

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

THE STATE OF TEXAS           §  
  §  
COUNTY OF LAMPASAS       §

WHEREAS, **BINION CREEK RESERVES, LLC** executed and delivered a certain *Deed of Trust, Assignment of Rents, Security Agreement and Fixture Filing* (the “Deed of Trust”) dated as of July 9, 2021, conveying to Brett F. Gunter, as Trustee, the real and personal property described in that Deed of Trust, which is recorded in the Official Public Records of Lampasas County, Texas, as follows:

<u>DATE RECORDED</u>	<u>RECORDING DETAIL</u>
July 21, 2021	Volume 403, Pages 720-753

WHEREAS, the undersigned has been appointed as a Substitute Trustee under this Deed of Trust; and

WHEREAS, the indebtedness secured by this Deed of Trust has matured (whether by acceleration or otherwise) and remains outstanding and delinquent, and **AGAMERICA EW1, LLC**, the owner and holder of the indebtedness secured by this Deed of Trust and the due and lawful Beneficiary thereunder (as successor in interest), has requested that the Substitute Trustees exercise the power to sell this Property (as defined below).

NOW, THEREFORE, notice is hereby given that at **12:00 p.m.** (or within three hours thereafter) on **Tuesday, April 4, 2023**, I will sell:

- the real property described on the attached Exhibit "A" (the "Real Property"), and
- the other property (whether real property, personal property, fixtures or otherwise)

which is (i) described in the Deed of Trust and (ii) located on, affixed to or otherwise appurtenant to that Real Property (collectively, the "Property").

The Property described above shall be sold to the highest bidder. The sale shall be conducted in accordance with the Deed of Trust and the Texas Property Code in the area designated by the Commissioners Court of Lampasas County, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted) at the date and time of the sale indicated herein above.

**AGAMERICA EW1, LLC**, the owner and holder of the indebtedness secured by the Deed of Trust, reserves the right to credit-bid at this sale. Except for any such credit-bid, the purchase price set forth in the final bid accepted by the Substitute Trustee is due and payable in cash (or cashier's checks) without delay upon acceptance of the bid.

In accordance with TEX. BUS. & COMM. CODE §22.004, the winning bidder at the foreclosure sale, other than the owner and holder of the indebtedness, shall provide the following information to the Substitute Trustee at the time the Substitute Trustee completes the sale:

- (1) the name, address, telephone number, and e-mail address of the bidder and of each individual tendering or who will tender the sale price for the winning bid;
- (2) if the bidder is acting on behalf of another individual or organization, the name, address, telephone number, and e-mail address of the individual or organization and the name of a contact person for the organization;
- (3) the name and address of any person to be identified as the grantee in the Trustee's Deed;
- (4) the purchaser's tax identification number;
- (5) a government-issued photo identification to confirm the identity

- of each individual tendering funds for the winning bid; and
- (6) any other information reasonably needed to complete the Substitute Trustee's duties and functions concerning the sale.

**Notice. 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.**

EXECUTED this 14<sup>th</sup> day of March, 2023



Substitute Trustee

Angela Zavala Richard Zavala, Jr., Sharlet  
Watts, Michelle Jones, David Garvin and  
Richard H. Hester  
Attn: Thomas C. Scannell, Esq.  
Foley & Lardner, LLP  
2021 McKinney Avenue, Suite 1600  
Dallas, TX 75201  
214-999-3000  
[tscannell@foley.com](mailto:tscannell@foley.com)

## Exhibit A

### TRACT ONE:

953.493 acres of land, more or less, situated in Lampasas County, Texas. Tracts One and Two being located about 3.9 miles Northeast of the town of Kempner, Texas, and Tract Three being located about 2-1/2 miles North-Northeast of Kempner, Texas. Said 953.493 acres being more fully described by metes and bounds as follows:

### TRACT ONE:

226 acres of land, more or less, out of the G.C. & S.F.R.R. Co., Survey No. 27, Abstract No. 990, about 84.7 acres out of the C. T. Clayton Survey, Abstract No. 975, about 51 acres out of the R. C. Fudge Survey, Abstract No. 1620, about 41 acres out of the C. N. Witcher Survey, Abstract No. 733, and about 32 acres out of the J. C. Rasbury Survey, Abstract 579, and being out of and a part of a 1,100 acre tract of land described in deed from C. W. Patterson, et ux, to Louis F. Dewald, et al, recorded in Volume 147, Page 145, Deed Records of Lampasas County, Texas.

