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20-013210

November
Batch 1

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SEP 17 2020
J.A. "ANDY" HARWELL, COUNTY CLERK MCLENNAN COUNTY, TEXAS

tee's Sale

Notice Concerning Military Debt *20 pgs* 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)

Deed of Trust Date: May 21, 2018	Original Mortgagor/Grantor: RYAN SERRANO
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR CENDERA FUNDING, INC... ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: LAKEVIEW LOAN SERVICING, LLC.
Recorded in: Volume: N/A Page: N/A Instrument No: 2018016806	Property County: MCLENNAN
Mortgage Servicer: LoanCare LLC	Mortgage Servicer's Address: 3637 Sentara Way, Virginia Beach, Virginia 23452

* 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 \$88,271.00, executed by RYAN SERRANO and payable to the order of Lender.

Property Address/Mailing Address: 1409 NEALTON ST, WACO, TX 76705

Legal Description of Property to be Sold: BEING LOT TEN (10) BLOCK NINETEEN (19) OF OAKLAWN TERRANCE, AN ADDITION TO THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 254, PAGE 512, OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS.

Date of Sale: November 3, 2020	Earliest time Sale will begin: 10:00 AM
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Place of sale of Property: McLennan County Courthouse, 501 Washington Avenue, Waco, TX 76701 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, Pamela Thomas, Jack Burns II, Dana Kamin, Angie Uselton, Aarti Patel, Garrett Sanders, Dylan Ruiz, Donna Stockman, Tim Lewis, Brenda Wiggs, Denise Boerner, David Stockman, Guy Wiggs, Michelle Schwartz, Kathy Arrington whose address is 1 Mauchly Irvine, CA 92618 or Donna Stockman, Brenda Wiggs, Guy Wiggs, David Stockman, Russell Stockman, Michelle Schwartz, Denise Boerner, Tim Lewis or Kathy Arrington 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, Pamela Thomas, Jack Burns II, Dana Kamin, Angie Uselton, Aarti Patel, Garrett Sanders, Dylan Ruiz, Donna Stockman, Tim Lewis, Brenda Wiggs, Denise Boerner, David Stockman, Guy Wiggs, Michelle Schwartz, Kathy Arrington whose address is 1 Mauchly Irvine, CA 92618 or Donna Stockman, Brenda Wiggs, Guy Wiggs, David Stockman, Russell Stockman, Michelle Schwartz, Denise Boerner, Tim Lewis or Kathy Arrington 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, Pamela Thomas, Jack Burns II, Dana Kamin, Angie Uselton, Aarti Patel, Garrett Sanders, Dylan Ruiz, Donna Stockman, Tim Lewis, Brenda Wiggs, Denise Boerner, David Stockman, Guy Wiggs, Michelle Schwartz, Kathy Arrington whose address is 1 Mauchly Irvine, CA 92618 or Donna Stockman, Brenda Wiggs, Guy Wiggs, David Stockman, Russell Stockman, Michelle Schwartz, Denise Boerner, Tim Lewis or Kathy Arrington 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.

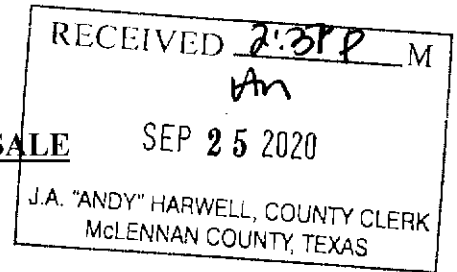


SUBSTITUTE TRUSTEE

Kristopher Holub, Pamela Thomas, Jack Burns II, Dana Kamin, Angie Uselton, Aarti Patel, Garrett Sanders, Dylan Ruiz, Donna Stockman, Tim Lewis, Brenda Wiggs, Denise Boerner, David Stockman, Guy Wiggs, Michelle Schwartz, Kathy Arrington, Donna Stockman, Brenda Wiggs, Guy Wiggs, David Stockman, Russell Stockman, Michelle Schwartz, Denise Boerner, Tim Lewis or Kathy Arrington, Trustee

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

NOTICE OF SUBSTITUTE TRUSTEE'S SALE



Date: September 25, 2020

Deed of Trust:

Dated: September 26, 2014
Grantor: MARY CATHERINE BEAR
Trustee: W. D. LACY
Lender: COMMUNITY BANK & TRUST, WACO, TEXAS
Recorded in: Clerk's File No. 2014029970 of the Official Public Records of McLennan County, Texas
Secures: Promissory Note ("Note") in the original principal amount of \$40,000.00, executed by Mary Catherine Bear ("Borrower") and payable to the order of Lender

Property:

Tract One:

BEING 1 acre, more or less, being off of the East side of the James Henry Cobbs, et ux, 2.67 acre tract described in a Partition Deed from Albert W. Cobbs, et ux, dated May 30, 1974 and recorded in Volume 1177, Page 280 of the Deed Records of McLennan County, Texas, being out of the James Lane League of said County,

Beginning at an Iron stake at the NE corner of said 2.67 ac. tract, for NE corner of this, in an asphalt road, from which an iron stake bears S 30 degrees E 16 feet;

Thence: S 30 degrees E 463.9 feet along the E line of said 2.67 acre tract, to an iron stake at the SE corner thereof, for SE corner of this;

Thence: S 60 degrees 29' W 93.9 feet along an old fence line on the S line of said 2.67 acre tract, to an iron stake, for SW corner of this;

Thence: N 30 degrees W 463.9 feet parallel to the E line of said 2.67 acre tract, to an iron stake in the N line thereof, for NW corner of this, in said road, from which an iron stake bears S 30 degrees E 16 feet;

Thence: N 60 degrees 29' E 93.9 feet along the N line of said 2.67 acre tract and a line in said road, to the place of beginning.

