

November 7, 2017

002094

C&S No. 44-16-1616 / VA / No
Cenlar FSB

NOTICE OF 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. Sender is: Codilis & Stawiarski, PC, 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

Date of Security Instrument: June 18, 2013

Grantor(s): Cody W. Weathers and Kayla Weathers, husband and wife

Original Trustee: Glen A. Bellinger

Original Mortgagee: Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for Town Square Mortgage and Investments Inc. dba Town Square Financial, its successors and assigns

Recording Information: Vol. 380, Page 516, or Clerk's File No. 1313, in the Official Public Records of RUNNELS County, Texas.

Current Mortgagee: CMG Mortgage, Inc.

Mortgage Servicer: Cenlar FSB, whose address is C/O Attn: FC or BK Department
425 Phillips Blvd Ewing, NJ 08618 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.

Date of Sale: 11/07/2017 **Earliest Time Sale Will Begin:** 10:00 AM

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.

Legal Description:

BEING AN AREA OF 9.68 ACRES OF LAND (RECORD CALL 9.60 ACRES) WITH 7.87 ACRES (RECORD CALL 7.80 ACRES) OUT OF A. LESSASSIER SURVEY 174, ABSTRACT NO. 347 & 1.81 ACRES (RECORD CALLED 1.80 ACRES) OUT OF J.B. COTTEN SURVEY 176, ABSTRACT NO. 1116, RUNNELS COUNTY, TEXAS; SAID 9.68 ACRES ALSO BEING PART OF A CERTAIN 9.68 ACRE TRACT (RECORD CALL 9.60 ACRES) DESCRIBED IN DEED FROM RODNEY GORDON AND WIFE, DEBORAH GORDON TO DALE HALFMANN AND WIFE, LISA HALFMANN DATED OCTOBER 17, 2008 AND RECORDED AS VOLUME 307, PAGE 704, OFFICIAL PUBLIC RECORDS, RUNNELS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

Place of Sale of Property: The foreclosure sale will be conducted in the area designated by the RUNNELS County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where the 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.

For Information:

Codilis & Stawiarski, P.C.
400 N. Sam Houston Pkwy E, Suite
900A
Houston, TX 77060
(281) 925-5200

Terry Browder as Substitute Trustee, Laura Browder as Successor Substitute Trustee, Marsha Monroe as Successor Substitute Trustee, or Thomas Delaney as Successor Substitute Trustee or Lisa Cockrell as Successor Substitute Trustee
c/o Servicelink Default Abstract Solutions
1320 Greenway Drive, Suite 300
Irving, TX 75038



4635529

POSTED October 16, 2017
At 10:08 o'clock A M
Julia Miller
County Clerk, Runnels County, Texas
By Lancy Crane Deputy

"Exhibit A" – Field Notes – 9.68 Acres

Description of a 9.68 acre tract

Being an area of 9.68 acres of land (record call 9.60 acres) with 7.87 acres (record call 7.80 acres) out of A. Lessassier Survey 174, Abstract No. 347 & 1.81 acres (record call 1.80 acres) out of J.B. Cotten Survey 176, Abstract No. 1116, Runnels County, Texas; said 9.68 acres also being part of a certain 9.68 acre tract (record call 9.60 acres) described in deed from Rodney Gordon and wife, Deborah Gordon to Dale Halfmann and wife, Lisa Halfmann dated October 17, 2008 and recorded as Volume 307, Page 704, Official Public Records, Runnels County, Texas. Said 9.68 acres being described as follows:

Tract One 7.87 Acres (Record Call 7.80 Acres)

Beginning at a set 5/8 inch iron rod with cap for the northwest corner of this tract and the southwest corner of a certain 32.416 acre tract described in deed from Thomas Kyle Mansell and wife, Doloris Kay Mansell to Veterans Land Board dated February 16, 1973 and recorded as Volume 428, Page 490, Deed Records, Runnels County, Texas and in the east line of a 100 foot width ROW from W.H. Greer to State of Texas dated January 15, 1929 and recorded as Volume 142, Page 363, Deed Records, Runnels County, Texas;

Thence with the north line of this tract and a south line of said 32.416 acre tract N. 90° 00' 00" E. 157.85 feet (record call N. 90° 00' 00" E. 157.50 feet) to a found 1 inch iron pipe for the northeast corner of this tract and in a south line of said 32.416 acre tract and in the record east line of A. Lessassier Survey 174 and in the record west line of J.B. Cotten Survey 176;