BEGINNING at the Southeast corner of the C. N. Witcher Survey which is also the Southeast corner of a 19.7 acre tract of land described in deed from Sylvester Lewis to Martin V. Etheridge recorded in Volume 130, Page 484, Deed Records of Lampasas County, Texas;

THENCE with fence N 62°56' E 145.1 varas and N 71°47' E 960 varas to fence corner for the Southeast corner of this tract from which the West-Southwest corner of a 27 acre tract of land described in Deed from Mrs. Lula Fudge to M. V. Etheridge bears N 71°47' E 171.7 varas;

THENCE with fence N 03°51' W 330.4 varas to fence corner;

THENCE with fence N 76°48' E 192.6 varas to fence corner;

THENCE with fence N 04°47' W 1,390.3 varas to fence corner on the South line of the H. T. and B. Ry. Co. Survey No. 5;

THENCE with fence S 72°02' W 405 varas to fence corner for the Southwest corner of said Survey No. 5;

THENCE with fence S 23°23' W 238.4 varas and S 68°14' W 964.3 varas to fence corner on the East line of the J. C. Rasbury Survey;

THENCE with fence on the East line of the J.C. Rasbury Survey S 17°21' E 262.3 varas to fence corner;

THENCE with fence S 78°51' W 657.4 varas to fence corner for the Northeast corner of a 13.7 acre tract of land described in deed from Martin V. Etheridge to Sylvester Lewis recorded in Volume 130, Page 485, Deed Records of Lampasas County, Texas;

THENCE with fence on the East line of said 13.7 acre tract S 14°20' E 309.6 varas to fence corner on the North side of a branch;

THENCE with fence on the North side of said branch N 89°22' E 157.9 varas and S 80°40' E 76.4 varas to fence corner;

THENCE with fence on the West side of Binion Creek S 10°16' W 67.4 varas and S 03°42' W 65.7 varas to fence corner;

THENCE crossing Binion Creek S 86°55' E 67.8 varas to fence corner on the South side of another branch;

THENCE with fence on the South side of said branch; S 85°19' E 132.4 varas; S 66°03' E 32.3 varas; S 15°55' E 110.3 varas, and S 89° 05' E 98.9 varas to fence corner on the West line of the 13.7 acre tract of land described in deed from Sylvester Lewis to Martin V. Etheridge;

THENCE with the West line of said 13.7 acre tract S 05°10'W 550.8 varas to its Southwest corner;

THENCE with fence on the South line of said 13.7 acre tract N 76°12' E 57.3 varas and N 70°51' E 204.4 varas to the BEGINNING, containing 434.7 acres of land, more or less.

TRACT TWO:

389.8 acres, more or less, the same being all of the tract described as THIRD TRACT and a part of the tract described as FIRST TRACT in the deed from C. W. Patterson, et ux, to Louis F. Dewald, et al recorded in Volume 147, Page 145, et seq. of the Deed Records of Lampasas County, Texas, this 389.8 acre tract, more or less, being comprised of about 14 acres out of the R. C. Fudge 52.7 acre Survey, Abstract No. 1292, about 250 acres of the H.T. & B. Ry. Co. Survey No. 6, Abstract No. 1555, about 11 acres of the R. C. Fudge Survey, Abstract No. 1620, about 45.8 acres out of the G.C. & S.F.R.R. Co., Survey No. 27, Abstract No. 990, and about 69 acres of the H.T. & B. Ry. Co. Survey No. 6, Abstract No. 1555, Patent No. 319, Volume 31.