Tract 2:

BEING a 2.93 acre tract of land out of the James Lane Survey, Abstract Number 531 in McLennan County, Texas and being a portion of that called 7.47 acre tract of land described in a

deed to Albert Darrel Cobbs, of record in Volume 735, Page 108 of the Official Public Records of McLennan County, Texas. Said 2.93 acres as more particularly described by metes and bounds as follows:

Beginning at a 5/8" cotton spindle place in the center of Cobbs Lane, in the south line of that called 147.77 acre tract of land described In a deed to McLennan County Junior College District, of record in County Clerk's File Number 2002012909 of the Official Public Records of McLennan County, Texas, at the northwest corner of the said 17.47 acre tract, the northeast corner of that called 1 acre tract of land described in a deed to Mary Catherine Bear, of record in Volume 1847, Page 490 of the Deed Records of McLennan County, Texas for the northwest corner of the herein described tract of land, from which a 3/8" iron rod found for referenced bears S 30 deg. 57 min. 34 sec. E 17.00 feet;

Thence N 58 deg. 58 min. 40 sec. E 275.93 along with the approximate centerline of the said Cobbs Lane, with the north line of the said 17.47 acre tract, the south line of the said 147.77 acre tract, to a 5/8" cotton spindle placed in the south line of the said 147.77 acre tract, the north line of the said 17.47 acre tract, for the northeast corner of the herein described tract of land, from which a 3/8" iron rod found for referenced bears S 30 deg. 50 min. 42 sec. E 14.00 feet;

Thence S 30 deg. 50 min. 42 sec. E 463.90 feet crossing the said 17.47 acre tract of land, to a 1/2" iron rod with "3879" cap placed in the south line of the said 17.47 acre tract, the north line of that called 502.685 acre tract of land described in a deed to David Jackson and wife, Jodi B. Jackson, of record in Volume 267, Page 788 of the Official Public Records of McLennan County, Texas, for the southeast corner of the herein described tract of land;

Thence S 58 deg. 58 min. 40 sec. W 275.00 feet along the south line of the said 17.47 acre tract, the north line of the said 502.685 acre tract of land, to a 1/2" iron rod with "3879" cap placed in the north line of the said 502.685 acre tract, at the southeast corner of the said 1 acre tract, the southwest corner of the said 17.47 acre tract for the southwest corner of the herein described tract;

Thence N 30 deg. 57 min. 34 sec. W 463.90 feet along the east line of said 17.47 acre tract, the west line of the said 1 acre tract, to the Point of Beginning.

Substitute Trustee: CHRISTIAN J. HACK

Substitute Trustee's Address: 510 N. VALLEY MILLS DR., STE. 500, WACO, TX 76710

Foreclosure Sale:

Date: November 3, 2020

Time: The sale of the Property will be held between the hours of 10:00 a.m., and not later than 1:00 p.m.

Place: The area designated by the Commissioner's Court for foreclosure sales to take place at the McLennan County Courthouse in Waco, McLennan County, Texas.

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 Lender's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Lender, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Lender passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Lender. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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, Substitute 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 Substitute Trustee.

Assert and protect your rights as a member of the armed forces of the United States.

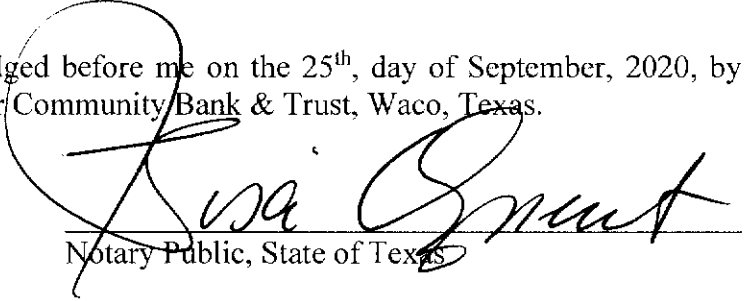
If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.



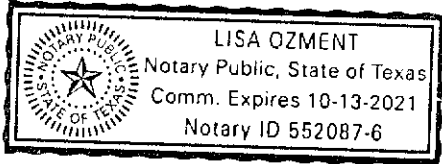
CHRISTIAN J. HACK, Substitute Trustee

STATE OF TEXAS §
COUNTY OF MCLENNAN §

This instrument was acknowledged before me on the 25th, day of September, 2020, by Christian J. Hack, Substitute Trustee for Community Bank & Trust, Waco, Texas.



Notary Public, State of Texas



AFTER RECORDING RETURN TO:

Christian J. Hack
Sheehy, Lovelace & Mayfield Pc
510 N. Valley Mills Drive #500
Waco, Texas 76710

RECEIVED 4:45 PM

SEP 25 2020

J.A. "ANDY" HARWELL, COUNTY CLERK
McLENNAN COUNTY, TEXAS

NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

1. **Property To Be Sold.** Being a part of Block 25 of the J. D. Bell Addition to the City of Waco, McLennan County, Texas, and being more particularly described in Exhibit A attached hereto and made a part hereof for all purposes. Having an address of 2608 Clay, Waco, Texas.

