

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, June 6, 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)

**FILED**  
16 day of May 2023  
Dianne Miller  
COUNTY CLERK, LAMPASAS COUNTY, TEXAS  
BY Lawrence Rodman DEPUTY

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 16<sup>th</sup> day of May, 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 13.7 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 Volumes 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 S 71° 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. 158 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 85° 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 Edison Hart, et ux, to John T. Coats, et ux, dated July 21, 1988, as recorded in Vol. 284, Page 308 of said deed records, from whence a 1/2 inch iron pin set brs. 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 89° 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 2.85 acres of the C.H. Casper Survey, Abst. No. 158 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. 263, Page 649 of the Deed Records of Lampasas County, Texas; said 2.85 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, Sides 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 60d 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 75 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. 264, 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, 78.09 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, 499.29 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.

**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 ½ 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 ½ inch iron pin found another ½ 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 ½ inch iron pin found;  
South 17° 53' 10" West, 277.80 feet to a ½ inch iron pin found;  
South 37° 18' 00" West, 201.31 feet to a ½ inch iron pin found;  
South 28° 51' 00" West, 191.44 feet to a ½ 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, 95.19 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 ½ inch iron pin set brs. South 58° 54' 25" East, 78.09 feet;

**THENCE** North 58° 54' 25" West, 32.00 feet to a ½ inch iron pin set;  
**THENCE** North 15° 16' 30" West, 135.03 feet to a ½ inch iron pin set;  
**THENCE** North 01° 30' 50" West, 364.02 feet to a ½ inch iron pin set;  
**THENCE** North 08° 31' 30" East, 219.52 feet to a ½ inch iron pin set;  
**THENCE** North 29° 52' 20" East, 981.62 feet to a ½ inch iron pin set;  
**THENCE** North 01° 54' 10" West, 242.01 feet to a ½ 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

*ajp domini* DEPUTY

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

LAMPASAS County

Deed of Trust Dated: November 7, 2008

Amount: \$120,000.00

Grantor(s): DANNA SEALE

Original Mortgagee: ARK-LA-TEX FINANCIAL SERVICES LLC, A TEXAS LLC

Current Mortgagee: PNC BANK, NATIONAL ASSOCIATION

Mortgagee Servicer and Address: c/o PNC BANK, NATIONAL ASSOCIATION, 3232 Newmark Drive, Miamisburg, OH 45342

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

Recording Information: Document No. 135459

Legal Description: BEING LOT TWO (2), BLOCK ONE (1), JOE MCLEAN ADDITION #1, ACCORDING TO THE PLAT IN CABINET 1, SLIDES 89-91, PLAT RECORDS, LAMPASAS COUNTY, TEXAS

Whereas, an Order to Proceed with Expedited Foreclosure under the Texas Rule Civil Procedure 736 was entered on September 13, 2019 under Cause No. 21373 in the 27th Judicial District Court of LAMPASAS County, Texas

Date of Sale: June 6, 2023 between the hours of 12:00 PM and 3:00 PM.

Earliest Time Sale Will Begin: 12:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the LAMPASAS 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.

KRISTOPHER HOLUB OR ANGELA ZAVALA, RICHARD ZAVALA, JR, SHARLET WATTS, MICHELLE JONES, JUANITA COX, JIMMY CARROLL BREWER, DYLAN RUIZ, VIOLET NUNEZ, CARY CORENBLUM, JOSHUA SANDERS, ALEENA LITTON, MATTHEW HANSEN, THOMAS GILBRAITH, AARTI PATEL, AMY ORTIZ OR STEPHEN RAWLINGS 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.

Anthony Adam Garcia, ATTORNEY AT LAW  
HUGHES, WATERS & ASKANASE, L.L.P.  
1201 Louisiana, SUITE 2800  
Houston, Texas 77002  
Reference: 2019-002059

Printed Name

Angela Zavala

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

FILED

11 day of May 2023  
Dianne Miller  
COUNTY CLERK, LAMPASAS COUNTY, TEXAS  
BY [Signature] DEPUTY

## Notice of Substitute Trustee Sale

T.S. #: 18-1903

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.