BEGINNING 405 varas N 72°02' E from the Southwest corner of the H.T.&B. Ry. Co. Survey No. 5, at a fence corner; the Northeast corner of a 434.7 acre tract of land;

THENCE N 71° E 947 varas to the Northeast corner of the West 1/2 of H.T.& B. Ry. Co. Survey No. 6;

THENCE S 19° E 945 varas to the Southwest corner of the Northeast 1/4 of said Survey No. 6;

THENCE N 71° E 574 varas to corner on the South line of the Northeast 1/4 of said Survey No. 6;

THENCE S 19-1/2" E 739 varas to fence corner;

THENCE S 83-1/2" W 1,588 varas to fence corner, the Northeast corner of a 27 acre tract of land;

THENCE with the East line of said 27 acre tract S 19°E, 1,100 varas to its Southeast corner on the North line of the Kempner Cemetery Road;

THENCE with the South line of said 27 acre tract, S 71°W 46.8 varas to its most southerly Southwest corner;

THENCE with a West line of said 27 acre tract N 19°W 798 varas to fence corner;

THENCE S 71°W at 379 varas pass a Southwest corner of said 27 acre tract, 550.5 varas to fence corner, the Southeast corner of said 434.7 acre tract of land;

THENCE with fence on the East line of said 434.7 acre tract: N 03°51' W 330.4 varas; N 76° 48' E 192.6 varas; and N 04°47' W 1,390.3 varas to the place of BEGINNING, containing 389.8 acres of land, more or less.

TRACT THREE:

128.993 acres of land being part of the G. C. & S.F. R.R. Survey No. 27, Abstract No. 990, and being part of that certain 320.02 acre tract described in a Substitute Trustees Deed, being of record in Volume 265, Page 276, Deed Records of Lampasas County, Texas.

BEGINNING at an iron rod found in the north line of said 320.02 acre tract that bears S71°28'54" W, 4141.63 feet from the northeast corner of said 320.02 acre tract for the northeast corner of this.

THENCE S 19°59'06" E, 1,853.00 feet to an iron rod in the north line of Taylor's Valley, Section One, for the southeast corner of this.

THENCE with the north line of Taylor's Valley, Section One as follows:

S 66° 04' 17" W, 209.44 feet to an iron rod;  
S 28° 45' 30" W, 12.28 feet to an iron rod;  
S 69° 14' 32" W, 1,366.68 feet to an iron rod;  
S 48° 27' 22" W, 605.05 feet to a corner fence post and  
S 19° 17' 59" E, 682.94 feet to a survey marker found in the north margin of County Road No. 24 for a corner of this.

THENCE with said north margin, as follows:

S 70° 42' 01" W, 957.56 feet to a 14' hackberry tree;  
S 77° 50' 28" W, 58.98 feet to a twin 20' live oak;  
N 81° 55' 27" W, 119.75 feet to a twin 22' live oak and  
N 70° 41' 18" W, 58.27 feet to the approximate centerline of Binion Creek.

THENCE with said centerline as follows:

N 06° 16' 34" W, 158.90 feet; N 22° 30' 40" W, 208.26 feet;  
N 00° 39' 16" E, 147.40 feet; N 16° 58' 23" E, 205.35 feet;  
N 04° 58' 12" W, 312.85 feet; N 17° 14' 18" E, 86.34 feet;  
N 26° 58' 54" E, 164.33 feet; N 10° 55' 37" E, 105.31 feet;  
N 07° 33' 24" W, 358.24 feet; N 13° 06' 21" E, 227.49 feet;  
N 34° 57' 48" E, 158.68 feet; N 39° 55' 28" E, 137.70 feet; and  
N 32° 24' 58" E, 120.75 feet.

THENCE N 55°08' 07" W, 15.11 feet to an iron rod found on the west bank of Binion Creek for a corner of this.

