

**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE**

**DEED OF TRUST INFORMATION:**

**Date:** 05/07/2003  
**Grantor(s):** MARY JANE TACKER, A SINGLE PERSON  
**Original Mortgagee:** MEGAMERICA MORTGAGE GROUP, INC.  
**Original Principal:** \$63,700.00  
**Recording Information:** Instrument 033113  
**Property County:** Austin  
**Property:**

ALL THAT TRACT OR PARCEL OF LAND CONSISTING OF 1.945 ACRES LOCATED IN THE STEPHEN F. AUSTIN LEAGUE, A-6, AUSTIN COUNTY, TEXAS. SUBJECT TRACT BEING THE RESIDUE OF THE CALLED 4.00 ACRE TRACT THAT IS DESCRIBED IN A DEED TO J.T. TACKER, AND WIFE, JANE TACKER AS RECORDED IN VOLUME 363, PAGE 1 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS. SAID TRACT CONSISTING OF 1.945 ACRES AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE SOUTHEAST RIGHT-OF-WAY OF JURICA ROAD (PUBLIC ROAD) AND BEING THE WEST CORNER OF THE CALLED 8.008 ACRE TRACT DESCRIBED IN A DEED TO MARK MACHALA AS RECORDED IN VOLUME 690, PAGE 111 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS AND BEING THE NORTH CORNER OF THE 4.00 ACRE PARENT TRACT AND THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 45 D 00' 00" E, WITH THE COMMON LINE WITH SAID 8.008 ACRE ADJOINING TRACT AND GENERALLY WITH AN EXISTING FENCE LINE, A DISTANCE OF 699.02 FT. (CALLED S 45 D 00' E, 697.1 FT.) TO A 1/2" IRON PIPE FOUND (BENT) AT A FENCE CORNER POST IN THE NORTHWEST LINE OF THE CALLED 149.5 ACRE TRACT DESCRIBED IN A DEED TO ERNEST ANYZ KOY AS RECORDED IN VOLUME 184, PAGE 370 D.R.A.C.T. AND BEING THE SOUTHEASTERLY CORNER OF THE PARENT TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE S 44 D 59' 00" W, WITH THE COMMON LINE WITH SAID 149.5 ACRE ADJOINING TRACT AND GENERALLY WITH AN EXISTING FENCE LINE, A DISTANCE OF 121.22 FT. (CALLED BRG. S 44 D 59' W) TO A 1/2" IRON ROD SET FOR THE SOUTHEASTERLY CORNER OF THE CALLED 2.07 ACRE TRACT DESCRIBED IN A DEED TO DANIEL TACKER AS RECORDED IN FILE #020606 O.R.A.C.T. AND BEING THE SOUTH OR SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 45 D 00' 00" W, WITH THE COMMON LINE WITH SAID 2.07 ACRE ADJOINING TRACT AND WITH A LINE, WHICH IS NOT FENCED, A DISTANCE OF 699.05 FT. (NO CALL) TO A 1/2" IRON ROD SET IN THE SOUTHEAST RIGHT-OF-WAY OF JURICA ROAD AND BEING THE NORTH CORNER OF THE 2.07 ACRE ADJOINING TRACT, FOR THE NORTHWESTERLY OR WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 45 D 00' 00" E, WITH THE SOUTHEAST RIGHT-OF-WAY OF JURICA ROAD, A DISTANCE OF 121.22 FT. (CALLED BRG. N 45 D 00' E) TO THE PLACE OF BEGINNING AND CONTAINING 1.945 ACRES.

NOTES: BEARING SHOWN HEREON ARE BASED UPON THE CALLED BEARING OF N 5 D 00' E, USED IN THE DESCRIPTION OF THE 4.00 ACRE TRACT RECORDED IN VOLUME 363, PAGE 1 D.R.A.C.T. REFERENCE IS HEREBY MADE TO PLAT OF THE SUBJECT TRACT, PREPARED THIS DAY, APRIL 2, 2003.

**Reported Address:** 628 JURICA ROAD, SEALY, TX 77474

**MORTGAGE SERVICING INFORMATION:**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

**Current Mortgagee:** Wells Fargo Bank, N.A.  
**Mortgage Servicer:** Wells Fargo Bank, N.A.  
**Current Beneficiary:** Wells Fargo Bank, N.A.  
**Mortgage Servicer Address:** 3476 Stateview Boulevard, Fort Mill, SC 29715

**SALE INFORMATION:**

**Date of Sale:** Tuesday, the 1st day of November, 2016  
**Time of Sale:** 01:00PM  
or within three hours thereafter.

**Place of Sale:** AT THE FOYER OF THE AUSTIN COUNTY COURTHOUSE in Austin County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Austin County Commissioner's Court.

