

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

AUSTIN County

Deed of Trust Dated: March 27, 2009

Amount: \$68,627.00

Grantor(s): LATONIA DAVIS

Original Mortgagee: CORNERSTONE MORTGAGE COMPANY

Current Mortgagee: BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY

Mortgagee Address: BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY, 4425 Ponce de Leon Blvd., Suite 500, Coral Gables, FL 33146

Recording Information: Document No. 091545

Legal Description: SEE EXHIBIT "A" ATTACHED HERETO.

Date of Sale: January 2, 2019 between the hours of 1:00 PM and 4:00 PM.

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the AUSTIN County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

EBBIE MURPHY OR KRISTIE ALVAREZ, JULIAN PERRINE, KATHLEEN ADKINS, AMY BOWMAN, EVAN PRESS, REVA ROUCHON-HARRIS, MONICA HIRVELA, OR BENJAMIN GRIESINGER, REID RUPLE, CATRENA WARD, KIM HINSHAW, STEPHANIE KOHLER, IAN MOSER OR MEGAN RANDLE have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.


NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

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.


RACHAEL U. DONNELLY, ATTORNEY AT LAW

HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2018-001962


EBBIE MURPHY OR KRISTIE ALVAREZ, JULIAN PERRINE, KATHLEEN ADKINS, AMY BOWMAN, EVAN PRESS, REVA ROUCHON-HARRIS, MONICA HIRVELA, OR BENJAMIN GRIESINGER, REID RUPLE, CATRENA WARD, KIM HINSHAW, STEPHANIE KOHLER, IAN MOSER OR MEGAN RANDLE
c/o Tejas Trustee Services
14800 Landmark Blvd, Suite 850
Addison, TX 75254

201870

STATE OF TEXAS

COUNTY OF AUSTIN

Before me, the undersigned authority, on this 20th day of November, personally appeared Megan Randle, known to me to be the person(s) whose name is/are subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.



NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:
Hughes, Watters & Askanase, L.L.P.
1201 Louisiana, Suite 2800
Houston, Texas 77002
Reference: 2018-001962



2018-70

EXHIBIT A

STATE OF TEXAS

COUNTY OF AUSTIN

Land Description
0.313 Acres

BEING a tract or parcel containing 0.313 acres of land situated in the San Felipe De Austin Town Tract, Abstract No. 5, City of Sealy, Austin County, Texas and being the remaining part or portion of that same land described in Deed dated January 31, 1928 from Pat Holiday, et ux to R.K. Holiday, recorded in Volume 77, Page 174, Austin County Deed Records. Said 0.313 acre tract being described more particularly by metes and bounds as follows:

BEGINNING at a 1/2" iron rod set for the Southwest corner of the original Holiday tract and the Southwest corner of the herein described 0.313 acre tract, located on the Easterly right of way line of Cleveland Street (width varies), said iron rod also being on the North line of the Lot 1 in Block 1 of the Scranton Oaks Subdivision as recorded in Volume 2, Page 38, Austin County Plat Records;

THENCE along the West line of the original Holiday tract, which is also along the Easterly line of Cleveland Street, N 11° 30' 00" W a distance of 113.89 feet to a 1/2" iron rod set where said line intersects the Southerly line of Andrews Street and being the Northwest corner of said original tract and the herein described tract;

THENCE along the Southerly line of Andrews Street, N 78° 12' 08" E a distance of 116.29 feet to a point in an existing chain-link fence for the Northeast corner of the herein described tract and being on the Westerly line of a 0.187 acre tract conveyed to Lance Anderson by deed recorded in File No. 922942, Official Records and from said point a 1/2" iron rod found for the Northwest corner of said Anderson tract bears N 11° 30' 00" W a distance of 2.36 feet;

THENCE following said chain-link fence along the Westerly line of the Anderson 0.187 acre tract, S 11° 30' 00" E (Basis of Bearings - Record Adjoining Deed Call) a distance of 120.96 feet to a 1/2" pipe found for the Southwest corner of the Anderson tract and being the Southeast corner of the herein described tract, also being on the Northerly line of Lot 2 in Block 1 of said Scranton Oaks Subdivision;

THENCE along the Northerly line of said Scranton Oaks Subdivision, the following calls:

- S 81° 30' 08" W a distance of 46.82 feet to a 1/2" iron rod found for the Northwest corner of Lot 2 and the Northeast corner of Lot 1, and
- S 81° 48' 00" W a distance of 69.55 feet to the POINT OF BEGINNING, containing 0.313 acres of land.

