

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: June 04, 2019

Time: The sale will begin at 1:00 PM 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 February 18, 2011 and recorded in Document CLERK'S FILE NO. 111127 real property records of AUSTIN County, Texas, with JONATHAN J DAIGNAULT AND CAROLYN M DAIGNAULT, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by JONATHAN J DAIGNAULT AND CAROLYN M DAIGNAULT, securing the payment of the indebtednesses in the original principal amount of \$220,685.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WELLS FARGO BANK, N.A. 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. WELLS FARGO BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:


c/o WELLS FARGO BANK, N.A.
3476 STATEVIEW BLVD
FORT MILL, SC 29715

19-013



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 AMY BOWMAN, REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, STEPHANIE KOHLER, CARY CORENBLUM, LUCI FULLER, MARIEL MARROQUIN, KRISTOPHER HOLUB, CATRENA WARD, JULIAN PERRINE, EBBIE MURPHY MEGAN L. RANDLE, REBECCA BOLTON, OR AMY JURASEK 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.


Megan L. Randle

Shawnika Harris

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 AUSTIN County Clerk and caused to be posted at the AUSTIN County courthouse this notice of sale.

Declarants Name: _____

Date: _____

19-013

507 PECAN GROVE ROAD
SEALY, TX 77474

0000008301384

0000008301384

AUSTIN

EXHIBIT "A"

LOT TWENTY-FOUR (24), IN BLOCK FOUR (4), OF BRAZOS COUNTY, SECTION FOUR (4), A SUBDIVISION IN AUSTIN COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 55-57, OF THE PLAT RECORDS OF AUSTIN COUNTY, TEXAS

FILED

2019 APR 26 AM 11:38

Carrie Gregor

**COUNTY CLERK
AUSTIN COUNTY, TEXAS**

19-013

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

AUSTIN County
Deed of Trust Dated: June 23, 2006
Amount: \$128,000.00
Grantor(s): MARIBEL PEREZ
Original Mortgagee: COUNTRYWIDE HOME LOANS, INC.
Current Mortgagee: M & T BANK
Mortgagee Address: M & T BANK, P. O. Box 1364, Buffalo, NY 14240-1364

Recording Information: Document No. 063710
Legal Description: SEE EXHIBIT "A"

Date of Sale: June 4, 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, KATHLEEN ADKINS, AMY BOWMAN, EVAN PRESS, REID RUPLE, CATRENA WARD, STEPHANIE KOHLER, CARY CORENBLUM, LUCI FULLER, MARIEL MARROQUIN, KRISTOPHER HOLUB, CATRENA WARD, JULIAN PERRINE, VANESSA MCHANAY 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.

FILED

2019 MAY -9 PM 4:23

Carrie Gregor

**COUNTY CLERK
AUSTIN COUNTY, TEXAS**

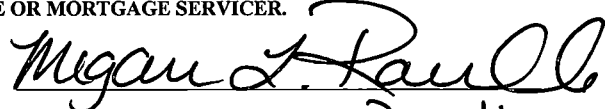
19-015

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.



RACHEL U. DONNELLY, ATTORNEY AT LAW

HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2018-005358



Printed Name: Megan L. Randle

c/o Auction.com, LLC
1 Mauchly
Irvine, California 92618

EXHIBIT "A"

Escrow/Closing # 35552
Doc ID # 00013845925306006
MIN 1000157-0006813001-8

FIELD NOTES OF A SURVEY OF A 0.453 ACRE TRACT OUT OF THE CITY OF SEALY, IN THE SAN FELIPE DE AUSTIN 5 LEAGUE GRANT, AUSTIN COUNTY, TEXAS. SAID 0.453 ACRE TRACT BEING ALL OF THAT CALLED 36,000 SQUARE FOOT TRACT AS DESCRIBED IN A DEED DATED OCTOBER 20, 1994 TO EVELYN WENDT, RECORDED IN VOLUME 716, PAGE 66 AUSTIN COUNTY OFFICIAL RECORDS, LESS A 0.384 ACRE TRACT DESCRIBED IN VOLUME 248, PAGE 10, OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS FOR WHICH REFERENCE IS MADE AND THE SAID 0.453 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT A 3/8 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT IN THE WEST LINE OF MEYER STREET, SAID CORNER BEING ALSO THE SOUTHEAST CORNER OF THE RESIDUE OF A 1.898 ACRE TRACT DESCRIBED IN A DEED TO RICHARD J. BOHEM, FILE NUMBER 992523, AUSTIN COUNTY OFFICIAL RECORDS,

