

**FILED**

**DEC 05 2019**

*AS*  
*Brenda Fietsam*  
**BRENDA FIETSAM**  
**CO. CLERK, FAYETTE CO., TEXAS**

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

FAYETTE County  
Deed of Trust Dated: August 9, 2002  
Amount: \$145,800.00  
Grantor(s): ANISSA ANN CADA and ANTHONY D CADA  
Original Mortgage: STATE BANK  
Current Mortgage: TIB THE INDEPENDENT BANKERSBANK, N.A.  
Mortgage Address: TIB THE INDEPENDENT BANKERSBANK, N.A., 1 Corporate Drive, Suite 360, Lake Zurich, IL 60047  
Recording Information: Document No. 02-4741  
Legal Description: SEE EXHIBIT A


**Date of Sale:** January 7, 2020 between the hours of 10:00 AM and 1:00 PM.  
**Earliest Time Sale Will Begin:** 10:00 AM  
**Place of Sale:** The foreclosure sale will be conducted at public venue in the area designated by the FAYETTE 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.

JACK BURNS II OR KRISTOPHER HOLUB, PAMELA THOMAS, DONALD GRAHAM, EBBIE MURPHY, ELIZABETH ANDERSON, MEGAN RANDLE, DYLAN RUIZ OR PETE FLOREZ 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 OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

  
KIM ELLEN LEWINSKI, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2019-007472

  
c/o Auction.com, LLC  
J Mauchly  
Irvine, California 92618

EXHIBIT "A"

**FIELD NOTE DESCRIPTION OF 7.338 ACRES OF LAND OUT OF THE ANDREW CASTLEMAN SURVEY, ABSTRACT NO. 30, IN FAYETTE COUNTY, TEXAS, AND BEING THAT SAME (7.34 ACRE) TRACT OF LAND CONVEYED TO JOHN F. RHEMANN IN A DEED AS RECORDED IN VOLUME 543 PAGE 704 OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a  $\frac{1}{2}$ " iron rod found in a fence being at the most northerly corner of that certain (7.34 acre) tract of land conveyed to John F. Rhemann in a deed as recorded in Volume 543 Page 704 of the Deed Records of Fayette County, Texas, and being at the most westerly corner of that certain (6.48 acre) tract of land conveyed to Richard Orosco and Amy Orosco in a deed as recorded in Volume 1147 Page 348 of the Official Records of Fayette County, Texas, and also being in the southeasterly line of that certain (713.5 acre) tract of land conveyed to William E. Schweink, et. al. in a deed as recorded in Volume 736 Page 832 of the Deed Records of Fayette County, Texas, and being for the most northerly corner of the tract herein described,

**THENCE**, with the common line between the Rhemann tract and the Orosco tract **S 40 deg. 47' 30" E**, passing a  $\frac{1}{2}$ " iron rod found at 559.13 feet, and continuing on the same course another 30.00 feet for a total distance of **589.13 feet** to a point in Wonderful Road, being for the most easterly corner of this tract, and from which another  $\frac{1}{2}$ " iron rod found bears **S 40 deg. 20' 12" E** 19.89 feet.

**THENCE**, with the interior of Wonderful Road, **S 49 deg. 07' 00" W 549.62 feet** to a point at the most easterly corner of that certain (5.23 acre) tract of land conveyed to Doyle D. Hall and Shellie L. Hall in a deed as recorded in Volume 987 Page 403 of the Official Records of Fayette County, Texas, and being for the most southerly corner of this tract,

**THENCE**, leaving the interior of Wonderful Road, and with the common line between the Rhemann tract and the Hall tract, **N 45 deg. 08' 06" W**, passing a  $\frac{1}{2}$ " iron rod found at 30.08 feet, and continuing on the same course another 502.20 feet for a total distance of **532.28 feet** to a  $\frac{1}{2}$ " iron rod found at the base of a fence post in the southeasterly line of the Schweinle tract and being for the most westerly corner of this tract,

**THENCE**, with the fence along the common line between the Rhemann tract and the Schweinle tract **N 43 deg. 28' 21" E 592.90 feet** to the **PLACE OF BEGINNING**, in all containing **7.338 acres** of land.