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

Date: November 2, 2020

Time: The sale shall begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale shall be completed by no later than 1:00 P.M.

Place: McLennan County Courthouse in Waco, Texas, at the following location: 2nd floor of the courthouse steps, facing Washington Avenue.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiled may be after the date originally scheduled for this sale.

3. **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.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. **Type of Sale.** The sale is a nonjudicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by ISRAEL DIAZ LARA AND PATRICIA I. RENDON. The deed of trust is dated January 5, 2016, and is recorded under Clerk's File 2017000685, of the Official Public Records, McLennan County.

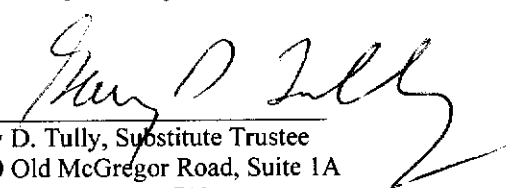
5. **Obligations Secured.** The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (1) the promissory note in the original principal amount of \$71,000.00, executed by ISRAEL DIAZ LARA AND PATRICIA I. RENDON and payable to the order of PARRISH TODD DORTON, TRANSFERRED TO KORI DORTON; and all renewals and extensions of the note. KORI DORTON is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned.

6. **Default and Request To Act.** Default has occurred under the deed of trust, and the beneficiary has requested me, as Trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the 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.

DATED September 25, 2020.


Gary D. Tully, Substitute Trustee
8300 Old McGregor Road, Suite 1A
Woodway, Texas 76712
Telephone: 254-772-6525
Fax: 254-772-6515

**CERTIFIED MAIL NO. 7019 1640 0000 6051 5977 RETURN RECEIPT REQUESTED AND BY
REGULAR MAIL**

EXHIBIT "A"
(legal description)

Being a part of Block 25, of the J. D. Bell Addition to the City of Waco, McLENNAN County, Texas. BEGINNING at a point in the south line of Clay Avenue, S 45 degrees degrees W 125 ft. from the west line of 26th Street; Thence in a southerly direction paralleling 26th St. 185 ft. for the southeast corner of this; Thence in a westerly direction paralleling Clay Avenue, 50 ft. for the SW corner. Thence in a northerly direction paralleling 26th Street, 185 ft to the south line of Clay Avenue; Thence along the south line of Clay Avenue 50 feet to the place of beginning, according to survey of Robert C. Wiese, Registered Public Surveyor, of date July 29, 1969.

Being the same property described in warranty deed executed by Jerald Walter Terry and wife, Linda Sue Terry to Raymond Coleman, et ux, dated September 25, 1979, recorded in Vol. 1330, page 418, Deed Records,

RECEIVED 12:15 P M

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J.A. "ANDY" HARWELL, COUNTY CLERK
MCLENNAN COUNTY, TEXAS

NOTICE OF FORECLOSURE 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. *Property to Be Sold.* The property to be sold is described as follows: BEING a 0.90 acre tract or parcel of land lying and being situated in the M. Martinez Grant, McLennan County, Texas, and being the same tract of land described as 0.900 acre in the deed to Sanda V. Racoti and Andrei Racoti recorded in Volume I732, Page 275 of the McLennan county Deed Records, and being more particularly described as follows:

BEGINNING at the iron rod found marking the south corner of the beforementioned 0.900 acre tract in the northeast right-of-way line of South Old Robinson Road;

THENCE N 30' 00' 40" W (Base Bearing) along the lower southwest line of the beforementioned 0.900 acre tract, same being the beforementioned northeast right-of-way line of South Old Robinson Road, for a distance of 129.12 feet to an iron rod found for corner marking the lower west corner of the said 0.900 acre tract, (Record N 30' 00' 40" W 129.31 feet);

THENCE N 63' 37' 33" E along the lower northwest line of the beforementioned 0.900 acre tract for a distance of 144.32 feet to an iron rod set for corner at an interior ell corner of the said 0.900 acre tract, (Record N 63' 55' 00" E 144.42 feet);

THENCE N 27' 03' 28" W along the upper southwest line of the beforementioned 0.900 acre tract for a distance of 39.26 feet to a concrete monument found for corner marking the upper west corner of the said 0.900 acre tract, (Record N 26' 43' 55" E 39.54 feet);

THENCE N 63' 23' 51" E along the upper northwest line of the beforementioned 0.900 acre tract for a distance of 154.30 feet to a concrete monument found for corner marking the north corner of the said 0.900 acre tract, (Record N 63' 37' 37" E 154.51 feet);

THENCE S 08' 33' 26" E along the east line of the beforementioned 0.900 acre tract for a distance of 175.31 feet to an iron rod found for corner marking the east corner of the said 0.900 acre tract, (Record S 08' 17' 36" E 175.30 feet);

THENCE S 63' 10' 52" W along the southeast line of the beforementioned 0.900 acre tract for a distance of 236.33 feet to the PLACE OF BEGINNING containing 0.90 acre of land more or less, (Record S 63' 20' 00" W 236.07 feet).

