

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

**Deed of Trust Date:**  
8/30/2005

**Grantor(s)/Mortgagor(s):**  
PHILLIP POWELL, AN UNMARRIED MAN

**Original Beneficiary/Mortgagee:**  
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR GREENPOINT MORTGAGE FUNDING, INC., ITS SUCCESSORS AND ASSIGNS

**Current Beneficiary/Mortgagee:**  
Wells Fargo Bank, National Association, as Trustee for Structured Asset Mortgage Investments II Inc., GreenPoint Mortgage Funding Trust 2005-AR5, Mortgage Pass-Through Certificates, Series 2005-AR5

**Recorded in:**  
**Volume:** N/A  
**Page:** N/A  
**Instrument No:** 055659

**Property County:**  
AUSTIN

**Mortgage Servicer:**  
Select Portfolio Servicing, Inc. is representing the Current Beneficiary/Mortgagee under a servicing agreement with the Current Beneficiary/Mortgagee.

**Mortgage Servicer's Address:**  
3217 S. Decker Lake Dr.,  
Salt Lake City, UT 84119

**Legal Description:** LOT NO. 11 IN GOEBEL HEIGHTS, A SUBDIVISION IN AUSTIN COUNTY, TEXAS, ACCORDING TO THE MAP AND PLAT OF SAID SUBDIVISION, RECORDED IN VOLUME 1, PAGES 65-66, PLAT RECORDS OF AUSTIN COUNTY, TEXAS.

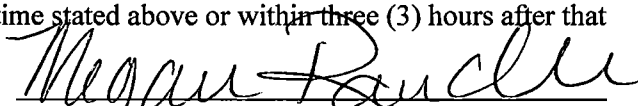
**Date of Sale:** 3/6/2018

**Earliest Time Sale Will Begin:** 1:00PM

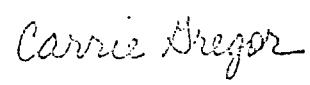
**Place of Sale of Property:** INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.

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.

*Notice Pursuant to Tex. Prop. Code § 51.002(i):*  
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.

  
Megan Randle, Rebecca Bolton  
or Cole D. Patton  
or Deanna Segovia, Substitute Trustee  
MCCARTHY & HOLTHUS, LLP  
1255 WEST 15TH STREET, SUITE 1060  
PLANO, TX 75075

**MH File Number:** TX-17-55118-POS  
**Loan Type:** Conventional Residential

FILED  
18 JAN 26 AM 11:54  
  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

2018-04

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

**Deed of Trust Date:**  
10/10/2014

**Grantor(s)/Mortgagor(s):**  
ANTHONY C. WHALIN AND MARGARET  
WHALIN, HUSBAND AND WIFE

**Original Beneficiary/Mortgagee:**  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC. ("MERS") SOLELY AS A  
NOMINEE FOR FIRST CONTINENTAL  
MORTGAGE, LTD., ITS SUCCESSORS AND  
ASSIGNS

**Current Beneficiary/Mortgagee:**  
First Continental Mortgage, Ltd.

**Recorded in:**  
**Volume:** N/A  
**Page:** N/A  
**Instrument No:** 144348

**Property County:**  
AUSTIN

**Mortgage Servicer:**  
Cenlar FSB is representing the Current  
Beneficiary/Mortgagee under a servicing  
agreement with the Current  
Beneficiary/Mortgagee.

**Mortgage Servicer's Address:**  
425 Phillips Blvd ,  
Ewing, NJ 08618

**Legal Description:** 0.307 ACRES OF LAND SITUATED IN J. NICHOLS SURVEY, ABSTRACT NO. 73, IN THE CITY OF BELLVILLE, AUSTIN COUNTY, TEXAS, AND BEING ALL OF THAT LAND DESCRIBED IN DEED DATED DECEMBER 8, 2005 FROM EVYANN FARISS TO JUSTIN NOVISKIE, RECORDED IN FILE NO. 057723, AUSTIN COUNTY OFFICIAL RECORDS. SEE ATTACHED EXHIBIT A

**Date of Sale:** 3/6/2018

**Earliest Time Sale Will Begin:** 1:00PM

**Place of Sale of Property:** INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE 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.

*Notice Pursuant to Tex. Prop. Code § 51.002(i):*  
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.