Instrument # 185400
11/20/2018 10:43 AM

STATE OF TEXAS COUNTY OF AUSTIN
I certify that this instrument was filed on the date and time stamped by me and was recorded in the Official Public Records of Austin County, Texas.

Carrie Gregor, County Clerk
Austin County, Texas

FILED

18 NOV 20 AM 10:48

Carrie Gregor
COUNTY CLERK
AUSTIN COUNTY, TEXAS

By: *Patty Darman Legar*

2018-70

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 JANUARY 2, 2019.

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:

SAN FELIPE NEW ADDN BLK 6 ACRES 5.000 located in Austin County, Texas; more commonly known as 5884 Fannin Street, San Felipe, Texas 77473.

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. 100315 of the real property records of Austin County, Texas and the Transferred Tax Lien recorded in Document Nos. 100554 and 130984 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:

Date: January 2, 2019.

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 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.

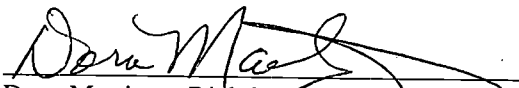
5. *Type of Sale.* The sale is an expedited foreclosure sale of a Transferred Tax Lien created pursuant to Sections 32.06 and 32.065, Texas Tax Code, Section 51.002, Texas Property Code and the power of sale granted by the Deed of Trust executed by K.W.R. Enterprises, Inc. and Kenneth Richards.

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 \$5,956.37, modified in the principal amount of \$11,333.35, executed by K.W.R. Enterprises, Inc. and Kenneth Richards, and payable to the order of Hunter-Kelsey I, LLC; (b) all renewals and extensions of the Note; and (c) any and all present and future indebtednesses of K.W.R. Enterprises, Inc. and Kenneth Richards to Hunter-Kelsey I, LLC. Hunter-Kelsey I, 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 Dylan Schultz, Nikolaos P. Stavros, Lindsey Kelly, or Wendy Storey at 7200 North MoPac Expy., Suite 270, 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: 6th day of December, 2018



Dora Martinez, Rick Martinez, Nikolaos P. Stavros, Lindsey Kelly,
Wendy Storey, Dylan Schultz, or Clinton Holden
7200 North MoPac Expy., Suite 270
Austin, TX 78731
Telephone: (512) 346-6011
Fax: (512) 346-6005

AFTER POSTING RETURN TO:
Stavros & Kelly, PLLC
7200 North MoPac Expy., Suite 270
Austin, TX 78731
Tel: (512) 346-6011
Fax: (512) 346-6005

FILED

18 DEC 6 AM 8:54

Carmie Shigor

COUNTY CLERK
AUSTIN COUNTY, TEXAS

PNL

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Date: 09/13/2013
Grantor(s): GILBERT MARTINEZ AND WIFE, REBECCA MARTINEZ
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR LIBERTY BANK & TRUST COMPANY, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$116,304.00
Recording Information: Instrument 134653
Property County: Austin
Property: LOT 3, BLOCK 2, OF THE WILLOW BROOK SUBDIVISION TO THE CITY OF SEALY, AUSTIN COUNTY, TEXAS, ACCORDING TO THE PLAT IN VOLUME 331, PAGE 24 OF THE DEED RECORDS OF AUSTIN COUNTY.
Reported Address: 206 WILLOW STREET, 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: Trustmark National Bank
Mortgage Servicer: Trustmark National Bank
Current Beneficiary: Trustmark National Bank
Mortgage Servicer Address: 201 Country Place Pkwy, Suite B, Pearl, MS 39208

SALE INFORMATION:

Date of Sale: Wednesday, the 2nd day of January, 2019
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, Ebbie Murphy, Michael Burns, Elizabeth Hayes, Sammy Hooda, or Suzanne Suarez, 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, Ebbie Murphy, Michael Burns, Elizabeth Hayes, Sammy Hooda, or Suzanne Suarez, 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, Ebbie Murphy, Michael Burns, Elizabeth Hayes, Sammy Hooda, or Suzanne Suarez, 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,

Bonial & Associates, P.C.