2. *Instrument to Be Foreclosed.* The instrument to be foreclosed is the *Deed of Trust* recorded under Clerk's File Number 2013042578, Official Public Records of McLennan County, Texas.

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

Date: November 3, 2020

Time: The sale will begin no earlier than 10:00 A.M. or no later than three hours thereafter. The sale will be completed by no later than 4:00 P.M.

Place: McLennan County Courthouse in Waco, Texas, at the following location:
At the top of the outside steps to the second floor in front of the McLennan County Courthouse on Washington Avenue, Waco, McLennan County, Texas.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the *Texas Property Code*. The reposting or refiled may be after the date originally scheduled for this sale.

4. *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.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to 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. This sale will be conducted subject to the right of rescission contained in section 51.016 of the *Texas Property Code*.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Kathy Lanell Biles. The real property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note in the original principal amount of \$85,866.00, executed by Kathy Lanell Biles, and payable to the order of Melissa R. Dumesnil, who is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

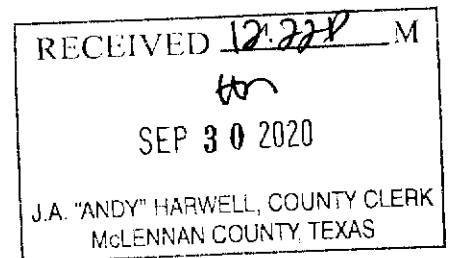
Questions concerning the sale may be directed to the undersigned or to the beneficiary, Melissa R. Dumesnil.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated October 7, 2020.



WALT FAIR, Trustee
Attorney for Melissa R. Dumesnil
State Bar Number 06781800
1508 North Valley Mills Drive
Waco, Texas 76710
Telephone: (254) 772-6400
Telecopier: (254) 772-6432



Notice of Foreclosure 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. *Property to Be Sold.* The property to be sold is described as follows: ALL THAT PIECE or parcel of land, situated, lying and being in the counties of McLennan and Bosque, State of Texas, and described as follows:

Lot Two (2) in Block One (1) of the Butler Addition, to the City of Valley Mills, Bosque County, Texas, according to plat of said addition, record in Volume 178, Page 491, of the Bosque County Deed Records, SAVE AND EXCEPT a small triangular tract to the rear of said lot, the part so excepted being described as follows:

Beginning at the West or NW corner of Lot 2 in Block 1;

Thence in an easterly direction with the North line of Lot 2, Block 1, 12.6 feet to a point for corner;

Thence S 8 degrees 15' E with an old fence line to a point for corner in the West line of Lot 2 Block 1, said point being N 8 degrees 15' W 50.4 feet from the SW corner of Lot 2, Block 1;

Thence N 28 degrees 15' West with the West line of Lot 2 in Block 1, 49.6 feet the place of beginning.

BEING THE IDENTICAL LAND described in Correction Warranty Deed with Vendor's Lien recorded on December 8, 2008 and filed as Document No. 2008-00004559, Official Public Records of Bosque County, Texas.

FURTHER BEING THE IDENTICAL LAND described in Substitute Trustee's Deed recorded as Document Number 2012-00003690, Official Public Records of Bosque County, Texas.

2. *Instrument to Be Foreclosed.* The instrument to be foreclosed is the *Deed of Trust* recorded under Clerk's File Number 2015025317, Official Public Records of McLennan County, Texas and as Document Number 2015-00002385, Official Public Records of Bosque County, Texas.

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

Date: November 3, 2020

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time; the earliest time at which the foreclosure sale will begin is 1:00 p.m. and not later than three hours thereafter.

Place: Bosque County Courthouse in Meridian, Texas, at the following location:
Front (east) door of courthouse.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the *Texas Property Code*. The reposting or refiled may be after the date originally scheduled for this sale.

4. *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.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to 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 "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*, the trustee or any substitute 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. This sale will be conducted subject to the right of rescission contained in section 51.016 of the *Texas Property Code*.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Curtis Ray

for reimbursement to the Noteholder of its reasonable attorney's fees and expenses incurred in collecting this debt. You may contact me at the above address to obtain a complete statement of the balance owed on your debt to the Noteholder and to arrange payment of this debt.

Demand is hereby made that you pay the Noteholder the Indebtedness now owed that is secured by the deed of trust.

You will be able to prevent this foreclosure by paying the Noteholder before the foreclosure sale the total amount now owed that is secured by the referenced deed of trust, plus the additional interest that accrues to the date of payment and all attorney's fees incurred by the Noteholder in collecting this Indebtedness. Payment must be made in cash or by cashier's check received by Noteholder or by me before conducting the foreclosure sale. Partial payments will be applied on the Indebtedness but will not prevent the foreclosure sale. If you mail payment and it is received after the sale, it will have been sent too late. To the extent permitted under the terms of the note and applicable law, the obligors on the note will be liable for any deficiency remaining after application of the net foreclosure sale proceeds to the Indebtedness. You may contact the undersigned about the balance owed on the Indebtedness.

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.

You are notified that the undersigned is attempting to collect this debt and any information obtained from you will be used for such purpose.

If you have any questions, please contact me.

Yours very truly,



Walt Fair
Attorney for First National Bank of Bosque County
State Bar Number 06781800
1508 North Valley Mills Drive
Waco, Texas 76710
Telephone: (254) 772-6400
Telecopier: (254) 772-6432

Enc.