Megan Randle, Rebecca Bolton  
or Cole D. Patton  
or Deanna Segovia, Substitute Trustee  
MCCARTHY & HOLTHUS, LLP  
1255 WEST 15TH STREET, SUITE 1060  
PLANO, TX 75075

**MH File Number:** TX-17-55126-POS  
**Loan Type:** Farm Loan

2018-05

FILED  
18 FEB -8 AM 10: 51  
Carrie Stegler  
COUNTY CLERK,  
AUSTIN COUNTY, TEXAS

**TX-17-55126-POS**

**STATE OF TEXAS**

# **Exhibit A**

**COUNTY OF AUSTIN**

**Land Description  
0.307 Acres**

**BEING** a tract or parcel containing 0.307 acres of land situated in J. Nichols Survey, Abstract No. 73, in the City of Bellville, Austin County, Texas and being all of that land described in Deed dated December 8, 2005 from Evyann Fariss to Justin Noviskie, recorded in File No. 057723, Austin County Official Records. Said 0.307 acre tract being described more particularly by metes and bounds as follows:

**BEGINNING** at a 1/2" iron rod found for the original West corner of the Noviskie tract and the West corner of the herein described tract, located on the Southeast line of North Baron Street, said iron rod also being the North corner of the Willard Luedke 0.197 acre tract as described in Volume 434, Page 446, Deed Records;

**THENCE** along the Southeast line of North Baron Street, N 40° 50' 03" E (Deed Call Same & Basis of Bearings – Record Deed Call) a distance of 90.90 feet to a 1/2" iron rod found where said line of Baron street intersects the Southwest line of West Fisher Street and being the original North corner of the Noviskie tract and the North corner of the herein described tract;

**THENCE** along the Southwest line of West Fisher Street, S 64° 46' 07" E (Deed Call- S 64° 47' 15" E – 141.29' ) a distance of 141.34 feet to a 3/8" rod found inside a 2" pipe for the original East corner of the Noviskie tract and the East corner of the herein described tract, also being at the intersection of said Southwest line of West Fisher Street with the Northwest line of Sprain Street;

**THENCE** along the Northwest line of Sprain Street, S 21° 54' 37" W (Deed Call – S 21° 53' 59" W – 84.10) a distance of 84.25 feet to a 1/2" iron rod found for the original South corner of the Noviskie tract and the South corner of the herein described tract, also being the East corner of the Willard Luedke tract;

**THENCE** along a line which is Northeast of and near an existing fence, N 65° 55' 21" W (Deed Call N 65° 36' 36" W – 45.82' & N 66° 08' 35" W – 115.79' ) a distance of 170.71 feet to the **POINT OF BEGINNING**, containing 0.307 acres of land.

## 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 OR 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 TRACT OF LAND CONTAINING 1.592 ACRES KNOWN AS RESERVE "A", LAKEVIEW, A SUBDIVISION OF 27.1042 ACRES OF LAND OUT OF THE MILBURN & DAVIS LEAGUE, AUSTIN COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 31 AND VOLUME 1, PAGE 37, BOTH OF THE PLAT RECORDS OF AUSTIN COUNTY, TEXAS, AS DESCRIBED IN CORRECTION DEED FROM JOHN G. MITCHELL, ET UX, TO WILLIAM L. PARROTT, DATED AUGUST 1, 1984 AND FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF AUSTIN COUNTY, TEXAS, IN VOLUME 528, PAGE 747 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 10/05/2007 and recorded in Document 075942 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: 03/06/2018

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.

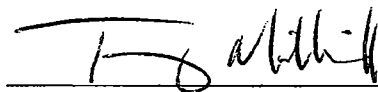
**4. Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 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 WILLIAM LOUIE PARROTT, provides that it secures the payment of the indebtedness in the original principal amount of \$110,900.00, 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.

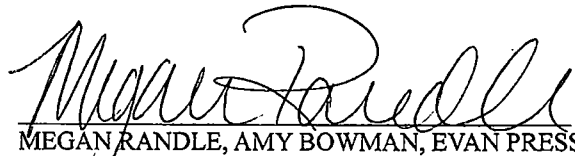
**6. Order to Foreclose.** Ocwen Loan Servicing, LLC obtained a Order from the 155th District Court of Austin County on 01/30/2018 under Cause No. 2017V-0099 . The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

**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 RANDLE, AMY BOWMAN, EVAN PRESS, RENEE THOMAS, REVA ROUCHON-HARRIS, MONICA HIVELA, KATHLEEN ADKINS, DOUG WOODARD, KRISTIE ALVAREZ, JULIAN PERRINE, REBECCA BOLTON, AMY JURSAEK OR EBBIE MURPHY, 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  
Marissa Sibal, Attorney at Law  
Parkway Office Center, Suite 900  
14160 North Dallas Parkway  
Dallas, TX 75254