Megan L. Randle

FILED

(PNL) 18 DEC 6 7 PM 3: 05

Carrie Gregor

2018-13

NOTICE OF SUBSTITUTE TRUSTEE SALE

Deed of Trust Date:
7/28/1999

Original Beneficiary/Mortgagee:
HOME FINANCING UNLIMITED, INC. DBA
MISSION MORTGAGE OF TEXAS, INC.

Recorded in:
Volume: N/A
Page: N/A
Instrument No: 994610

Mortgage Servicer:
Bank of America, N.A. is representing the Current
Beneficiary/Mortgagee under a servicing agreement with
the Current Beneficiary/Mortgagee.

Grantor(s)/Mortgagor(s):
JOE J. CEVALLOS, JR. AND SPOUSE, MARTHA
SANCHEZ

Current Beneficiary/Mortgagee:
HSBC BANK USA, NATIONAL ASSOCIATION,
AS TRUSTEE FOR THE HOLDERS OF THE
GSMPS 2005-RP1 TRUST

Property County:
AUSTIN

Mortgage Servicer's Address:
7105 Corporate Drive,
Plano, TX 75024

Legal Description: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL
PERTINENT PURPOSES

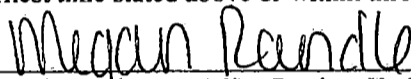
Date of Sale: 1/2/2019 **Earliest Time Sale Will Begin:** 1PM

Place of Sale of Property: Austin County Courthouse, One East Main, Bellville, TX 77418 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.

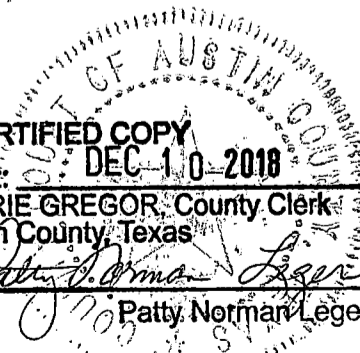

Notice Pursuant to Tex. Prop. Code § 51.002(i):
Assert and protect your rights as member of
the armed forces of the United States. If you
or your spouse are serving on active military duty,
including active military duty as a member of the
Texas National or the National Guard of another
state or as a 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.



Kristie Alvarez, Julian Perrine, Kathleen Adkins,
Amy Bowman, Evan Press, Reva Rouchon-Harris,
Monica Hirvela, Benjamin Griesinger, Reid Ruple,
Catrena Ward, Kim Hinshaw, Stephanie Kohler, Ian
Moser, Megan Randle or Ebbie Murphy
or Thuy Frazier
or Cindy Mendoza
or Deanna Segovia, Substitute Trustee
MCCARTHY & HOLTHUS, LLP
1255 WEST 15TH STREET, SUITE 1060
PLANO, TX 75075

MH File Number: TX-18-69343-POS
Loan Type: FHA

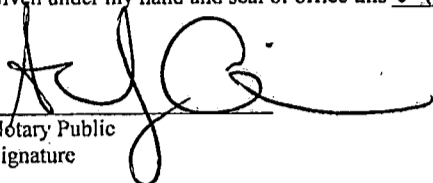

A CERTIFIED COPY
Attest: DEC 10 2018
CARRIE GREGOR, County Clerk
Austin County, Texas
By 
Patty Norman Leger

2018-74

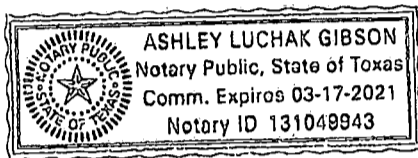
STATE OF TEXAS §
COUNTY OF Wharton §

Before me, the undersigned Notary Public, on this day personally appeared Miguel Randle as Substitute Trustee, known to me or proved to me through a valid State driver's license or other official identification described as _____, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 04 day of December, 2018.



