome at 800-758-8052**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

DEPUTY  
BRENDA T. KOPF  
COUNTY CLERK  
HOWARD COUNTY  
2022 JUN 13 PM 3:23  
FILED

# EXHIBIT "A"

Being a 0.903 acre tract of land out of the NE/4 of Section 6, Block 31, T-1-S, T&P. RR. Co. Survey, Howard County, Texas, described by metes and bounds as follows:

BEGINNING at a 1/2" I.R. with cap found in the South right-of-way line of Midway Road in the NE/4 of Section 6, Block 31, T-1-S, T.&P. RR. Co. Survey, Howard County, Texas, the NW corner of a 2.53 acre tract (Tract 12) and for the NE corner of this tract, from whence the NE corner of said Section 6 bears N. 15° 32' 37" W. 31.5' and N. 74° 31' 56" E. 1182.02'

THENCE S. 15° 32' 37" E. along the West line of said 2.53 acre tract (Tract 12) and the centerline of Dreid Road (60' right-of-way), 169.5' to a 1/2" I.R. with cap found for the SE corner of this tract

THENCE S 74° 31' 56" W. at 30.0' pass a 1/2" I.R. with cap set in the West right-of-way line of said Dreid Road, 232.16' in all to a 1/2" I.R. with cap found, the SE corner of a 0.50 acre tract and for the SW corner of this tract

THENCE N. 15° 28' 04" W. along the East line of said 0.50 acre tract, 169.5' to a 1/2" I.R. with cap found in the South right-of-way line of said Midway Road, the NE corner of said 0.50 acre tract and for the NW corner of this tract

THENCE N. 74° 31' 56" E. along the South right-of-way line of said Midway Road at 201.94' pass a 1/2" I.R. with cap set in the West right-of-way line of said Dreid Road 231.94' in all to the PLACE OF BEGINNING

Containing 0.903 of an Acre of Land

Note: A 30' wide strip of land containing 0.117 of an acre of land along the East line of this tract lies with the right-of-way limits of Dried Road (60' right-of-way)

FILED

2022 JUN -9 PM 3:23

BRENT ZITTERKOPF  
COUNTY CLERK HOWARD COUNTY

BY DEPUTY \_\_\_\_\_