MEGAN RANDLE, AMY BOWMAN, EVAN PRESS,  
RENEE THOMAS, REVA ROUCHON-HARRIS, MONICA  
HIVELA, KATHLEEN ADKINS, DOUG WOODARD,  
KRISTIE ALVAREZ, JULIAN PERRINE, REBECCA  
BOLTON, AMY JURSAEK OR EBBIE MURPHY  
c/o AVT Title Services, LLC  
.1101 Ridge Rd. Suite 222  
Rockwall, TX 75087

FILED

10 FEB 12 PM 3:11

Carrie Meyer

COUNTY CLERK  
AUSTIN COUNTY, TEXAS

Certificate of Posting

I am Megan Randle whose address is c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on 02/12/18 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.



## Notice of Foreclosure Sale

Notice is hereby given that a public sale at auction of the Property (as the term is defined and described below) will be held at the date, time and place specified in this notice.

### Foreclosure Sale:

Date: Tuesday, March 6, 2018

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: Inside the foyer of the Austin County Courthouse at One East Main Street, Belleville, Austin County, Texas 77418, or as designated by the County Commissioners Court.

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.

Deed of Trust (together with any and all modifications, extensions, renewals, and supplements "Deed of Trust"):

Dated: December 21, 2010, recorded on December 27, 2010, as amended.

Grantor: 4099 Highway 36 North, LLC

Trustee: Ryan Colburn

Lender: Regions Bank, an Alabama banking corporation

Recorded in: Deed of Trust – Document Number 105027 in the Real Property Records of Austin County, Texas

Legal Description: See Exhibit A.

Secures: Promissory Note (as renewed, extended, modified, amended or restated, the "Note") in the original principal amount of \$1,235,000.00, executed by Projectools.com, Inc. and Grantor (collectively, "Borrower") and payable to the order of Lender

Property: The real property and improvements described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

FILED  
18 FEB 13 AM 8:09  
Carrie Heger  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

2018-07

Substitution  
of Trustee:

Under the Removal and Appointment of Substitute Trustee dated February 9, 2018, Ryan Colburn was removed as Trustee, and Alison Cross, Richard Crow and Janis Buchanan, each in their individual capacity, were appointed as "Substitute Trustee"

Substitute Trustees'  
Address:

Alison Cross  
Strasburger & Price, LLP  
901 Main Street, Suite 6000  
Dallas, Texas 75202

Richard Crow  
Strasburger & Price, LLP  
909 Fannin Street, Suite 2300  
Houston, Texas 77010

Janis Buchanan  
Strasburger & Price, LLP  
909 Fannin Street, Suite 2300  
Houston, Texas 77010

Default has occurred in the payment of the Note secured by the Deed of Trust and in the performance of the obligations of the Deed of Trust. The indebtedness evidenced by the Note is now wholly due and payable. The owner and holder of the indebtedness has requested that the undersigned, as Substitute Trustee under the Deed of Trust, sell the Property, the proceeds of such sale to be applied in accordance with the provisions of the Deed of Trust.

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 "Code").

Pursuant to section 51.009 of the 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 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.

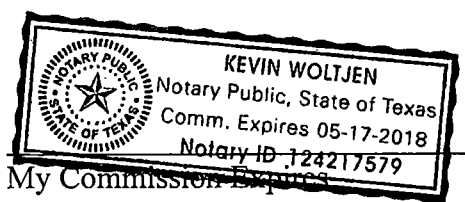
**Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the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

IN WITNESS WHEREOF this Notice of Foreclosure Sale has been executed on this the 9th day of February, 2018.

Alison Cross  
Alison Cross  
Substitute Trustee

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

This instrument was ACKNOWLEDGED before me on February 9, 2018, by Alison Cross, Substitute Trustee, who acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.



Kevin Woltjen  
Notary Public in and for the  
State of Texas  
KEVIN WOLTJEN  
Printed Name

**Exhibit A**  
**Legal Description**

See Attachment.