Thence with the east line of this tract and a west line of said 32.416 acre tract and the record east line of said A. Lessassier Survey 174 and the record west line of said J.B. Cotten Survey 176 S. 00° 35' 57" W. at 313.06 feet (record call 313.30 feet) pass a found 1 inch iron pipe in a south line of said 32.416 acre tract and the northwest corner of Tract Two 1.81 acres described herein and along and with the west line of said 1.81 acre tract in all a distance of 639.46 feet (record call S. 00° 00' 00" W. 639.70 feet) to a found 3/4 inch iron pipe in the east line of this tract and for the southwest corner of said 1.81 acre tract and the record southwest corner of said J.B. Cotten Survey 174 and the record northwest corner of W.S. Maddox Survey 176 and in the record east line of said A. Lessassier Survey 174 and in the north line of a certain 11.433 acre tract as described in deed from James E. Perkins, Sr. and wife, Rebecca L. Perkins to Walter Mike Martin and wife, Rebecca E. Martin dated August 3, 2009 and recorded as Volume 320, Page 142, Official Public Records, Runnels County, Texas;

Thence with an east line of this tract and the north line of said 11.433 acre tract N. 89° 21' 30" W. 50.00 feet (record call N. 90° 00' 00" W. 50.00 feet) to a found 5/8 inch iron rod in an east line of this tract and for the northwest corner of said 11.433 acre tract;

Thence with an east line of this tract and a west line of said 11.433 acre tract S. 00° 51' 36" W. 83.36 feet (record call S. 00° 00' 00" W. 83.30 feet) to a found 1/2 inch iron rod bent in an east line of this tract and in a west line of said 11.433 acre tract;

Thence with an east line of this tract and a west line of said 11.433 acre tract S. 89° 23' 38" E. 49.74 feet (record call S. 90° 00' 00" E. 50.00 feet) to a point on the southeast outside edge of a 4-1/2 inch steel corner post in the east line of this tract and in a west line of said 11.433 acre tract and in the record east line of said A. Lessassier Survey 174 and in the record west line of said W.S. Maddox Survey 176;

Thence with an east line of this tract and a west line of said 11.433 acre tract and the record east line of said A. Lessassier Survey 174 and the record west line of said W.S. Maddox Survey 176 S. 01° 02' 26" W. 224.86 feet (record call S. 90° 00' 00" W. 226.40 feet) to a found 1/2 inch iron rod with cap for the southeast corner of this tract and in a west line of said 11.433 acre tract and for the northeast corner of a certain 6.506 acre tract as described in deed from Weston J. Stoute and Sandra D. Stoute to Walter Mark Martin and Rebecca E. Martin dated May 2, 2012 and recorded as Volume 362, Page 573, Official Public Records, Runnels County, Texas and in the record east line of said A. Lessassier Survey 174 and in the record west line of said W.S. Maddox Survey 176;

Thence with the south line of this tract and the north line of said 6.506 acre tract N. 89° 17' 58" W. at 227.08 feet (record call 226.70 feet) pass a found 1/2 inch iron rod with cap for the northwest corner of said 6.506 acre tract and the northeast corner of a certain 28.194 acre tract as described in deed from Weston J. Stoute and Sandra D. Stoute to Jose Holguin dated May, 2, 2012 and recorded as Volume 362, Page 586, Official Public Records, Runnels County, Texas and along and with the north line of said 28.194 acre tract in all a distance of 606.96 feet (record call N. 90° 00' 00" W. 608.30 feet) to a found TxDOT concrete ROW marker for the southwest corner of this tract and the northwest corner of said 28.194 acre tract and the southeast corner of said 100 foot width ROW and the northeast corner of ROW from Ed Pape to State of Texas dated February 16, 1929 and recorded as Volume 146, Page 362, Deed Records, Runnels County, Texas;

Thence with the west line of this tract and the east line of said 100 foot width ROW N. 28° 03' 23" E. 817.52 feet (record call N. 27° 25' 00" E. 800.30 feet) to a set 5/8 inch iron rod with cap in the west line of this tract and the east line of said 100 foot width ROW;

Thence with the west line of this tract and the east line of said 100 foot width ROW with a curve D=17° 23' 52", L=232.70 feet, R=766.34 feet (record call D=18° 54' 56", L=253.00 feet, R=766.34 feet) to the place of beginning and containing an area of 7.87 acres of land (record call 7.80 acres).

Said Tract One 7.87 acres is subject to an easement from Doug Wadsworth to North Runnels Water Supply Corporation dated November 11, 1974 and recorded as Volume 455, Page 486, Deed Records, Runnels County, Texas and an easement from W.H. Greer to Atlantic Pipe Line Company dated July 20, 1928 and recorded as Volume 143, Page 342, Deed Records, Runnels County, Texas and an easement from H.W. Cotton to Atlantic Pipe Line Company dated October 20, 1961 and recorded as Volume 343, Page 214, Deed Records, Runnels County, Texas and a 20 foot access easement from Rodney Gordon and wife, Deborah Gordon to Kermit Parish dated August 12, 1987 and recorded as Volume 626, Page 551, Deed Records,

Runnels County, Texas and a 10 foot easement from Douglas F. Wadsworth and wife, Nell Wadsworth to General Telephone Company dated October 25, 1972 and recorded as Volume 426, Page 466, Deed Records, Runnels County, Texas.