**Substitute Trustee(s):** Megan Randle-Bender, Aarti Patel, Maryna Danielian, Patricia Sanders, Frederick Britton, Jack Burns II, Kristopher Holub, Patrick Zwiers, Doug Woodard, Kristie Alvarez, Julian Perrine, Dan Hart, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act

**Substitute Trustee Address:** 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Megan Randle-Bender, Aarti Patel, Maryna Danielian, Patricia Sanders, Frederick Britton, Jack Burns II, Kristopher Holub, Patrick Zwiers, Doug Woodard, Kristie Alvarez, Julian Perrine, Dan Hart, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

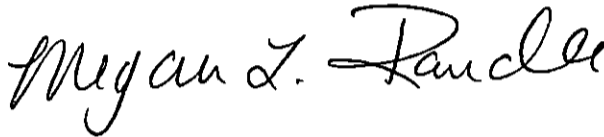
WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

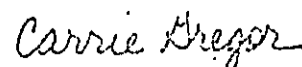
1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Megan Randle-Bender, Aarti Patel, Maryna Danielian, Patricia Sanders, Frederick Britton, Jack Burns II, Kristopher Holub, Patrick Zwiers, Doug Woodard, Kristie Alvarez, Julian Perrine, Dan Hart, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Very truly yours,

Buckley Madole, P.C.



FILED  
Oct 07  
16 SEP 37 PM 2: 35



## NOTICE OF FORECLOSURE SALE

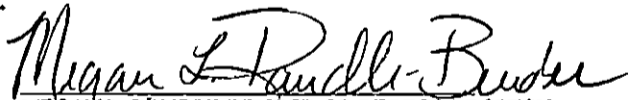
**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE 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: SEE EXHIBIT 'A' ATTACHED
- 2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 08/07/2009 and recorded in Document 093905 real property records of Austin County, Texas.
- 3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:  
Date: 11/01/2016  
Time: 01:00 PM  
Place: Austin County Courthouse, Texas, at the following location: INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.
- 4. Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee 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.
- 5. Obligations Secured.** The Deed of Trust executed by DAVID G. LANINGHAM AND MELONY G. LANINGHAM, provides that it secures the payment of the indebtedness in the original principal amount of \$164,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Ocwen Loan Servicing, LLC is the current mortgagee of the note and deed of trust and OCWEN LOAN SERVICING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Ocwen Loan Servicing, LLC c/o OCWEN LOAN SERVICING, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. Order to Foreclose.** Ocwen Loan Servicing, LLC obtained a Order from the Clerk, US District Court, Southern District on 12/02/2015 under Cause No. 4:15-cv-00649. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.
- 7. Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint MEGAN L. RANDLE-BENDER OR REBECCA BOLTON, Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**



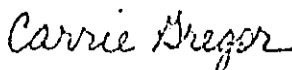
Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Lori Liane Long, Attorney at Law  
Tracey Midkiff, Attorney at Law  
Joseph Modric, Attorney at Law  
Parkway Office Center, Suite 900  
14160 North Dallas Parkway  
Dallas, TX 75254



MEGAN L. RANDLE-BENDER OR REBECCA BOLTON  
c/o AVT Title Services, LLC  
1101 Ridge Rd. Suite 222  
Rockwall, TX 75087

Certificate of Posting  
I am Megan L. Randle-Bender whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. I declare under penalty of perjury that on 10/7/16 I filed this Notice of Foreclosure Sale at the office of the Austin County Clerk and caused it to be posted at the location directed by the Austin County Commissioners Court.

FILED  
OCT 07  
16 SEP 27 PM 2: 31



COUNTY CLERK  
AUSTIN COUNTY, TEXAS

EXHIBIT 'A'

All that certain tract or parcel of land situated in Austin County, Texas, in the San Felipe De Austin Town Tract, Abstract No. 5 and being part of Lots 41 and 42 of the Addition to the Town of Seely recorded in Volume 18, Page 2 of the Deed Records of Austin County, Texas, and being the same 0.3288 acre tract of land, described in a deed, dated May 20, 1985 from Paige A. Walters to Jimmie F. Walters and wife, Kathryn Jean Walters, described in Volume 515, Page 527 of the Official Records of Austin County, Texas and being more particularly

beginning at a 1/2 inch iron pipe found at the Northeast corner of the said 0.3288 acre tract of land in the South line of Fifth Street the point also being the Northwest corner of the Thomas A. Knapp, Jr. and wife, Patricia L. Knapp, 0.185 acre tract of land recorded under File No. 020082 of the Official Records of Austin County, Texas;