Certified Mail Number 7019228000008793664; Return Receipt Requested

c: Curtis Ray Bruington, by first-class mail

NOTICE OF PUBLIC SALE

RECEIVED 1:28 P M
OCT 07 2020
J.A. "ANDY" HARWELL, COUNTY CLERK
McLENNAN COUNTY, TEXAS

Date: September 22, 2020

Deed of Trust

Date: November 29, 2007

Debtor: Robinson Hotel Management Group LP
Zacksons Investment Group, LLC

Lender : United Central Bank

Primary Collateral: Lot 2, Block 2 Final Plat of Robinson Industrial Park, Lot 2, Block 2, a subdivision in the City of Robinson McLennan County, Texas

Collateral Subject of this Sale: Lot B1, Block 1; TD Taylor Addition (0.611 acres), Waco, McLennan County, Texas and acres also known as 3416 Kultgen Expressway, Waco, Texas

Note

Date: November 24, 2007

Amount: \$2,085,115.00

Borrower: Robinson Hotel Management Group LP
Zacksons Investment Group, LLC

Lender: United Central Bank

Assignment:

Date: August 15, 2019

Borrower: Robinson Hotel Management Group LP
Zacksons Investment Group, LLC

Lender: Texas Oil Products, LLC

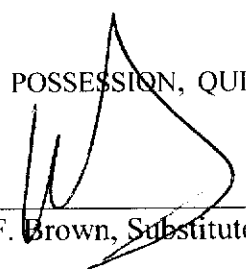
Date of Sale: November 3, 2020

Place of Sale: At the place designated by the County Commissioners Court and recorded in the real property records which are: at the top of the outside steps to the second floor in front of the McLennan County Courthouse on Washington Avenue in Waco, Texas.

Time of Sale: between 10:00 a.m. and 4:00 p.m. as designated herein, such sale shall be started within three hours 10:00 a.m.

A default exists under the Security Agreement. Secured Party will sell the Collateral at public auction to the highest bidder for cash at the Place of Sale on the Date of Sale to satisfy the debt secured by the Security Agreement. The sale will begin at the Time of Sale.

THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PERSONAL PROPERTY IN THIS DISPOSITION.



William F. Brown, Substitute Trustee

The sale will be made expressly subject to the provisions of the Declaration, any and all prior matters of records affecting the Property and any rights of redemption granted by law. **Prospective bidders are strongly urged to examine the applicable property records and the law.**

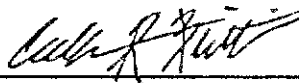
5. Type of Sale: The sale is a foreclosure sale to foreclose the Lien of Harris Village Owners Association's for the failure of the above-referenced Owner(s) to pay assessments and related charges against the Property as reflected in the Notice of Assessment Lien filed in the Official Property Records of McLennan County, Texas recorded under Clerk's File Number 2018016012.

6. Order to Foreclose. Harris Village Owners Association obtained an Order from the 74th District Court of McLennan County on 07/10/2020 under Cause No. 2019-2757-3.

7. Obligation Secured: The Lien as reflected in the Notice of Lien and Order to Foreclose secures the failure to pay assessments, recoverable fees and related charges to the Association in the amount of \$4,261.75, as of July 10, 2020.

8. Default and Request to Act: Default has occurred by the failure to pay assessments due to the Association, and the Association has requested me as agent on behalf of the Association to conduct this sale. Notice is given that before the sale the Association may appoint another person as agent or trustee to conduct the sale.

Dated: ___/___/2020



Cullan R. Britain
Attorney and Substitute Trustee
Law Office of Cullan R. Britain
5400 Bosque Blvd.
Suite 201
Waco, Texas 76710
CRBritain.law@gmail.com
(254) 722-5725
(254) 776-6969

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED ABOVE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE ABOVE NAMED ASSOCIATION.

RECEIVED 2:07 PM
 OCT 08 2020
 J.A. "ANDY" HARWELL, COUNTY CLERK
 McLENNAN COUNTY, TEXAS

Notice of Substitute Trustee Sale

T.S. #: 20-4450

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: **11/3/2020**
 Time: The sale will begin no earlier than **10:00 AM** or no later than three hours thereafter. The sale will be completed by no later than **1:00 PM**
 Place: **McLennan** County Courthouse in **WACO**, Texas, at the following location: **THE TOP OF THE OUTSIDE STEPS TO THE SECOND FLOOR IN FRONT OF THE COURTHOUSE** 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:

LOT FOUR (4), IN SECTION "T" OF SOUTH OVERLOOK ADDITION TO THE CITY OF WACO MCLENNAN COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID ADDITION RECORDED IN VOLUME 517, PAGE 72 OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS.

Instrument to be Foreclosed – The instrument to be foreclosed is the Deed of Trust is dated 10/7/2009 and is recorded in the office of the County Clerk of McLennan County, Texas, under County Clerk's File No 2009031847 recorded on 10/15/2009 of the Real Property Records of McLennan County, Texas.