Tract Two 1.81 Acres (Record Call 1.80 Acres)

Commencing at a set 5/8 inch iron rod with cap for the northwest corner of Tract One 7.87 acres described herein and the southwest corner of a certain 32.416 acre tract of land described in deed from Thomas Kyle Mansell and wife, Doloris Kay Mansell to Veterans Land Board dated February 16, 1973 and recorded as Volume 428, Page 490, Deed Records, Runnels County, Texas and in the east line of a 100 foot width ROW from W.H. Greer to State of Texas dated January 15, 1929 and recorded as Volume 142, Page 363, Deed Records, Runnels County, Texas;

Thence with the north line of said 7.87 acre tract and a south line of said 32.416 acre tract N. 90° 00' 00" E. 157.85 feet (record call N. 90° 00' 00" E. 157.50 feet) to a found 1 inch iron pipe for the northeast corner of said 7.87 acre tract and in a south line of said 32.416 acre tract and in the record east line of A. Lessassier Survey 174 and in the record west line of J.B. Cotten Survey 176;

Thence with the east line of said 7.87 acre tract and a west line of said 32.416 acre tract and the record east line of A. Lessassier Survey 174 and the record west line of J.B. Cotten Survey 176 S. 00° 35' 57" W. 313.06 feet (record call S. 00° 00' 00" W. 313.30 feet) to a found 1 inch iron pipe in the east line of said 7.87 acre tract and in a south line of said 32.416 acre tract and for the northwest corner of this Tract Two 1.81 acre tract and being the POINT OF BEGINNING;

Thence with the north line of this tract and a south line of said 32.416 acre tract N. 90° 00' 00" E. 209.20 feet (record call N. 90° 00' 00" E. 209.20 feet) to a point in the center line of Elm Creek for the northeast corner of this tract and the southeast corner of said 32.416 acre tract;

Thence with the east line of this tract and the center line of said Elm Creek S. 11° 25' 58" E. 328.70 feet (record call S. 12° 00' 00" E. 329.40 feet) to a point in the center line of Elm Creek for the southeast corner of this tract and the northeast corner of a certain 11.433 acre tract as described in deed from James E. Perkins, Sr. and wife, Rebecca L. Perkins to Walter Mike Martin and wife, Rebecca E. Martin dated August 3, 2009 and recorded as Volume 320, Page 142, Official Public Records, Runnels County, Texas and in the record south line of said J.B. Cotten Survey 176 and in the record north line of W.S. Maddox Survey 176;

Thence with the south line of this tract and the north line of said 11.433 acre tract and the record south line of said J.B. Cotten Survey 176 and the record north line of said W.S. Maddox Survey 176 S. 89° 08' 00" W. 277.80 feet (record call S. 89° 08' 00" W. 277.80 feet) to a found 3/4 inch iron pipe for the southwest corner of this tract and in the north line of said 11.433 acre tract and in the east line of said 7.87 acre tract and the record southwest corner of said J.B. Cotten Survey 176 and the record northwest corner of said W.S. Maddox Survey 176 and in the record east line of said A. Lessassier Survey 174;

Thence with the west line of this tract and the east line of said 7.87 acre tract and the record east line of said A. Lessassier Survey 174 and the record west line of said J.B. Cotten Survey 176 N. 00° 35' 57" E. 326.40 feet (record call N. 00° 00' 00" E. 326.40 feet) to the place of beginning and containing an area of 1.81 acres of land (record call 1.80 acres).

Said Tract Two 1.81 acres is subject to an easement from W.T. Routh and wife, E.J. Routh to West Texas Utilities Company dated April 22, 1926 and recorded in Volume 130, Page 625, Deed Records, Runnels County, Texas and an easement from W.T. Routh to Atlantic Pipe Line Company dated July 19, 1928 and recorded in Volume 143, Page 361, Deed Records, Runnels County, Texas.

Bearings and distances hereon are of the Texas Central Zone Coordinate System NAD83 per GPS observations.

These field notes are prepared for the exclusive use and benefit of Cody Weathers. Use of these field notes by a third party may not be transferred or assigned.

See attached Plat of Survey.

Surveyed on the ground June 12, 2013.



W.H. Wilde
Registered Professional Land Surveyor No. 4817