thence with the common line between the Walters tract of land and the Knapp Tract of land and the City of Austin, Texas, 0.2102 acre tract of land recorded under File No. 002705 of the Official Records of Austin County, Texas;

thence with the common line between the Walters and Bartholomew Tracts of land, South 80 deg. 50' 42" West for 84.47 feet to a 3/4 inch iron pipe found for the Southwest corner of the said 0.3288 acre tract of land and the Northwest corner of the said Bartholomew Tract of land in the East line of the David L. Madrilis and wife, Wendy G. Madrilis 0.435 acre tract of land recorded under File No. 992375 of the Official Records of Austin County, Texas;

thence with the common line between the Walters tract of land and the Madrilis tract of land and the Madrilis North 0.413 acre tract of land recorded in Volume 771, Page 672 of the Official Records of Austin County, Texas, North 09 deg. 52' 04" West for 170.82 feet to a 5/8 inch iron pin found for the Northeast corner of the said 0.3288 acre tract of land and the Northeast corner of the said North tract of land in the South line of Fifth Street;

thence, with the street line, North 80 deg. 01' 43" East for the 8.256 feet to the Place of Beginning and contain 0.3288 acre of land, more or less.

FILED  
09 AUG 10 PM 1:49  
Camm Jupp  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

093905

CLERK OF RECORD  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS  
I hereby certify that the foregoing is a true and correct copy of the original as the same appears in the Official Records of Austin County, Texas.  
Camm Jupp  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

AUSTIN COUNTY, TEXAS  
COUNTY CLERK  
Carrie Gregor  
16 SEP 30 AM 10:21

Notice of Foreclosure Sale

PURSUANT TO TEXAS TAX CODE SECTION 32.06, THE FORECLOSURE SALE REFERRED TO IN THIS DOCUMENT IS A SUPERIOR TRANSFER TAX LIEN SUBJECT TO THE RIGHT OF REDEMPTION UNDER CERTAIN CONDITIONS. THE FORECLOSURE IS SCHEDULED TO OCCUR ON NOVEMBER 1, 2016.

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:

A005 SAN FELIPE DE AUSTIN T T ACRES 8.150; being more particularly described as All that certain tract or parcel of land situated in Austin County, Texas, and being part of the San Felipe de Austin Town Tract, and being part of the 42.50 acres of land described in a deed from the Corporation of San Felipe to Aaron Harris as recorded in Volume 33, Page 112, of the Deed Records of Austin County, Texas, and being part of the 14.00 acres of land described in a deed from Robert Josey and wife Sarah Josey to Aaron Harris as recorded in Volume 36, Page 326, of the Deed Records of Austin, County, Texas, and being more particularly described as follows:

BEGINNING at an iron pin and fence comer at the East comer of said 42.50 acre tract;

THENCE South 7 1° 25 ' West, a distance of 181.11 feet to an iron pin;

THENCE North 19° 04' 39" West, a distance of 2,078.71 feet to an iron pin in the Southerly right-of-way line I. H. 10;

THENCE North 87° 46' East, a distance of 163.33 feet to an iron pin and fence comer in the Westerly line of an abandoned public road;

THENCE, with the road line, South 18° 47' East, a distance of 667.71 feet to an iron pin and fence comer;

THENCE North 85° 48' East, a distance of 30.70 feet to an iron pin and fence corner;

THENCE South 19° 0 1' East, a distance of 1,357.35 feet to the place of beginning and containing 8.148 acres of land; as provided by the Austin County Taxing Authority, including any and all taxing units which it collects taxes for Account Number(s): R000014113; more commonly known as Southeast I-10 Frontage Road (8.15 acres), Sealy, Texas 77474.

2. *Instrument to be Foreclosed.* The instruments to be foreclosed are the Property Tax Lien Deed of Trust (Deed of Trust) recorded in Document No. 122431 of the real property records of Austin County, Texas and the Transferred Tax Lien recorded in Document No. 122668 of the real property records of Austin County, Texas.

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

FILED  
OCT 07  
16 SEP 30 AM 10:20

Carrie Gregor  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

2016-043

Date: November 1, 2016.

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: Lobby of the Austin County courthouse or as otherwise designated by County Commissioner.

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 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 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.

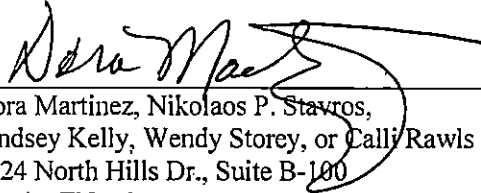
5. *Type of Sale.* The sale is an expedited foreclosure sale of a Transferred Tax Lien created pursuant to Sections 32.06 and 32.065, Texas Tax Code, Section 51.002, Texas Property Code and the power of sale granted by the Deed of Trust executed by Shedrick Ford Coleman aka Shedrick Leon Ford and Dorthea Yvette Ford.