3901 GORMAN AVE
 WACO, TX 76710

Trustor(s):	DONALD E GUDERIAN	Original Beneficiary:	BANK OF AMERICA,N.A.
Current Beneficiary:	Kondaur Capital Corporation, not in its individual capacity but solely in its capacity as Separate Trustee of Matawin Ventures Trust Series 2020-1	Loan Servicer:	Kondaur Capital Corporation
Current Substituted Trustees:	Kristopher Holub, Pamela Thomas, Jack Burns II, Dana Kamin, Angie Uselton, Aarti Patel, Garrett Sanders, Dylan Ruiz, Donna Stockman, Tim Lewis, Brenda Wiggs, Denise Boerner, David Stockman, Guy Wiggs, Michelle Schwartz, Kathy Arrington, Rick Snoke, Briana Young, Patricia Sanchez, Heather Smith, Tom Misteli, Prestige Default Services		

T.S. #: 20-4450

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 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 DONALD ELTON GUDERIAN, AN UNMARRIED MAN. 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 \$174,750.00, executed by DONALD ELTON GUDERIAN, AN UNMARRIED MAN, and payable to the order of BANK OF AMERICA, N.A.; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of DONALD ELTON GUDERIAN, AN UNMARRIED MAN to DONALD E GUDERIAN. Kondaur Capital Corporation, not in its individual capacity but solely in its capacity as Separate Trustee of Matawin Ventures Trust Series 2020-1 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:

**Kondaur Capital Corporation, not in its individual capacity but solely in its capacity as Separate Trustee of
Matawin Ventures Trust Series 2020-1
c/o Kondaur Capital Corporation
333 S. Anita Drive,
Suite 400,
Orange, CA 92868**

(888) 566-3287

T.S. #: 20-4450

Dated: _____

Kristopher Holub, Pamela Thomas, Jack Burns II, Dana Kamin, Angie Uselton, Aarti Patel, Garrett Sanders, Dylan Ruiz, Donna Stockman, Tim Lewis, Brenda Wiggs, Denise Boerner, David Stockman, Guy Wiggs, Michelle Schwartz, Kathy Arrington, Rick Snok, Briana Young, Patricia Sanchez, Heather Smith, Tom Misteli, Prestige Default Services,

Prestige Default Services
600 E John Carpenter Freeway, Suite 175
Irving, Texas 75062
Phone: (949) 427-2010
Fax: (949) 427-2732

AFTER RECORDING, PLEASE RETURN TO:

Prestige Default Services
600 E John Carpenter Freeway, Suite 175
Irving, Texas 75062
Attn: Trustee Department

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DATE: October 8, 2020

DEED OF TRUST:

Date: December 11, 2019

Grantor: ADRIAN QUIROZ and CRYSTAL QUIROZ

Beneficiary: THOMAS F. SINSEL

Trustee: ROBERT E. BLACK

Substitute Trustee: ROBERT E. BLACK, JIM MILLS, SUSAN MILLS, EMILY NORTHERN, GEORGE HAWTHORNE, ED HENDERSON, DENISE MORGAN, KORY MORGAN, SCOTT NIX, LORI GARNER, DONNA STOCKMAN, BRENDA WIGGS, DAVID STOCKMAN, GUY WIGGS, MICHELLE SCHWARTZ, KATHY ARRINGTON and TED WILLIAMSON, or any of them

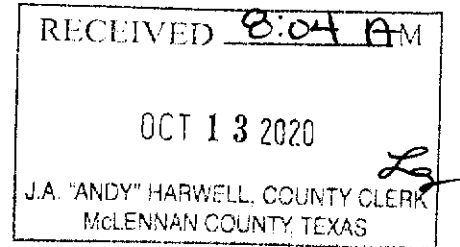
Substitute Trustee's Address:

ROBERT E. BLACK
2499 S. Capital of Texas Hwy, Ste. A-205
Austin, Travis County, Texas 78746
(512) 477-1964

JIM MILLS, SUSAN MILLS, EMILY NORTHERN, GEORGE HAWTHORNE, ED HENDERSON, DENISE MORGAN, KORY MORGAN, SCOTT NIX, LORI GARNER, DONNA STOCKMAN, BRENDA WIGGS, DAVID STOCKMAN, GUY WIGGS, MICHELLE SCHWARTZ, KATHY ARRINGTON and TED WILLIAMSON
P.O. Box 9932
Austin, Travis County, Texas 78766
(512) 340-0331

Recorded in: Document No. 2019041007, Real Property Records, McLennan County, Texas

PROPERTY:



A part of Lot 4 and Lot 5, Block 1, of South Addition in the City of Mart, McLennan County, Texas, being the same property described in Deed recorded under Instrument No. 2019027349, Official Public Records of McLennan County, Texas, and being more particular described on the attached Exhibit "A".

NOTE SECURED BY DEED OF TRUST:

Date: December 11, 2019

Original Principal Amount: \$33,000.00

Holder: THOMAS F. SINSEL

DATE OF SALE OF PROPERTY (first Tuesday of month, between 10:00 a.m. and 4:00 p.m.): 3rd day of November, 2020.

PLACE OF SALE OF PROPERTY (including county):

County Courthouse of McLennan County, Waco, Texas, at area designated by County Commissioners for said sales.

The earliest time at which a sale will occur is 10:00 a.m., provided the sale must begin at such time or not later than three hours after that time.

Because of default in performance of the obligations of the Deed of Trust, Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified to satisfy the debt secured by the Deed of Trust.

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 services to the sender of this notice immediately.

