

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Kim Anderson, Ron Anderson, Jay Jacobs, Alexis
Mendoza or Kevin Key
c/o Malcolm Cisneros/Trustee Corps
17100 Gillette Avenue
Irvine, CA 92614
(949) 252-8300

TS No TX07000353-23-3S

APN 20052929 | A0570-0053-02

TO No 230515280-TX-RWI

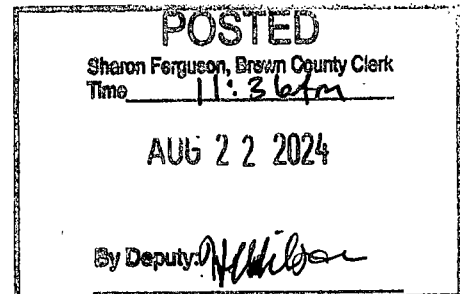
NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on March 22, 2022, BIANCA AUBREY, A SINGLE WOMAN as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of ALLAN B. POLUNSKY as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, as nominee for FIRST CENTENNIAL MORTGAGE CORPORATION, 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 \$428,041.00, payable to the order of M&T Bank as current Beneficiary, which Deed of Trust recorded on March 24, 2022 as Document No. 2202012 in Brown 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**

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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 **Kim Anderson, Ron Anderson, Jay Jacobs, Alexis Mendoza or Kevin Key** 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.



TS No TX07000353-23-3S

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NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, November 5, 2024 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 Brown 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: **SOUTH (MAIN) ENTRANCE OF THE COURTHOUSE IN AN AREA NOT TO EXCEED 12 FEET FROM THE FRONT DOOR OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE.**

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 22nd day of August, 24.

Maura O'Keefe-Smith

By: Kim Anderson, Ron Anderson, Jay Jacobs, Alexis Mendoza or Kevin Key
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
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.

POSTED
Sharon Ferguson, Brown County Clerk
Time <u>11:36 AM</u>
AUG 22 2024
By Deputy: <i>HLW</i>

EXHIBIT "A"

A 5.00 ACRE TRACT OF LAND OUT OF AND PART OF BLOCK NO. 24 OF THE KERR COUNTY SCHOOL LAND SURVEY NO. 277, ABSTRACT NO. 570, BROWN COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 1, PAGE 123, PLAT RECORDS, BROWN COUNTY, TEXAS, SAID 5.00 ACRE TRACT BEING OUT OF AND PART OF THAT TRACT OF LAND DESCRIBED IN A DEED TO KKMADD INVESTMENTS, LLC RECORDED IN VOLUME 71, PAGE 727, OFFICIAL PUBLIC RECORDS, BROWN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" REBAR ROD FOUND WITH A BROKEN SURVEY CAP (CONTROL MONUMENT) IN THE EAST LINE OF INDIAN CREEK ROAD, FOR A COMMON CORNER BETWEEN SAID KKMADD TRACT AND A TRACT OF LAND DESCRIBED IN A DEED TO DONALD HATCHER ET. UX. RECORDED IN VOLUME 64, PAGE 644, OFFICIAL PUBLIC RECORDS, BROWN COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THIS DESCRIBED TRACT;

THENCE N 87° 25' 23" E, 544.58 FEET OVER AND ACROSS SAID BLOCK NO. 24 ALONG THE COMMON LINE BETWEEN SAID KKMADD TRACT AND SAID HATCHER TRACT, TO A 1/2" REBAR ROD SET WITH A SURVEY CAP STAMPED RPLS 6224 FOR THE NORTHEAST CORNER OF THIS DESCRIBED TRACT; FROM WHICH A 1/2" REBAR ROD FOUND WITH A BROKEN SURVEY CAP (CONTROL MONUMENT) FOR A COMMON CORNER BETWEEN SAID KKMADD TRACT AND SAID HATCHER TRACT BEARS N 87° 25' 23" E. 377.15 FEET;

THENCE S 01° 34' 56" E, 400.00 FEET OVER AND ACROSS SAID BLOCK NO. 24 AND SAID KKMADD TRACT ALONG THE EAST LINE OF THIS DESCRIBED TRACT, TO A 1/2" REBAR ROD SET WITH A SURVEY CAP STAMPED RPLS 6224 FOR THE SOUTHEAST CORNER OF THIS DESCRIBED TRACT;

THENCE S 87° 25' 23" W, 544.58 FEET OVER AND ACROSS SAID BLOCK NO. 24 AND SAID KKMADD TRACT ALONG THE SOUTH LINE OF THIS DESCRIBED TRACT, TO A 1/2" REBAR ROD SET WITH A SURVEY CAP STAMPED RPLS 6224 IN THE COMMON LINE BETWEEN SAID KKMADD TRACT AND PREVIOUSLY MENTIONED INDIAN CREEK ROAD, FOR THE SOUTHWEST CORNER OF THIS DESCRIBED TRACT; FROM WHICH A 1/4" SLICK ROD (CONTROL MONUMENT) FOUND FOR A COMMON CORNER BETWEEN SAID KKMADD TRACT AND SAID INDIAN CREEK ROAD BEARS S 01° 34' 56" E, 170.60 FEET;

THENCE N 01° 34' 56" W, 400.00 FEET OVER AND ACROSS SAID BLOCK NO. 24 ALONG THE COMMON LINE BETWEEN SAID KKMADD TRACT AND SAID INDIAN CREEK ROAD, TO THE PLACE OF BEGINNING AND CONTAINING 5.00 ACRES OF LAND.

NOTE: ALL BEARINGS WERE BASED ON GPS OBSERVATIONS, NAD83 TEXAS CENTRAL 4203 (EPOCH 2011).