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 (a) the Note in the original principal amount of \$7,732.94, executed by Shedrick Ford Coleman aka Shedrick Leon Ford and Dorthea Yvette Ford, and payable to the order of Casey Lending, LLC; (b) all renewals and extensions of the Note; and (c) any and all present and future indebtednesses of Shedrick Ford Coleman aka Shedrick Leon Ford and Dorthea Yvette Ford to Casey Lending, LLC. Casey Lending, LLC 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 Nikolaos P. Stavros, Lindsey Kelly, or Wendy Storey at 3624 N. Hills Drive, Suite B-100, Austin, Texas 78731.

7. *Default and Request to Act.* Default has occurred under the Deed of Trust, and the beneficiary has requested me, as substitute 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 <sup>7<sup>th</sup></sup> 2016

  
Dora Martinez, Nikolaos P. Stavros,  
Lindsey Kelly, Wendy Storey, or Calli Rawls  
3624 North Hills Dr., Suite B-100  
Austin, TX 78731  
Telephone: (512) 346-6011  
Fax: (512) 346-6005

AFTER POSTING RETURN TO:  
Stavros & Kelly, PLLC  
3624 North Hills Dr., Suite B-100  
Austin, TX 78731  
Tel: (512) 346-6011  
Fax: (512) 346-6005

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: SEE EXHIBIT A
2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 08/22/2003 and recorded in Document 035566 real property records of Austin County, Texas.
3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:
Date: 11/01/2016
Time: 01:00 PM
Place: Austin County Courthouse, Texas, at the following location: INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.
4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee 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.
5. Obligations Secured. The Deed of Trust executed by MITCHELL JUERGENS, provides that it secures the payment of the indebtedness in the original principal amount of \$69,900.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. BANK OF AMERICA, N.A. is the current mortgagee of the note and deed of trust and BANK OF AMERICA, N.A. is mortgage servicer. A servicing agreement between the mortgagee, whose address is BANK OF AMERICA, N.A. c/o BANK OF AMERICA, N.A., 4500 PARK GRANADA, CALABASAS, CA 91302 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
6. Substitute Trustee(s) Appointed to Conduct Sale. In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint MEGAN L. RANDLE-BENDER OR REBECCA BOLTON, Substitute Trustee to act under and by virtue of said Deed of Trust.

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.

Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
Lori Liane Long, Attorney at Law
Tracey Midkiff, Attorney at Law
Joseph Modric, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254

Megan L. Randle-Bender
MEGAN L. RANDLE-BENDER OR REBECCA BOLTON
c/o AWT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

I am Megan L. Randle-Bender Certificate of Posting whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. I declare under penalty of perjury that on 09/27/16 I filed this Notice of Foreclosure Sale at the office of the Austin County Clerk and caused it to be posted at the location directed by the Austin County Commissioners Court.

FILED
16 SEP 27 PM 2: 15
Carrie Oregon
COUNTY CLERK
AUSTIN COUNTY, TEXAS



2016-041



All that certain tract or parcel of land situated in Austin County, Texas, a part of the Martin M. Kenney Section 156, A-352; And being part of a certain 40.80 acre tract of land described as the Third Tract in a deed from Augusta Kinkler to John E. Peschel and recorded in Volume 119, Page 17 of the Deed Records of Austin County, Texas; And being more particularly described as follows:

BEGINNING at an iron pin in the northwesterly line of Peschal Lane. This point bears North 45°44' East, a distance of 396.50 feet from an iron pipe and fence corner at the East corner of the Will Wade Peschel et ux, 3.042 acre tract of land which is recorded in Volume 301, Page 232 of the Deed Records of Austin County, Texas;

THENCE North 45°00' West, a distance of 325.80 feet to an iron pin;

THENCE North 45°00' East, a distance of 193.25 feet to an iron pin;

THENCE South 45°00' East, a distance of 328.28 feet to an iron pin in the northwesterly line of Peschal Lane;

THENCE, with the northwesterly line of Peschal Lane, South 45°44' West, a distance of 193.25 feet to the place of beginning and containing 1.451 acres of land, (As surveyed on February 7, 1976 by Thomas J. Sanders, Registered Public Surveyor, No. 15781)

EXHIBIT A

FILED

03 AUG 29 PH 3:45

Carrie Gregor  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

035566

STATE OF TEXAS

COUNTY OF AUSTIN

I certify that this instrument was filed on the date and time indicated by this seal and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF AUSTIN COUNTY, TEXAS.



Carrie Gregor  
County Clerk  
Austin County, Texas