Susan Mills

JIM MILLS, SUSAN MILLS, EMILY
NORTHERN, GEORGE HAWTHORNE,
ED HENDERSON, DENISE MORGAN,
KORY MORGAN, SCOTT NIX, LORI
GARNER, DONNA STOCKMAN,
BRENDA WIGGS, DAVID STOCKMAN,
GUY WIGGS, MICHELLE SCHWARTZ,
KATHY ARRINGTON and TED
WILLIAMSON
P.O. Box 9932
Austin, Travis County, Texas 78766
(512) 340-0331

EXHIBIT "A"

BEING all that tract of land in the City of Mart, McLennan County, Texas, and being a part of Lot 4 and Lot 5, Block 1 of South Addition in the City of Mart as per plat recorded in Volume 162, Page 28 of McLennan County Deed Records and being the same tract of land described in a deed to Empire Mortgage XI, Inc. as recorded in Clerk's File 2001023763 of the Official Public Records of McLennan County, Texas, and being further described as follows:

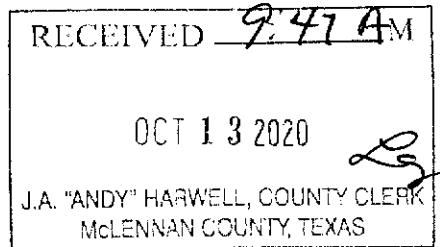
BEGINNING at a 1 inch pipe found at the intersection of the Southeast line of Bowie Avenue (50 foot right-of-way) with the Southwest line of Main Street (80 foot right-of-way), being the North corner of said Empire Mortgage tract;

THENCE South 39 degrees 15 minutes 00 seconds East, 87.00 feet along said Southwest line of Main Street to a 1 inch pipe found;

THENCE South 50 degrees 45 minutes 00 seconds West, 100.00 feet to a 1/2 inch steel rod set;

THENCE North 30 degrees 15 minutes 00 seconds West, 87.00 feet to a 1 inch pipe found at the West corner of Empire Mortgage tract and on the Southeast line of said Bowie Avenue;

THENCE North 50 degrees 45 minutes 00 seconds East (Bearing Basis), 100.00 feet along said Bowie Avenue to the Point of Beginning, containing 0.200 acres of land. Being locally known as 500 South Main, Mart, Texas 76664



Notice of Foreclosure 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. *Property to Be Sold.* The property to be sold is described as follows: BEING Lot Twenty-Three (23) in Block "D" of the Glendale Addition No. 4, to the City of Waco, McLennan County, Texas, as per plat of said addition recorded in Volume 736, Page 103 of the Deed Records of McLennan County, Texas.

2. *Instrument to Be Foreclosed.* The instrument to be foreclosed is the *Deed of Trust* recorded under Clerk's File Number 2019026266, Official Public Records of McLennan County, Texas.

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

Date: November 3, 2020

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time; the earliest time at which the foreclosure sale will begin is 10:00 a.m. and not later than three hours thereafter.

Place: McLennan County Courthouse in Waco, Texas, at the following location: At the top of the outside steps to the second floor in front of the McLennan County Courthouse on Washington Avenue, Waco, McLennan County, Texas.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the *Texas Property Code*. The reposting or refiled may be after the date originally scheduled for this sale.

4. *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.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to 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 "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*, the trustee or any substitute 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. This sale will be conducted subject to the right of rescission contained in section 51.016 of the *Texas Property Code*.

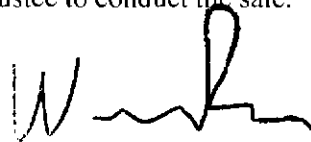
5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Evangelina Hernandez, Chris Hernandez, and Bryan Hernandez. The real property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note in the original principal amount of \$149,900.00, executed by Evangelina Hernandez, Chris Hernandez, and Bryan Hernandez, and payable to the order of Kalos Properties, LLC, a Texas limited liability company, which is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Kalos Properties, LLC, a Texas limited liability company.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated October 13, 2020.



WALT FAIR, Trustee
Attorney for Kalos Properties, LLC
State Bar Number 06781800
1508 North Valley Mills Drive
Waco, Texas 76710
Telephone: (254) 772-6400
Telecopier: (254) 772-6432
walt@waltfairllc.com

RECEIVED 11:22 AM
OCT 13 2020
J.A. "ANDY" HARWELL, COUNTY CLERK
McLENNAN COUNTY, TEXAS

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DEFAULT having been made in the payment of the note described in that certain Deed of Trust executed by **SONNY DELGADO** dated March 6, 2019, and duly filed for record on March 7, 2019 in the Office of the County Clerk of McLennan County, Texas under McLennan County Clerk's File No. **2019007610** of the Official Real Property Records of McLennan County, Texas, conveying to James Murnane, Trustee, the following described real property and improvements thereon in McLennan County, Texas, to-wit:

BEING Lot Twenty (20), in Block Two Hundred Forty (240) of THE REYNOLDS ADDITION, to the City of Waco, McLennan County, Texas, as per plat of said addition recorded in Volume 55, Page 105, Deed Records of McLennan County, Texas; and

WHEREAS, **PINNACLE REALTY ADVISORS, INC. d/b/a PINNACLE MORTGAGE**, a Texas corporation, is the legal owner and holder of the indebtedness described in and secured by the Deed of Trust; and