THENCE S 12° 07' 13" E A DISTANCE OF 120.77 FEET (CALLED 120') AND S 11° 07' 13" E BEING CALLED THE BEARING ALONG MEYER STREET AS PER VOLUME 636, PAGE 629 AUSTIN COUNTY OFFICIAL RECORDS) WITH THE WEST LINE OF MEYER STREET, SAME BEING THE EAST LINE OF THE HEREIN DESCRIBED TRACT TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED 0.453 ACRE TRACT, SAID CORNER BEING ALSO THE NORTHEAST CORNER OF A CALLED 0.485 ACRE TRACT DESCRIBED IN A DEED TO ANTONIOS TSOUNAKA, ET UX, VOLUME 636, PAGE 629, AUSTIN COUNTY OFFICIAL RECORDS, FROM SAID CORNER A 3/4 INCH IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF THE SAID 0.485 ACRE TRACT BEARS S 12° 33' 17" E - 70.13 FEET;

THENCE S 70° 56' 45" W A DISTANCE OF 164.23 FEET (CALLED 160') WITH THE NORTHWEST LINE OF THE SAID 0.485 ACRE TRACT, SAME BEING THE SOUTHEAST LINE OF THE HEREIN DESCRIBED 0.453 ACRE TRACT AND NOT WITH THE PRESENT FENCE TO A 5/8 INCH IRON ROD SET (CAPPED FRANK SURVEYING) FOR THE SOUTHEAST CORNER OF THE SAID 0.384 ACRE TRACT AS DESCRIBED IN VOLUME 248, PAGE 10, AUSTIN COUNTY DEED RECORDS, FROM SAID CORNER A 5/8 INCH IRON ROD SET (CAPPED FRANK SURVEYING) FOR THE SOUTHWEST CORNER OF THE SAID 0.384 ACRE TRACT IN THE EAST LINE OF ATCHINSON STREET BEARS S 70° 56' 45" W A DISTANCE OF 140.00 FEET (CALLED 140') AND FROM THAT CORNER A 3/4 INCH IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF THE SAID 0.485 ACRE TRACT BEARS S 12° 04' 40" E A DISTANCE OF 70.37 FEET (CALLED 70.37'),

THENCE N 12° 06' 11" W A DISTANCE OF 120.03 FEET WITH THE EAST LINE OF THE SAID 0.384 ACRE TRACT TO A 5/8 INCH IRON ROD SET (CAPPED FRANK SURVEYING) NEAR THE PRESENT FENCE LINE FOR THE NORTHEAST CORNER OF THE SAID 0.384 ACRE TRACT, SAID CORNER BEING ALSO IN THE SOUTHEAST LINE OF THE SAID RESIDUE TRACT OF 1.898 ACRES, AND FROM SAID CORNER A CHAIN LINK FENCE CORNER POST (CALLED FOR IN THE SAID 1.898 ACRE DEED) FOR THE NORTHWEST CORNER OF THE SAID 0.384 ACRE TRACT BEARS S 70° 47' 07" W A DISTANCE OF 140.00 FEET (CALLED 140'),

THENCE N 70° 47' 07" E A DISTANCE OF 166.38 FEET (CALLED 160') GENERALLY WITH THE PRESENT FENCE LINE (AS CALLED IN THE SAID 1.898 ACRE DEED) AND BEING THE NORTHWEST LINE OF THE HEREIN DESCRIBED 0.453 ACRE TRACT, THE SOUTHEAST LINE OF THE SAID RESIDUE 1.898 ACRE TRACT TO THE PLACE OF BEGINNING, CONTAINING 0.453 ACRE OF LAND.