THENCE with said west bank as follows:

N 29° 37' 08" E, 190.91 feet to an iron rod found;  
N 38° 12' 41" E, 201.24 feet to an iron rod found;  
N 18° 48' 56" E, 277.67 feet to an iron rod found;  
N 08° 53' 32" E, 208.10 feet to an iron rod found being the northwest corner of said 320.02 acre tract for the northwest corner of this.

THENCE with the north line of said 320.02 acre tract as follows:

N 70° 22' 06" E, 504.10 feet to an iron rod found;  
N 87° 42' 33" E, 11.40 feet to an iron rod found;

N 75° 06' 02" E, 148.17 feet to an iron rod found;  
N 70° 08' 30" E, 569.41 feet to an iron rod found;  
N 62° 18' 12" E, 400.61 feet to an iron rod found and  
N 69° 13' 29" E, 53.76 feet to the place of BEGINNING containing 128.993 acres of  
land.

Being 0.23 acres of the C.H. Casper Survey, Abst. No. 156 in Lampasas County, Texas, and being part of a 128.993 acre tract of land described as Tract Three in a deed from Farm Credit Bank of Texas to Gregory G. Hall, et ux, dated June 17, 1992, as recorded in Vol. 293, Page 649 of the Deed Records of Lampasas County, Texas; said 0.23 acres being more particularly described as follows;

**BEGINNING** at a 1/2 inch iron pin found at a fence corner for an inner ell corner of said 128.993 acre tract, called to be the southeast corner of the C. Witcher Survey, Abst. No. 733;

**THENCE** South 65° 02' 55" West, 464.61 feet to a 1/2 inch iron pin set on the east high bank of Binlon Creek;

**THENCE** South 74° 12' 10" West, 59.02 feet to a point on the west bank of Binlon Creek, being the northeast corner of a 4.40 acre tract this date surveyed, being on the west line of said 128.993 acre tract and the east line of a 97.594 acre tract of land described in a deed from Edson Hart, et ux, to John T. Coats, et ux, dated July 21, 1988, as recorded in Vol. 284, Page 306 of said deed records, from whence a 1/2 inch iron pin set bears South 74° 12' 10" West, 188.85 feet;

**THENCE** North 07° 50' 50" East, with the west line of said 128.993 acre tract and the east line of said 97.594 acre tract, 35.70 feet to a 1/2 inch iron pin found on the west bank of said Binlon Creek for a northwest corner of said 128.993 acre tract and the northeast corner of said 97.594 acre tract;

**THENCE** North 69° 31' 20" East, with a north line of said 128.993 acre tract, 505.08 feet to the PLACE OF BEGINNING, as surveyed on the ground on September 26, 1997, by MAPLES & ASSOCIATES, INC., and as shown on an accompanying plat of even survey date herewith.



Being 2.65 acres of the C.H. Casper Survey, Abst. No. 156 in Lampasas County, Texas, and being part of a 128.993 acre tract of land described as Tract Three in a deed from Farm Credit Bank of Texas to Gregory G. Hall, et ux, dated June 17, 1982, as recorded in Vol. 293, Page 649 of the Deed Records of Lampasas County, Texas; said 2.65 acres being more particularly described as follows;

BEGINNING at a 1/2 inch iron pin set in a fence on the north line of County Road 24, being on the occupied south line of said 128.993 acre tract, from whence a survey marker found for the westernmost southeast corner of said 128.993 acre tract, being the southwest corner of Taylor's Valley, Section One, a subdivision recorded in Plat Cabinet 1, Slides 214 - 215 of the Plat Records of Lampasas County, Texas, brs. South 84° 17' 30" East, 65.49 feet, North 70° 15' 30" East, 52.55 feet, and North 70° 02' 35" East, 963.63 feet;

THENCE North 76° 34' 00" West, with the south line of said 128.993 acre tract, at 54.60 feet passing a 80d nail set in the base of a twin Pecan, continuing a total distance of 105.21 feet to a point in the approximate centerline of Binlon Creek for the southwest corner of said 128.993 acre tract, being on the east line of a 49.862 acre tract of land described in a deed to John T. Coats, et ux, as recorded in Vol. 298, Page 76 of said deed records;

