

January 03 2019 3:25 PM

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Accepted for filing in Houston County, Texas
by Ferri Meadows, County Clerk

Matter No.: 076548-TX

Date: December 31, 2018

County where Real Property is Located: Houston

ORIGINAL MORTGAGOR: JERRY WAYNE CAIN, AN UNMARRIED MAN
ORIGINAL MORTGAGEE: VETERANS LAND BOARD OF THE STATE OF TEXAS
CURRENT MORTGAGEE: NexBank, SSB
MORTGAGE SERVICER: NexBank, SSB

DEED OF TRUST DATED 8/22/2013, RECORDING INFORMATION: Recorded on 8/22/2013, as Instrument No. 1303825

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): 12.064 ACRES OUT OF AND A PART OF THE ISAAC TABOR SURVEY, A-1038 AND THE R. R. RUSSELL SURVEY, A-867 IN HOUSTON COUNTY, TEXAS AND MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT "A"

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 2/5/2019, the foreclosure sale will be conducted in Houston County in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than 1:00 PM, or not later than three (3) hours after that time, by one of the Substitute Trustees who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness superior to the Deed of Trust.

NexBank, SSB is acting as the Mortgage Servicer for NexBank, SSB who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. NexBank, SSB, as Mortgage Servicer, is representing the Mortgagee, whose address is:

NexBank, SSB
1 Corporate Drive Suite 360,
Lake Zurich IL 60047

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 property securing the above referenced loan.



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.



By: _____ Substitute Trustee
SHERYL LAMONT, ROBERT LAMONT, HARRIETT
FLETCHER, DAVID SIMS, ALLAN JOHNSTON, SHARON
ST. PIERRE, RONNIE HUBBARD, PAUL A. HOEFKER,
ROBERT L. NEGRIN

Return to:

ALDRIDGE PITE, LLP
4375 JUTLAND DR., SUITE 200
P.O. BOX 17935
SAN DIEGO, CA 92177-0935
FAX #: 619-590-1385
866-931-0036

Exhibit A

12.064 acres out of and a part of the ISSAC TABOR SURVEY, A-1038 and the R. R. RUSSELL SURVEY, A-867, in Houston County, Texas, and being the same land described in a deed to Georgia Grantling recorded in Vol. 940, Page 456 of the Official Records of Houston County, which 12.064 acres more particularly described by metes and bounds as follows:

BEGINNING on a $\frac{1}{2}$ inch iron rod set for the West, North West corner of this tract and the North corner of the now or formerly Odell Cooper et al called 12.11 acres tract, recorded in Vol. 867, Page 430 of the Official Records of Houston County, and being on or near the South East line of the FERNANDO DEL VALLE SURVEY, A-88, and the North West line of the ISSAAC TABOR SURVEY, A-1038 and being in the South fence line of the now or formerly Willie Kitchen et ux called 53.03 acres tract, recorded in Doc. No. 068557, of the Official Records of Houston County, and also being on or near the North line of County Road No. 3095;

THENCE N 54 degrees 58 minutes 31 seconds E 301.36 feet to a $\frac{1}{2}$ inch iron rod set for corner, same being the North West corner of the now or formerly Elnetha Robbins et al called 12.11 acres tract, recorded in Doc. No. 080879 of the Official Records of Houston County, and being on or near the South East line of said FERNANDO DEL VALLE SURVEY A-88, and the North West line of said County Road No. 3095, and the South east line of the said called 53.03 acres tract;

THENCE S 36 degrees 20 minutes 06 seconds E 1740.26 feet to a found $\frac{1}{2}$ inch iron rod for corner, same being a South corner of the said now or formerly Elnetha Robbins et al called 12.11 acres tract and being in the North West line of the now or formerly Clarence Cooper called 12.11 acres tract, recorded in Vol. 565, Page 381 of the Houston County Deed Records;

THENCE S 52 degrees 53 minutes 32 seconds W 300.80 feet to a found $\frac{1}{2}$ inch iron rod for corner, same being an interior corner of the said now or formerly Clarence Cooper called 12.11 acres tract, recorded in Vol. 565, Page 381 of the Houston County Deed Records;

THENCE N 36 degrees 21 minutes 06 seconds W at 391.94 feet passing a North East Corner of the now or formerly said Clarence Cooper called 12.11 acres tract and the South East corner of the said now or formerly Odell Cooper at al called 12.11 acres tract, for a total distance of 1751.21 feet to the place of beginning and containing 12.064 acres of land more or less, of which 0.277 acre is in said County Road No. 3095.