Notary Public
Signature



TX-18-69343-POS

EXHIBIT "A"

LEGAL DESCRIPTION

FIELD NOTES FOR A 2.137 ACRE TRACT OF LAND OUT OF A 164.9809 ACRE TRACT OUT OF A CALLED 400 ACRE TRACT (VOLUME 290, PAGE 697, DEED RECORDS) AND BEING SITUATED IN THE H. & T.C. RAILROAD COMPANY SURVEY, SECTION 161, ABSTRACT 205, AUSTIN COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a 1/2 inch iron pipe found at the intersection of the Northwest line of Orange Hill Road and the Southwest line of Harrison Road;

THENCE: South 45° 00' 00" East a distance of 32.08 feet to a point in the center of said Orange Hill Road;

THENCE: South 45° 12' 14" West a distance of 3857.93 feet along the centerline of said Orange Hill Road to a 1/2 inch iron rod set for the North corner of this tract and a Northeast corner of the residue of said 164.9809 acre tract and being the ACTUAL PLACE OF BEGINNING;

THENCE: South 45° 00' 23" East at 35.00 feet pass a 1/2 inch iron rod set and continuing for a total distance of 547.47 feet to a 1/2 inch iron rod set for the East corner of this tract and an interior corner of the residue of said 164.9809 acre tract;

THENCE: South 45° 12' 14" West a distance of 170.00 feet to a 1/2 inch iron rod set for the South corner of this tract and the East corner of another 2.137 acre tract (surveyed at the same time as this tract and not yet recorded);

THENCE: North 45° 00' 23" West at 512.47 feet pass a 1/2 inch iron rod set and continuing for a total distance of 547.47 feet to a 1/2 inch iron rod set in the centerline of said Orange Hill Road for the West corner of this tract and the North corner of said adjoining 2.137 acre tract;

THENCE: North 45° 12' 14" East a distance of 170.00 feet along the centerline of said Orange Hill Road to the ACTUAL PLACE OF BEGINNING and containing 2.137 acres of land with 0.156 acres in the road.

The bearings recited herein are based on the centerline of Orange Hill Road running North 45° 12' 14" East.

Instrument # 185657
12/10/2018 10:34 AM

STATE OF TEXAS COUNTY OF AUSTIN
I certify that this instrument was filed on the date and time stamped by me and was recorded in the Official Public Records of Austin County, Texas.

Carrie Gregor, County Clerk
Austin County, Texas

By: *Patty Norman Leger*

A CERTIFIED COPY
Attest: **DEC 10 2018**
CARRIE GREGOR, County Clerk
Austin County, Texas
By: *Patty Norman Leger*
Patty Norman Leger

FILED

18 DEC 10 AM 10:45

Carrie Gregor
COUNTY CLERK
AUSTIN COUNTY, TEXAS

2018-74

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: January 02, 2019

Time: The sale will begin at 1:00PM or not later than three hours after that time.

Place: FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS' or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

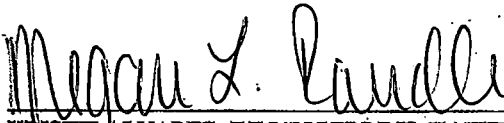
3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated July 13, 2005 and recorded in Document CLERK'S FILE NO. 054239 real property records of AUSTIN County, Texas, with ANACLETO MARTINEZ AND ANTONIA MARTINEZ, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by ANACLETO MARTINEZ AND ANTONIA MARTINEZ, securing the payment of the indebtednesses in the original principal amount of \$67,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. SUNTRUST BANK 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. SUNTRUST BANK, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o SUNTRUST BANK
1001 SEMMES AVENUE MAIL CODE RVW 3014
RICHMOND, VA 23224



KRISTIE ALVAREZ, JULIAN PERRINE, KATHLEEN ADKINS, AMY BOWMAN, EVAN PRESS, REVA ROUCHON-HARRIS, MONICA HIRVELA, BENJAMIN GRIESINGER, REID RUPLE, CAIRENA WARD, KIM HINSHAW, STEPHANIE KOHLER, IAN MOSER MEGAN L. RANDLE, REBECCA BOLTON, OR AMY JURASEK
Substitute Trustee.

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

2018-75



1404 KATHY AVE
SEALY, TX 77474

0000007265812
Date of Sale: 01/02/2019

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas. I declare under penalty of perjury that on _____ I filed at the office of the AUSTIN County Clerk and caused to be posted at the AUSTIN County courthouse this notice of sale.

Declarants Name: _____

Date: _____

2018-75



LOT NO. 7, IN THE DON ELL KRAMPITZ SUBDIVISION, BEING OUT OF LOT NO. 3; BLOCK NO. 34, SEALY SUBDIVISION, IN THE SAN FELIPE TOWN TRACT OF FIVE LEAGUES OF LAND IN AUSTIN COUNTY, TEXAS, RECORDED IN VOLUME 256, PAGE 251, DEED RECORDS OF AUSTIN COUNTY, TEXAS.