THENCE up the approximate centerline of said Binlon Creek, being the west line of said 128.993 acre tract and the east lines of said 49.862 acre tract and a 97.594 acre tract of land described in a deed to John T. Coats, et ux, as recorded in Vol. 284, Page 308 of said deed records, as follows;

North 07° 32' 50" West, 120.50 feet;  
North 21° 18' 00" West, 270.64 feet;  
North 00° 22' 00" West, 97.28 feet;  
North 15° 00' 20" East, 237.10 feet;  
North 10° 52' 10" West, 189.25 feet;  
North 00° 55' 20" West, 138.55 feet;  
North 18° 54' 40" East, 172.17 feet to a point for the north corner hereof and the south corner of a 4.40 acre tract of land this date surveyed, from whence a 1/2 inch iron pin set brs. North 58° 54' 25" West, 32.00 feet;

THENCE South 58° 54' 25" East, 78.08 feet to a 1/2 inch iron pin set;

THENCE South 03° 06' 25" West, 662.24 feet to a 1/2 inch iron pin set;

THENCE South 11° 57' 50" East, 498.29 feet to the PLACE OF BEGINNING, as surveyed on the ground on September 26, 1987, by MAPLES & ASSOCIATES, INC., and as shown on an accompanying plat of even survey date herewith.

**TRACT TWO:**

BEING 70.00 acres comprised of 32.87 acres of G.R. Fudge Survey, Abst. No. 1555, and 37.13 acres of the R.C. Fudge Survey, Abst. No. 1292; and being part of a 240.80 acre tract of land described in a deed from J.D. Groves, et al to Janice Groves Garner, as recorded in Vol. 312, Page 118 of the Deed Records of Lampasas County, Texas; said 70.00 acres being more particularly described as follows:

BEGINNING at a 1/2 inch iron pin found at a fence corner for the northwest corner of said 240.80 acre tract, and being an inner ell corner of a 389.8 acre tract of land described as Tract Two in a deed to Gregory G. Hall, et ux, as recorded in Vol. 293, Page 649 of said deed records;

THENCE North 83°29'45" East, with the north line of said 240.80 acre tract and a south line of said 389.8 acre tract, and along the general course of a fence, 1057.92 feet to a 1/2 inch iron pin set;

THENCE South 19° 40' 20" East, 2849.21 feet to a 1/2 inch iron pin set in a fence on the north margin of Lampasas County Road 24 and the south line of said 240.80 acre tract;

THENCE South 71°24'00" West, with the north line of said county road as fenced, 1030.29 feet to a 1/2 inch iron pin found at a fence corner for the southwest corner of said 240.80 acre tract and the southeast corner of said 389.8 acre tract;

THENCE North 19° 40' 20" West, with the west line of said 240.80 acre tract and the east line of said 389.8 acre tract, 3070.94 feet to the PLACE OF BEGINNING, as surveyed on the ground on September 1, 1995, by MAPLES & ASSOCIATES.

TRACT THREE:

Being 4.40 acres of the C.H. Casper Survey, Abst. No. 156 in Lampasas County, Texas, and being a part of a 97.594 acre tract of land described in a deed from Edison Hart, et ux, to John T. Coats, et ux, dated July 21, 1988, as recorded in Vol. 264, Page 308 of the Deed Records of Lampasas County, Texas; said 4.40 acres being more particularly described as follows:

BEGINNING at a point on the west bank of Binion Creek, being on the east line of said 97.594 acre tract being on the west line of a 128.993 acre tract of land described as Tract Three in a deed from Farm Credit Bank of Texas to Gregory G. Hall, et ux, dated June 17, 1992, as recorded in Vol. 293, Page 649 of said deed records, from whence a 1/2 inch iron pin found for a northeast corner of said 97.594 acre tract and a northwest corner of said 128.993 acre tract brs. N 07°50'50" East 35.70 feet and from said 1/2 inch iron pin found another 1/2 inch iron pin found for an inner ell corner of said 128.993 acre tract, called to be the southeast corner of The C. Witcher Survey, Abst. No. 733, brs. North 69° 31' 20" East, 505.08 feet;