WHEREAS, **PINNACLE REALTY ADVISORS, INC. d/b/a PINNACLE MORTGAGE**, a Texas corporation, the legal owner and holder of said Deed of Trust, in accordance with its terms, in writing removed the said James Murnane, as Trustee and appointed **Donna Stockman, Brenda Wiggs, David Stockman, Guy Wiggs, Michelle Schwartz, Kathy Arrington or Janet Pinder**, as Substitute Trustee(s); and

WHEREAS, the said Deed of Trust vests power in the Trustee named above to execute the provisions of said trustee and whereas, the legal owner and holder of said Note and Deed of Trust having declared the whole debt due as secured thereby, and having requested that the undersigned as Substitute Trustee proceed to exercise the power of sale so conferred upon said Trustee, I will, in accordance with the request of the said legal owner and holder, on

NOVEMBER 3, 2020

to commence at the hour of 10:00 o'clock a.m., or within three (3) hours thereafter, on said day, sell the above described property to the highest bidder for cash at the following location:

The top of the outside steps to the second floor in front of the McLennan County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners' Court of McLennan County, Texas,

being the location designated pursuant to Article 51.002 of the Texas Property Code for the purpose of satisfying said debt and costs of executing said sale.

Page 1



4727193

Notice is given that on the date of the sale, the Substitute Trustee will offer the property for sale at public auction at the location designated herein, to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Beneficiary to have the bid credited to the amount of the indebtedness secured by the Deed of trust at the time of sale.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or re-schedule the sale for another day. In that case, the Substitute Trustee under the Deed of Trust need not appear at the date, time and place of the scheduled sale to announce the postponement, withdrawal or re-scheduling of said sale. Notice of the date of any re-scheduled sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting and/or refiling may be after the date originally scheduled for this sale.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property described herein, if any, to the extent that they are of record and remain in force and effect and have not been subordinated to the Deed of Trust. The sale will not cover any part of the Property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to terms of the Deed of Trust, the Beneficiary has the right to direct the Trustee or any Substitute Trustee to sell the property in one or more parcels and/or to sell all or only part of the property described herein.

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. WITHOUT LIMITATION OF THE FOREGOING, THERE WILL BE NO WARRANTY RELATING TO POSSESION, QUIET ENJOYMENT, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR THE LIKE FOR THE PERSONAL PROPERTY, IF ANY, INCLUDED IN THIS SALE. PROSPECTIVE BUDDERS ARE ADIVED TO CONDUCT AN INDEPENDENT INVESTIGATION OF THE NATURE AND PHYSICAL CONDITION OF THE PROPERTY.

The name and address of the sender of this Notice are:

**Pinnacle Realty Advisors, Inc.
2825 Wilcrest, Suite 570
Houston, Texas 77042**

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.

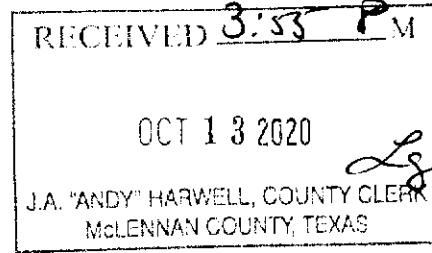
Donna Stockman
Brenda Wiggs
David Stockman
Guy Wiggs
Michelle Schwartz
Kathy Arrington
Janet Pinder
Substitute Trustee(s)

Pinnacle Realty Advisors, Inc.
2825 Wilcrest Drive, Suite 570
Houston, Texas 77042

Attorney for
Pinnacle Realty Advisors, Inc.

Robert A. Schlanger, P.C.
Attorney at Law
5325 Katy Freeway, Suite Two
Houston, Texas 77007
(713) 626-2333

701 RUSK ST
WACO, TX 76704



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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: November 03, 2020

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: THE TOP OF THE OUTSIDE STEPS TO THE SECOND FLOOR IN FRONT OF THE MCLENNAN 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 July 17, 2015 and recorded in Document CLERK'S FILE NO. 2015023580 real property records of MCLENNAN County, Texas, with TROY JENKINS, grantor(s) and GREEN TREE SERVICING LLC, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by TROY JENKINS, securing the payment of the indebtednesses in the original principal amount of \$58,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, for Mid-State Capital Corporation 2005-1 Trust 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. NEWREZ LLC F/K/A NEW PENN FINANCIAL, LLC d/b/a SHELLPOINT MORTGAGE SERVICING, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o NEWREZ LLC F/K/A NEW PENN FINANCIAL, LLC d/b/a SHELLPOINT MORTGAGE SERVICING
55 BEATTIE PLACE
MAILSTOP 015
GREENVILLE, SC 29601



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 CECIL KESTER, TIM LEWIS, BRENDA WIGGS, DENISE BOERNER, DONNA STOCKMAN, GUY WIGGS, DAVID STOCKMAN, OR MICHELLE SCHWARTZ 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 MCLENNAN County Clerk and caused to be posted at the MCLENNAN County courthouse this notice of sale.

Declarants Name: _____

Date: _____

701 RUSK ST
WACO, TX 76704

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EXHIBIT "A"

LOT TEN (10) IN BLOCK TWENTY (20) OF THE RENICK ADDITION TO THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, AS PER PLAT OF SAID ADDITION RECORDED IN VOLUME 28 PAGE 502 OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS.