

December 4, 2018

002112

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Terry Browder, Laura Browder, Marsha Monroe,
Jonathan Schendel, Ramiro Cuevas, Frederick Britton,
Kristie Alvarez, Vanessa McHaney
c/o Malcolm Cisneros/Trustee Corps
17100 Gillette Avenue
Irvine, CA 92614
(949) 252-8300

TS No TX07000285-18-1

APN R000022153

TO No 170047487-1

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on June 22, 2015, ROBERT BRZYMIAŁKIEWICZ AND KRISTEN BRZYMIAŁKIEWICZ, HUSBAND AND WIFE as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of RUTH W. GARNER as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. as nominee for NETWORK FUNDING, LP, its successors and assigns, as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$107,171.00, payable to the order of Caliber Home Loans, Inc. as current Beneficiary, which Deed of Trust recorded on July 6, 2015 as Document No. 151274 in Book 412, on Page 617 and that said Deed of Trust was modified by Modification Agreement and recorded September 13, 2017 as Instrument Number 171422 in Book 446, on Page 732 in Runnels County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

APN R000022153

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 **Terry Browder, Laura Browder, Marsha Monroe, Jonathan Schendel, Ramiro Cuevas, Frederick Britton, Kristie Alvarez, Vanessa McHaney** 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 **Caliber Home Loans, Inc.**, 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.



4669848

POSTED *September 11, 2018*
At *8:42 o'clock A.M.*
Julia Miller
County Clerk, Runnels County, Texas
Julia Miller Deputy

NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **TUESDAY, December 4, 2018 at 10:00 AM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Runnels County, Texas, 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: **Runnels County Courthouse, 613 Hutchings Avenue, Ballinger, TX 76821**.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and Caliber Home Loans, Inc.'s election to proceed against and sell both the real property and any personal property described in said Deed of Trust in accordance with and Caliber Home Loans, Inc.'s rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

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. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition 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 expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 4 day of September 2018.



By: Terry Browder, Laura Browder, Marsha Monroe, Jonathan Schendel, Ramiro Cuevas, Frederick Britton, Kristie Alvarez, Vanessa McHaney
Substitute Trustee(s)

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.

**SALE INFORMATION CAN BE OBTAINED ONLINE AT www.Auction.com
FOR AUTOMATED SALES INFORMATION PLEASE CALL: Auction.com at 800.280.2832**

**FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300
THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

EXHIBIT "A"

1.793 acres of land in Block 1 of the Cervenka Addition to the Town of Rowena, Runnels County, Texas, being the South 150' of Lot 2 and the North One-Half (1/2) of Lot 3 in said Block 1 and being more particularly described as follows:

BEGINNING at a 4" galvanized iron stake found at the SE corner of that land described in deed from Larry Gene Pelzel to James P. Halfmann recorded in Volume 72, Page 315, Runnels County Official Public Records, for the NE corner of this tract. Said point is the SE corner of a 150' x 220' tract surveyed on August 18, 1993, by Murl Sudduth, RPLS 2928, and is 0.2' West of a short leaning iron rod;

THENCE S00°00'00"W 250.00' to a 4" iron stake set for the SE corner of this tract, said point being located 3.5' North of a treated post set in concrete;

THENCE N89°52'00"W 312.00' passing 0.4' North of the NW corner of a garage to a 4" iron stake set for the SW corner of this tract;

THENCE N00°00'00"E 250.00' along the east line of Herman Street to a 4" iron stake set for the NW corner of this tract, said point being located 1' S27"E of a foundl/2" iron stake and also being located 162.00' N89°52'00"W of a 4" iron stake found at the SW corner of said 150' x 220' tract surveyed by Murl Sudduth;

THENCE S89°52'00"E 312.00' to the PLACE OF BEGINNING.