THENCE down the west bank of Binion Creek, with the east line of said 97.594 acre tract and the west line of said 128.993 acre tract as follows:

South 07° 50' 50" West, 172.39 feet to a 1/2 inch iron pin found;  
South 17° 53' 10" West, 277.80 feet to a 1/2 inch iron pin found;  
South 37° 18' 00" West, 201.31 feet to a 1/2 inch iron pin found;  
South 28° 51' 00" West, 191.44 feet to a 1/2 inch iron pin found;

THENCE South 59° 43' 00" East, 13.81 feet to a point in the approximate centerline of said Binion Creek.

THENCE down the approximate centerline of said Binion Creek, with the east line of said 97.594 acre tract and the west line of said 128.993 acre tract as follows;

South 30° 17' 00" West, 159.69 feet;  
South 39° 13' 40" West, 217.46 feet;  
South 19° 13' 40" West, 169.11 feet;  
South 02° 40' 50" West, 225.23 feet;  
South 58° 09' 20" East, 21.65 feet;  
South 12° 12' 00" East, 28.23 feet;  
South 07° 43' 10" East, 206.31 feet;  
South 14° 04' 00" West, 96.19 feet;  
South 27° 47' 00" West, 78.11 feet to a point for its south corner hereof and the north corner of a 2.65 acre tract this date surveyed from whence a 1/2 inch iron pin set brs. South 58° 54' 25" East, 78.09 feet;

THENCE North 58° 54' 25" West, 32.00 feet to a 1/2 inch iron pin set;  
THENCE North 15° 16' 30" West, 135.03 feet to a 1/2 inch iron pin set;  
THENCE North 01° 30' 50" West, 364.02 feet to a 1/2 inch iron pin set;  
THENCE North 08° 31' 30" East, 219.52 feet to a 1/2 inch iron pin set;  
THENCE North 29° 52' 20" East, 981.62 feet to a 1/2 inch iron pin set;  
THENCE North 01° 54' 10" West, 242.01 feet to a 1/2 inch iron pin set;  
THENCE North 74° 12' 10" East, 168.85 feet to the PLACE OF BEGINNING, as surveyed on the ground on September 26, 1997, by MAPLES & ASSOCIATES, INC.

RETURN TO  
*Longhorn Title Co., Inc.*

187697  
FILED FOR RECORD

11:00 AM  
JUL 21 2021

CONNIE HARTMANN, COUNTY CLERK  
LAMPASAS COUNTY, TEXAS

*Aj P. Demme* DEPUTY

FILED

14 day of March 20 23

Dianne Miller  
COUNTY CLERK, LAMPASAS COUNTY, TEXAS  
BY *Jane P. Demme* DEPUTY

Carrington Foreclosure Services, LLC  
P.O. Box 3309  
Anaheim, California 92803  
For Sale Information: (888) 313-1969  
For Reinstatement Requests: 1-866-874-5860  
Pay Off Requests: 1-800-561-4567  
TS#: 21-25885

## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

**WHEREAS**, on 8/29/2005, Michael A. Quintana and spouse, Christina M. Quintana, as Grantor/Borrower, executed and delivered that certain Deed of Trust, in favor of David W. Mann, as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS BENEFICIARY, AS NOMINEE FOR First Preference Mortgage Corp., as Beneficiary which deed of trust secures the payment of that certain promissory note of even date therewith in the original amount of \$111,088.00, payable to the order of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS BENEFICIARY, AS NOMINEE FOR First Preference Mortgage Corp., which Deed of Trust is Recorded on 9/2/2005 as Volume 119447, Book , Page , in Lampasas County, Texas, Deed of Trust covers all of the real property, personal property, and fixtures described therein, including , but not limited to, all the following described property, rights and interests (the "Property"), to-wit;