2018-75

Cause No. 2018V-0024

SUNTRUST MORTGAGE, INC.,
Plaintiff,

IN THE DISTRICT COURT

v.

SIEDA H. GUERRERO,

OF AUSTIN COUNTY, TEXAS

Defendants.

In Re: 1404 KATHY AVE.,
SEALY, TEXAS 77474

155TH JUDICIAL DISTRICT

DEFAULT JUDGMENT

After considering plaintiff, Suntrust Mortgage, Inc.'s, its successors or assigns, motion for default judgment, pleadings, and evidence on file the Court GRANTS the motion and finds:

1. Citation properly served on defendants according to law and returned on file with the Clerk of this Court for the time prescribed by law.
2. Defendant, Sieda H. Guerrero was served with process and defendant has not filed an answer or any pleading constituting an answer and have not entered an appearance in this lawsuit. The last known address for defendant Sieda H. Guerrero is as follows: 1404 Kathy Ave., Sealy, Texas 77474.
3. None of the defendants who were personally served are in active military service.
4. The Loan Agreement between Anacleto Martinez, Antonia Martinez, and the plaintiff is in default and that plaintiff is in the beneficiary of that agreement on the property made the basis of lawsuit.
5. Plaintiff entitled to the relief sought in plaintiff's original petition. Therefore it is

IT IS ORDERED that:

All of Anacleto Martinez's ("Decedent") heirs-at-law have been made defendants to this suit and were immediately vested with all of Decedent's right, title and interest in the real property and

Default Judgment
BLERK #: 731194

Page 1

2018-75

improvements commonly known as 1404 Kathy Ave., Sealy, Texas 77474 ("Property") and legally described as:

LOT NO. 7, IN THE DON ELL KRAMPTZ SUBDIVISION, BEING OUT OF LOT NO. 3, BLOCK NO. 34, SEALY SUBDIVISION, IN THE SAN FELIPE TOWN TRACT OF FIVE LEAGUES OF LAND IN AUSTIN COUNTY, TEXAS, RECORDED IN VOLUME 256, PAGE 21, DEED RECORDS OF AUSTIN COUNTY, TEXAS,

FURTHER ORDERED plaintiff has a valid lien on the Property by way of a Texas Home Equity Security Instrument dated July 13, 2005 and filed under Document No. 054239 of the Official Public Records of Austin County, Texas.

IT IS FURTHER ORDERED that this Default Judgment serves as an Order authorizing plaintiff to foreclose its lien created under TEX. CONST. art. XVI, § 50(a)(6) in compliance with the Loan Agreement and TEX. PROC. CODE § 51.002.

IT IS FURTHER ORDERED that a copy of this Default Judgment shall be sent to defendants with the notice of the date, time and place of the foreclosure sale.

IT IS FURTHER ORDERED that plaintiff may communicate with the defendants and all third parties reasonably necessary to conduct the foreclosure sale.

IT IS FURTHER ORDERED that if defendants are represented by counsel, the notice of foreclosure sale shall also be mailed to counsel by certified mail.

IT IS FURTHER ORDERED that one of the effects of the non-judicial foreclosure shall be that defendants are divested and the purchaser of the Property at the non-judicial foreclosure sale is vested with all right, title and interest to the Property.

IT IS FURTHER ORDERED that no personal liability or deficiency for the Loan Agreement debt shall be asserted against the defendants or the putative estate of Decedent.

IT IS FURTHER ORDERED that after the non-judicial foreclosure is held, if the property remains occupied after this judgment becomes final and the plaintiff is the purchaser of

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the Property at the non-judicial foreclosure sale, a writ of possession shall issue against any occupant of the Property in accordance with TEX. R. CIV. P. 310.

All relief not expressly granted is denied.

This judgment finally disposes of all parties and all claims and is appealable.

SIGNED this 14th day of August, 2018.

Jeff R. Davis
PRESIDING JUDGE

SUBMITTED BY:

Jeffrey K. Clucko
Jeffrey K. Clucko
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JULIE M. MURPHY
CLERK OF DISTRICT CLERK
MUSKOGEE COUNTY, TEXAS

ATTORNEY FOR PLAINTIFF

Default Judgment
BDFIS #: 7311194

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Carrie Gregor

COUNTY CLERK
MUSKOGEE COUNTY, TEXAS

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