BELLVILLE V.F.W. POST #6522

11,606 ACRES

ALL THAT TRACT OR PARCELS OF LAND consisting of 11,606 Acres located in the John Fitzgibbons League, A-37, Austin County, Texas. Subject tract being a portion of the called 19.61 Acre tract (found 18,958 Acres) that is described in a Deed to Bellville V.F.W. Post # 6522 as recorded in Volume 169, Page 503 of the Deed Records of Austin County, Texas. Said tract consisting of 11,606 Acres, of which 0.321 Acres are within the limits of Old Highway 36 and said tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the West Right-of-way of State Highway 36 (120 ft. R.O.W.) and being the Southeast corner of Buffalo Creek Estates Subdivision as recorded in Volume 1, Page 207 of the Plat Records of Austin County, Texas and being the Northeast corner of the herein described tract;

THENCE S 32d 16' 16" E, with the West Right-of-way of State Highway 36, a distance of 727.17 ft. (Called Brg. S 33d 30' E) to a 1/2" iron rod set for the Northeast corner of the 7.352 Acre tract that has been surveyed and described for the Bellville V.F.W. Post #6522 and being the Southeast corner of the herein described tract;

THENCE S 57d 04' 49" W, with the common line with said 7.352 Acre adjoining tract, a distance of 461.16 ft. (No Call) to a 1/2" iron rod set in an existing fence line and being an angle point in the 7.352 Acre adjoining tract and in the herein described tract;

THENCE S 35d 35' 15" W, continuing with the common line with the 7.352 Acre adjoining tract, a distance of 342.56 ft. (No Call) to a point for corner within the limits of Old Highway 36 and being the Northwest corner of the 7.352 Acre adjoining tract, for the Southwest corner of the herein described tract. From said point, a 1/2" iron rod set in the East Right-of-way of Old Highway 36, brs. N 35d 35' 15" E, 26.50 ft.;

THENCE N 40d 58' 08" W, with a line, which is within the limits of Old Highway 36, a distance of 371.74 ft. (Called Brg. N 42d 30' W) to an angle point in said road;

THENCE N 47d 13' 31" W, continuing with a line, which is within the limits of Old Highway 36, a distance of 180.33 ft. (Called

July 24, 2006

H.O.P. 5674

Page 1 of 2

**Exhibit A**

BELLEVILLE V.F.W. POST #1522

11.606 ACRES (continued)

N 48d 30' W, 42.0 y, [116.57'] to a point for corner within the limits of Old Highway 36 and being the Northwest corner of the parent tract and the Northwest corner of the herein described tract;

TRACK N 37d 46' 55" E, passing at 24.80 ft. a 3/4" iron pipe found at a fence corner post and being the Southwest corner of Buffalo Creek Estates Subdivision as mentioned above and continuing, a total distance of 937.53 ft. (Called N 36d 30' E, 342.2 y, [950.56 ft.]) to the TRACK OF HIGHWAY 36 and containing 11.606 Acres, of which 0.321 Acres are within the limits of Old Highway 36.

NOTES: Bearings shown hereon are based upon the plat of Buffalo Creek Estates Subdivision as recorded in Volume 1, Page 207 P.R.A.C.T.

Reference is hereby made to plat, of the subject tract, prepared this day.

The tract of land shown hereon could be subject to the subdivision rules of Austin County, Texas.

July 24, 2005  
H.O. # 5474

*Glen S. Alexander*  
Glen S. Alexander  
Registered Professional Land Surveyor, #4194



Page 2 of 2

**Exhibit A**

## NOTICE OF FORECLOSURE SALE

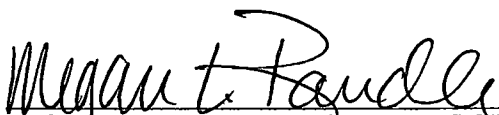
ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE 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 08/14/2008 and recorded in Document 084534 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: 03/06/2018  
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 WILLIAM JOHNSON, provides that it secures the payment of the indebtedness in the original principal amount of \$273,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. BRANCH BANKING AND TRUST COMPANY is the current mortgagee of the note and deed of trust and BRANCH BANKING AND TRUST COMPANY is mortgage servicer. A servicing agreement between the mortgagee, whose address is BRANCH BANKING AND TRUST COMPANY c/o BRANCH BANKING AND TRUST COMPANY, P. O. BOX 2467, GREENVILLE, SC 29602 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. Order to Foreclose.** BRANCH BANKING AND TRUST COMPANY obtained a Order from the Clerk, US District Court, Southern District on 04/18/2017 under Cause No. 4:16-cv-00748. 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 AKA MEGAN L. RANDLE-BENDER OR EBBIE MURPHY, 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  
Marissa Sibal, Attorney at Law  
Parkway Office Center, Suite 900  
14160 North Dallas Parkway  
Dallas, TX 75254