**Date, Time, and Place of Sale** - The sale is scheduled to be held at the following date, time and place:

Date: 6/6/2023  
Time: The sale will begin no earlier than 12:00 PM or no later than three hours thereafter.  
The sale will be completed by no later than 3:00 PM  
Place: Lampasas County Courthouse in KEMPNER, Texas, at the following location:  
Lampasas County Courthouse, 501 E. 4th Street, Lampasas, TX 76550  
OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT,  
PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

**Property To Be Sold** - The property to be sold is described as follows:

Being Lot Seven (7), Block Three (3), Bil-Mar Estates, 1st Extension, a Subdivision in Lampasas County, Texas, according to the Plat Records in Cabinet 1, Slide 93, Plat Records, Lampasas County, Texas.

**Instrument to be Foreclosed** – The instrument to be foreclosed is the Deed of Trust is dated 2/10/2017 and is recorded in the office of the County Clerk of Lampasas County, Texas, under County Clerk's File No 166609, recorded on 2/28/2017, of the Real Property Records of Lampasas County, Texas.

Property Address: 232 COUNTY ROAD 4933 KEMPNER, TX 76539

Trustor(s):	<b>GILBERT HERRERA</b>	Original Beneficiary:	<b>MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR AMCAP MORTGAGE LTD, DBA GOLD FINANCIAL SERVICES, ITS SUCCESSORS AND ASSIGNS</b>
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Current Beneficiary:	<b>U.S. Bank National Association not in its individual capacity but solely as Legal Title Trustee for RMTP Trust, Series 2021 BKM-TT-V</b>	Loan Servicer:	<b>Rushmore Loan Management Services, LLC</b>
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Current Substituted Trustees:	<b>Auction.com, Michelle Jones, Angela Zavala, Richard Zavala, Jr., Sharlet Watts, Rick Snoke, Prestige Default Services, LLC</b>
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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.

**Terms of Sale** - The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale. Prospective bidders are strongly urged to

T.S. #: 18-1903

examine the applicable property records to determine the nature and extent of such matters, if any. Pursuant to the Deed of Trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part 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 express or implied warranties, except as to the warranties of title (if any) provided for under the deed of trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property. Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

**Type of sale** - The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of the sale granted by the deed of trust executed by GILBERT HERRERA, JOINED HEREIN PRO FORMA BY HIS WIFE, CANDICE ANDERSON. The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

**Obligations Secured** - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (1) the promissory note in the original principal amount of \$169,696.00, executed by GILBERT HERRERA, JOINED HEREIN PRO FORMA BY HIS WIFE, CANDICE ANDERSON, and payable to the order of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR AMCAP MORTGAGE LTD. DBA GOLD FINANCIAL SERVICES, ITS SUCCESSORS AND ASSIGNS; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of GILBERT HERRERA, JOINED HEREIN PRO FORMA BY HIS WIFE, CANDICE ANDERSON to GILBERT HERRERA. U.S. Bank National Association not in its individual capacity but solely as Legal Title Trustee for RMTP Trust, Series 2021 BKM-TT-V is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Questions concerning the sale may be directed to the undersigned or to the beneficiary:  
U.S. Bank National Association not in its individual capacity but solely as Legal Title Trustee for RMTP Trust, Series 2021 BKM-TT-V  
c/o Rushmore Loan Management Services, LLC  
15480 Laguna Canyon Road Suite 100  
Irvine, CA 92618  
(949) 341-0777

APR 20 2023

Dated: \_\_\_\_\_

Auction.com, Michelle Jones, Angela Zavala, Richard Zavala, Jr., Sharlet Watts,  
Rick Snook, Prestige Default Services, LLC,

*Angela Zavala*

Prestige Default Services, LLC  
16801 Addison Road, Suite 350  
Addison, Texas 75001  
Phone: (972) 893-3096 ext. 1035  
Fax: (949) 427-2732  
Sale Line Information: (800) 793-6107  
Website: www.auction.com

T.S. #: 18-1903

AFTER RECORDING, PLEASE RETURN TO:  
Prestige Default Services, LLC  
16801 Addison Road, Suite 350  
Addison, Texas 75001  
Attn: Trustee Department