**Being Lot Four (4), Block One (1), Peaceful Oaks, Phase Two, Lampasas County, Texas, as per plat of record in Cabinet 1, Slide 340, Plat Records, Lampasas County, Texas.**

Commonly known as: **191 COUNTY ROAD 4703 KEMPNER, TX 76539**

**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 **Michelle Jones, Angela Zavala,, Dustin George** 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 Carrington Mortgage Services, LLC whose address is 1600 Douglass Road, Suite 200 A, Anaheim, CA 92806 is acting as the mortgage servicer for **BANK OF AMERICA, N.A.**, which is the mortgagee of the Note and Deed of Trust or mortgage and 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. Carrington Mortgage Services, LLC is authorized to represent the mortgagee by virtue of a written servicing agreement with the mortgagee. Pursuant to that agreement and Texas Property Code Section 51.0025, Carrington Mortgage Services, LLC is authorized to administer the foreclosure referenced herein.

**NOW, THEREFORE, NOTICE IS HEREBY GIVEN**, that on **4/4/2023 at 12:00 PM**, or no later than three (3) hours after such time, in **Lampasas County, Texas**, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place 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: **The West entrance to the Courthouse**

**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, conveyance of the Property shall be made without any representations or warranties whatsoever, express or implied.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.



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If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's Attorney.

**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.**

**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.**

WITNESS, my hand this 1/31/2023

WITNESS, my hand this 2/3/2023

*Monica Sandoval*

By: Monica Sandoval, Trustee Sale Specialist,  
Team Lead  
Carrington Foreclosure Services, LLC as  
authorized agent for Mortgagee or Mortgage  
Servicer  
1600 South Douglass Road, Suite 140  
Anaheim, CA 92806

*Angela Zavala*

By: Substitute Trustee(s)  
Michelle Jones, Angela Zavala,  
C/O Carrington Foreclosure Services, LLC  
1600 South Douglass Road, Suite 140  
Anaheim, CA 92806

FILED  
3rd day of February 20 23  
Dianne Miller  
COUNTY CLERK, LAMPASAS COUNTY, TEXAS  
BY [Signature] DEPUTY

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

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.

1. **Date, Time, and Place of Sale.**

Date: April 04, 2023

Time: The sale will begin at 12:00 PM or not later than three hours after that time.

Place: WEST ENTRANCE DOOR TO THE LAMPASAS COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated January 07, 2011 and recorded in Document VOLUME 267, PAGE 671 real property records of LAMPASAS County, Texas, with BRIAN D. KOGER, A MARRIED MAN, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by BRIAN D. KOGER, A MARRIED MAN, securing the payment of the indebtednesses in the original principal amount of \$55,457.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WELLS FARGO BANK, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

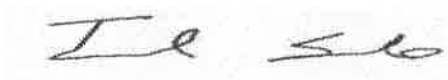
6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. WELLS FARGO BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o WELLS FARGO BANK, N.A.  
3476 STATEVIEW BLVD  
FORT MILL, SC 29715



**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.**

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead KRISTOPHER HOLUB, AARTI PATEL, AMY ORTIZ, DYLAN RUIZ, VIOLET NUNEZ, BEATRIZ SANCHEZ, EDWARD LUBY, NANCY PARKER, ROBERTA AVERY-HAMILTON, CARY CORENBLUM, JOSHUA SANDERS, ALEENA LITTON, MATTHEW HANSEN, AUCTION.COM, SARA EDGINGTON, THOMAS GILBRAITH, AUCTION.COM, JOHN LATHAM, JOHN W. LATHAM, BRETT ADAMS, TOBEY LATHAM, OR MICHAEL LATHAM whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust: and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Israel Saucedo



Certificate of Posting

My name is \_\_\_\_\_, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the LAMPASAS County Clerk and caused to be posted at the LAMPASAS County courthouse this notice of sale.

