

24-02986
1217 CO RD 398, CARBON, TX 76435

**NOTICE OF FORECLOSURE SALE AND
APPOINTMENT OF SUBSTITUTE TRUSTEE**

Property: The Property to be sold is described as follows:
See Exhibit "A"

Security Instrument: Deed of Trust dated January 4, 1995 and recorded on January 4, 1995 at Book 1637 and Page 146 Instrument Number 95000055 in the real property records of EASTLAND County, Texas, which contains a power of sale.

Sale Information: January 7, 2025, at 1:00 PM, or not later than three hours thereafter, at the south entrance steps of the Eastland County Courthouse, or as designated by the County Commissioners Court.

Terms of Sale: Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured: The Deed of Trust executed by THE ESTATE OF WILBUR D DEIBERT A/K/A WILBUR DEAN DEIBERT AND THE ESTATE OF PATSY L DEIBERT A/K/A PATSY LEE REIBERT secures the repayment of a Note dated January 4, 1995 in the amount of \$34,000.00. TEXAS VETERANS LAND BOARD, whose address is c/o Nationstar Mortgage, 8950 Cypress Waters Blvd., Coppell, TX 75019, is the current mortgagee of the Deed of Trust and Note and Nationstar Mortgage is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee: In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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.

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.

RECEIVED 8:36 P M.
CATHY JENTHO, COUNTY CLERK

NOV 12 2024

EASTLAND COUNTY, TEXAS
By BP Deputy



4828533

Nicki Company

De Cubas & Lewis, P.C.
Nicki Company, Attorney at Law
PO Box 5026
Fort Lauderdale, FL 33310

Substitute Trustee(s): Terry Browder, Laura Browder,
Marsha Monroe, ~~Jonathan Schendel~~, Ramiro Cuevas,
Charles Green, Linda J. Reppert, Jamie Osborne,
Linda Reppert and Xome employees included but not
limited to those listed herein.

c/o De Cubas & Lewis, P.C.
PO Box 5026
Fort Lauderdale, FL 33310

Certificate of Posting

I, Terry Browder, declare under penalty of perjury that on the 12 day of Nov., 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of EASTLAND County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

COPY

Exhibit "A"

Field notes of a survey of 39.596 acres total of which 0.628 acres is in the G.L. Beene Survey, Abstract 1448, 38.968 acres is in the M.D. Chaney Survey, Abstract 620 and 1.268 acres is within the confines of County Roads 398 and 295 leaving a net acreage of 38.328 acres under fence and occupied.

Surveyed for Lone Star Abstract by virtue of their request and being more particularly described by metes and bounds as follows:

Begin at an iron pin found 20 feet from the NBL and 30 feet from the SBL of County Road 295 described as the NEC of the M.D. Chaney Survey in a survey recorded in Volume 6, Page 286 of the Record of Public Survey:

Thence West, 463.65 feet (Record Bearing) to an iron pin set in County Road 295 for the West NWC of this described tract;

Thence South, 266.00 feet, passing at 30 feet an iron pin set for the NEC of 1 acre described in a Contract Release from the VLB to Bobby Joe Lamb recorded in Volume 642, Page 220 of the Official Public Records of Eastland County Texas also recorded in Volume 6, Page 527 of the Record of Public Survey for an "E11" corner of this described tract;

Thence West, 651.80 feet, passing an iron pin set in the EBL of County Road 398 at 251.80 feet, to an iron pin set in the center of said County Road for the Smt NWC of this described tract;

Thence S 1-04-36 E, 1377.70 feet to an iron pin found in the center of County Road 398 described as the NWC of the G.L. Beene Survey in field notes for 83.83 acres in a deed from First Federal Savings of Austin to John Burford recorded in Volume 1234, Page 241 Official Public Records of Eastland County Texas for the SWC of this described tract;

Thence S 87-24-30 E, passing an iron pin set in the EBL of County Road 398 at 30 feet, with an existing fence to an iron pin set for an angle point of this described tract;

Thence S 88-15-39 E, 184.00 feet with an existing fence to an iron pin set for an angle point of this described tract;

Thence S 89-56-53 E, 215.27 with an existing fence to an iron pin set for the SEC of this described tract;

Thence N 00-36 W, passing an iron pin set in the SBL of County Road 295 at 1652.67 feet, 1682.67 feet to the Point of Beginning and containing 39.596 acres total of which 1.268 acres is in County Roads 398 and 295 leaving 38.328 acres occupied and under fence.

Initials W.D.L., P.L.D.

UNL

147