**FILED**  
20 day of April 2023  
Dianne Miller  
COUNTY CLERK, LAMPASAS COUNTY, TEXAS  
BY Janet Holman DEPUTY

22-057983

**Notice of Substitute Trustee's Sale**

Notice Concerning Military Duty: **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. Tex. Prop. Code § 51.002(i)**

<b>Deed of Trust Date:</b> September 19, 2019	<b>Original Mortgagor/Grantor:</b> JOHNNY LANDRUM AND IRMA LANDRUM
<b>Original Beneficiary / Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR LAKEVIEW LOAN SERVICING LLC., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> LAKEVIEW LOAN SERVICING, LLC
<b>Recorded in:</b> <b>Volume:</b> N/A <b>Page:</b> N/A <b>Instrument No:</b> 178697	<b>Property County:</b> LAMPASAS
<b>Mortgage Servicer:</b> Nationstar Mortgage LLC d/b/a/ Mr. Cooper	<b>Mortgage Servicer's Address:</b> 8950 Cypress Waters Blvd, Coppell, TX 75019

\* 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.

**Secures:**Note in the original principal amount of \$277,189.00, executed by JOHNNY LANDRUM and payable to the order of Lender.

**Property Address/Mailing Address:** 2410 FREEDOM LN, COPPERAS COVE, TX 76522

**Legal Description of Property to be Sold:** LOT TWENTY-ONE (21), BLOCK ONE (1), OGLETREE GAP, PHASE III, CITY OF COPPERAS COVE, LAMPASAS COUNTY, TEXAS, AS PER PLAT OF RECORD IN CABINET 1, SLIDE 374, PLAT RECORDS OF LAMPASAS COUNTY, TEXAS

<b>Date of Sale:</b> June 06, 2023	<b>Earliest time Sale will begin:</b> 12:00 PM
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**Place of sale of Property:** Lampasas County Courthouse, 501 E. 4th Street, Lampasas, TX 76550 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

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.

**Appointment of Substitute Trustee:** Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *LAKEVIEW LOAN SERVICING, LLC*, the owner and holder of the Note, has requested Kristopher Holub, Aarti Patel, Amy Ortiz, Dylan Ruiz, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Thomas Gilbraith, Michelle Jones, Angela Zavala, Richard Zavala, Jr., Sharlet Watts whose address is 1 Mauchly Irvine, CA 92618 OR Michelle Jones, Angela Zavala, Richard Zavala, Jr or Sharlet Watts whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The Trustee(s)





has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

**Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *LAKEVIEW LOAN SERVICING, LLC* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Kristopher Holub, Aarti Patel, Amy Ortiz, Dylan Ruiz, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Thomas Gilbraith, Michelle Jones, Angela Zavala, Richard Zavala, Jr., Sharlet Watts whose address is 1 Mauchly Irvine, CA 92618 OR Michelle Jones, Angela Zavala, Richard Zavala, Jr or Sharlet Watts whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Kristopher Holub, Aarti Patel, Amy Ortiz, Dylan Ruiz, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Thomas Gilbraith, Michelle Jones, Angela Zavala, Richard Zavala, Jr., Sharlet Watts whose address is 1 Mauchly Irvine, CA 92618 OR Michelle Jones, Angela Zavala, Richard Zavala, Jr or Sharlet Watts whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

**Limitation of Damages:** 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 Mortgagor, the Mortgagee, or the Mortgagee's attorney.



SUBSTITUTE TRUSTEE

Kristopher Holub, Aarti Patel, Amy Ortiz, Dylan Ruiz, Violet Nunez, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Thomas Gilbraith, Michelle Jones, Angela Zavala, Richard Zavala, Jr., Sharlet Watts OR Michelle Jones, Angela Zavala, Richard Zavala, Jr or Sharlet Watts, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,  
10700 Abbott's Bridge Road, Suite 170, Duluth, Georgia  
30097; PH: (470)321-7112

**FILED**  
13 day of April 2023  
Dianne Miller  
COUNTY CLERK, LAMPASAS COUNTY, TEXAS  
Bk. [Signature] DEPUTY