MEGAN L. RANDLE AKA MEGAN L. RANDLE-BENDER OR  
EBBIE MURPHY

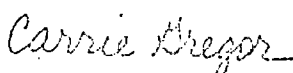
c/o AVT Title Services, LLC  
1101 Ridge Rd. Suite 222  
Rockwall, TX 75087

### Certificate of Posting

I am Megan L. Randle whose address is c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on 02/13/18 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

18 FEB 13 AM 9:39



COUNTY CLERK  
AUSTIN COUNTY, TEXAS

2018-08

TRANSCONTINENTAL TITLE

Page 11 of 12

Commitment for Title Insurance - No 10-01093120

EXHIBIT "A"

ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 2 008 ACRES OF LAND, MORE OR LESS, IN THE JOHN NICHOLS LEAGUE, ABSTRACT 73, AUSTIN COUNTY, TEXAS, SAME BEING ALL THAT CERTAIN CALLED 2 006 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 365, PAGE 332 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS, SAID 2 008 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT

BEGINNING AT A 1 INCH IRON PIPE FOUND FOR CORNER, SAME BEING IN THE COMMON SOUTHWESTERLY MARGIN OF EAST NICHOLS STREET (WIDTH VARIES), SAME BEING THE COMMON NORTHEASTERLY CORNER OF THAT CERTAIN CALLED 1 003 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 745, PAGE 259 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS, AND SAME BEING THE POINT OF BEGINNING AND NORTHWESTERLY CORNER OF THE TRACT HEREIN DESCRIBED,

THENCE, WITH SAID COMMON SOUTHWESTERLY MARGIN AND SAID COMMON LINE, SOUTH 63 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 309 96 FEET (CALLED SOUTH 63 DEGREES 00 MINUTES 00 SECONDS EAST, 310 00 FEET) (BASIS OF BEARINGS) TO A 5/8 INCH IRON ROD FOUND FOR CORNER, SAME BEING THE COMMON NORTHWESTERLY CORNER OF THAT CERTAIN CALLED 0 972 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 9, PAGE 279 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS, AND SAME BEING THE NORTHEASTERLY CORNER OF THE TRACT HEREIN DESCRIBED,

THENCE, WITH SAID COMMON LINE, SOUTH 24 DEGREES 59 MINUTES 22 SECONDS WEST, A DISTANCE OF 282 36 FEET (CALLED SOUTH DEGREES 00 MINUTES WEST, 252 00 FEET) TO A 1/2 INCH IRON ROD SET FOR CORNER, SAME BEING THE COMMON SOUTHWESTERLY CORNER OF SAID CALLED 0 972 ACRE PARCEL SAME BEING IN THE COMMON NORTHEASTERLY LINE OF THAT CERTAIN CALLED 0 9355 ACRE PARCEL AS RECORDED IN VOLUME 731, PAGE 900 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS, AND SAME BEING THE SOUTHEASTERLY CORNER OF THE TRACT HEREIN DESCRIBED,

THENCE, WITH SAID COMMON LINE, NORTH 63 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 309 96 FEET (CALLED NORTH 63 DEGREES 00 MINUTES 00 SECONDS WEST, 310 00 FEET) TO A 1 INCH IRON PIPE FOUND FOR CORNER, SAME BEING IN THE COMMON NORTHEASTERLY LINE OF THAT CERTAIN CALLED 0 605 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 795, PAGE 565 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS, SAME BEING THE COMMON SOUTHEASTERLY CORNER OF SAID CALLED 1 003 ACRE PARCEL, AND SAME BEING A SOUTHWESTERLY CORNER OF THE TRACT HEREIN DESCRIBED,

THENCE, WITH SAID COMMON LINE, NORTH 24 DEGREE 59 MINUTES 22 SECONDS EAST, A DISTANCE OF 282 36 FEET (CALLED NORTH 25 DEGREE 00 MINUTES 00 SECONDS EAST 282 00 FEET) TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED AND CONTAINING 2 008 ACRES OF LAND, MORE OR LESS

FILED

08 AUG 25 PM 2: 11

*Carrie Gregor*  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

084534

STATE OF TEXAS

COUNTY CLERK

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



*Carrie Gregor*  
Carrie Gregor, County Clerk  
Austin County, Texas