\_\_\_\_\_

Declarants Name: \_\_\_\_\_

Date: \_\_\_\_\_



**EXHIBIT "A"**

FIELD NOTES FOR A 1.252 ACRE TRACT OF LAND IN LAMPASAS COUNTY, TEXAS, PART OF THE L. H. W. JOHNSON 1/3 LEAGUE SURVEY, ABSTRACT NO. 419, ALSO BEING PART OF OUTLOT 2 OF THE L. H. W. JOHNSON SUBDIVISION TO THE CITY OF LAMPASAS, TEXAS, OF RECORD IN CABINET 1, SLIDE 35, PLAT RECORDS OF LAMPASAS COUNTY, TEXAS, AND THE LAND HEREIN DESCRIBED BEING PART OF A CALLED 1.946 ACRE TRACT CONVEYED TO MILDRED RUTH TAYLOR, BEING OF RECORD IN VOLUME 330, PAGE 556, DEED RECORDS OF LAMPASAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP, SET ON THE WEST RIGHT-OF-WAY LINE OF STEELE STREET AND THE EAST LINE OF SAID OUTLOT 2 FOR THE NORTH CORNER OF THIS TRACT, WHENCE A CROSS TIE CORNER POST AT THE NORTHEAST CORNER OF OUTLOT 1 BEARS N. 43DEG 52' 09" E., 67.15 FEET AND N. 19DEG 27' 23" W., 122.65 FEET AND N. 70DEG 39' 33" E., 733.64 FEET;

THENCE S. 19DEG 27' 23" E.. 472.37 FEET, WITH THE WEST RIGHT-OF-WAY LINE OF SAID STEELE STREET AND THE EAST LINE OF SAID OUTLOT 2, TO A 1/2" IRON ROD WITH CAP, SET ON THE NORTHEAST RIGHT-OF-WAY LINE OF E. M. HIGHWAY 580 (NIX ROAD) ON THE SOUTHWEST LINE OF SAID 1.946 ACRE TRACT, FOR THE SOUTH CORNER OF THIS TRACT:

THENCE WITH THE SOUTH LINE OF SAID 1.946 ACRE TRACT AND THE NORTH RIGHT-OF-WAY OF SAID F.M. 580, THE FOLLOWING THREE (3) CALLS:

1. N.55DEG 12' 45" W., 93.13 FEET, TO A 3/8" IRON ROD FOUND FOR AN ANGLE CORNER OF THIS TRACT;
2. N. 51DEG 13' 26" W., 190.74 FEET, TO A 3/8" IRON ROD FOUND FOR AN ANGLE CORNER OF THIS TRACT;
3. N. 47DEG 44' 59" W., 140.19 FEET, TO A 3/8" IRON ROD, FOUND AT THE WEST CORNER OF SAID 1.946 ACRE TRACT, BEING THE SOUTH CORNER OF A CALLED 1.800 ACRE TRACT OF LAND DESCRIBED IN A DEED TO BARNEY T. DOBBS AND WIFE, BARBARA S. DOBBS, BEING OF RECORD IN VOLUME 187, PAGE 83, DEED RECORDS OF LAMPASAS COUNTY, TEXAS, FOR THE WEST CORNER OF THIS TRACT:

THENCE N. 43DEG 52' 09" E.. 247.65 FEET, WITH THE NORTHWEST LINE OF SAID 1.946 ACRE TRACT AND THE SOUTHEAST LINE OF SAID 1.800 ACRE TRACT, TO THE POINT OF BEGINNING CONTAINING 1.252 ACRES OF LAND.

THE BEARINGS FOR THE ABOVE DESCRIPTION ARE BASED ON A PORTION OF THE SOUTHWEST LINE OF SAID 1.946 ACRE TRACT PER ABOVE REFERENCED DEED. BEARING BEING N. 51DEG 13' 26" W.

19 FILED  
 day of January 20 23  
 Dianne Miller  
 COUNTY CLERK, LAMPASAS COUNTY, TEXAS  
 BY Joann Redman DEPUTY