

### Notice of [Substitute] Trustee 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:** 06/06/2023

**Time:** The sale will begin at 01:00 PM or not later than three hours after that time

**Place:** Austin County, Texas at the following location: **INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS**

**Property Address:** 304 N FOWLKES ST, SEALY, TX 77474-1822

**2. 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. Any conveyance of the property is subject to all matters of record affecting the property.

**3. Instrument to be Foreclosed:** The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 01/20/2005 and recorded 01/12/2006 in Document 060221 , real property records of Austin County, Texas, with **JOHN L JOHNSON AND WIFE YVONNE JOHNSON** grantor(s) and **OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION** as Lender, **DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUNDVIEW HOME LOAN TRUST 2005-OPT1, ASSET-BACKED CERTIFICATES, SERIES 2005-OPT1** as Beneficiary.

**4. Appointment of Substitute Trustee:** In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent for the mortgage servicer has named and appointed, and by these presents does name and appoint **AVT Title Services, LLC**, located at 5177 Richmond Avenue, Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**5. Obligation Secured:** Deed of Trust or Contract Lien executed by **JOHN L JOHNSON AND WIFE YVONNE JOHNSON**, securing the payment of the indebtedness in the original principal amount of **\$106,000.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUNDVIEW HOME LOAN TRUST 2005-OPT1, ASSET-BACKED CERTIFICATES, SERIES 2005-OPT1** is the current mortgagee of the note and deed of trust or contract lien.

FILED  
2023 APR -6 PM 4: 30  
*Andrea Cardenas*  
COUNTY CLERK  
AUSTIN COUNTY, CLERK

## Notice of [Substitute] Trustee Sale

**6. Default:** A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

**7. Property to be sold:** The property to be sold is described as follows:

All that certain 0.5008 acre tract situated in the San Felipe de Austin Town Tract, Abstract No. 4, Austin County, Texas, being the same property conveyed to Bruce M. Viereck and wife Grace Viereck by deed recorded in Volume 163, Page 628 of the Deed Records of Austin County, Texas, and being the 3rd tract described in deed from C.A. Lay to Leona Pearl Viereck, dated February 18th, 1942, and recorded in Volume 134, Page 489-91 of the Deed Records of Austin County, Texas: said 0.5008 acre tract being more particularly described by metes and bounds as follows: Beginning at an iron rod found in the West line of North Fowlkes Street (60' Wide) at its intersection with the North line of North Second Street (60' Wide), for the Southeast corner of the herein described tract; Thence South 79°02'00" West along the North line of North Second Street, a distance of 160.30 feet (call 160.0') to an iron rod found for the Southwest corner of the herein described tract; Thence North 09°49'44" West, a distance of 136.21 feet (call 136.125') to an iron rod found for the Northwest corner of the herein described tract; Thence North 79°03'49" East, a distance of 160.18 feet (call 160.0') to an iron rod set in the West line of North Fowlkes Street, for the Northeast corner of the herein described tract; Thence South 09°52'47" East along the West line of North Fowlkes Street, a distance of 136.13 feet to the POINT OF BEGINNING and containing 0.5008 acre of land.

**8. 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. **PHH Mortgage Corporation**, as Mortgage Servicer, is representing the current mortgagee, whose address is:


**C/O PHH Mortgage Corporation  
PO BOX 24605  
West Palm Beach, FL 33416-4605  
Phone: 877-744-2506**


### Notice of [Substitute] Trustee Sale

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

**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.**

**Date:** April 3, 2023

  
Monique Patzer, Trustee/Sale Assistant



C/O Power Default Services, Inc.  
2300 Lakeview Parkway, Suite 756  
Alpharetta, GA 30009  
Telephone: 855-427-2204  
Fax: 866-960-8298

**POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.**

Certificate of Posting

I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on \_\_\_\_\_ 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 SUBSTITUTE TRUSTEE'S SALE**

**AUSTIN County**

**Deed of Trust Dated:** October 18, 2007

**Amount:** \$41,599.79

**Grantor(s):** JUANITA P FREDERICK

**Original Mortgagee:** BENEFICIAL TEXAS INC.

**Current Mortgagee:** U.S. Bank National Association, not in its individual capacity but solely in its capacity as Indenture Trustee of CIM Trust 2021-NR1

**Mortgagee Servicer and Address:** c/o SELECT PORTFOLIO SERVICING, INC., 3217 South Decker Lake Drive, Salt Lake City, UT 84119

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

**Recording Information:** Document No. 076006

**Legal Description:** SEE EXHIBIT "A"

**Date of Sale:** June 6, 2023 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.

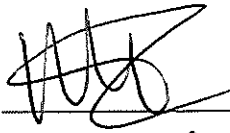
EBBIE MURPHY OR MEGAN RANDLE, REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, CARY CORENBLUM, KRISTOPHER HOLUB, JOSHUA SANDERS, JULIAN PERRINE, AMY OIAN, MATTHEW HANSEN, RAMIRO CUEVAS, JAMI HUTTON, ALEENA LITTON, ALEXIS BANKS, DANA DENNEN, CINDY DENNEN OR TRACI YEAMAN have been appointed as Substitute Trustee(s), ('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.**

  
Anthony Alva Garcia, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, SUITE 2800  
Houston, Texas 77002  
Reference: 2020-003715

  
Printed Name: Megan Randle  
c/o Tejas Trustee Services  
14800 Landmark Blvd, Suite 850  
Addison, TX 75254

**FILED**

**2023 APR -6 PM 4: 30**

  
COUNTY CLERK  
AUSTIN COUNTY, CLERK

2023-0011

EXHIBIT A

BEING A 0.500 ACRE TRACT OF LAND OUT OF A 10.00 ACRE TRACT OF LAND, RECORDED IN VOLUME 382, PAGE 884 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS, AND BEING OUT OF THE H. & T. C. RAILROAD COMPANY SURVEY, SECTION 201, ABSTRACT 201, ABSTRACT #224, AUSTIN COUNTY, TEXAS AND MORE PARTICULARLY

DESCRIBED AS FOLLOWS:

COMMENCING: AT A 1/2 INCH IRON ROD FOUND AT THE NORTH CORNER OF A 10.00 ACRE TRACT OF LAND AS RECORDED IN VOLUME 382, PAGE 884 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS, SAID 1/2 INCH IRON ROD BEING IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID TOMLINSON ROAD TO THE POINT OF BEGINNING OF THIS DESCRIPTION:

THENCE: SOUTH 44 DEGREES 05 MINUTES EAST 133.96 FEET TO A POINT;

THENCE: SOUTH 45 DEGREES 13 MINUTES WEST 162.58 FEET TO A POINT IN THE CENTERLINE OF A RIGHT-OF-WAY (50 FEET WIDE);

THENCE: NORTH 44 DEGREES 55 MINUTES WEST 133.96 FEET ALONG SAID CENTERLINE TO A 16-0 NAIL FOUND AT THE INTERSECTION OF SAID CENTERLINE WITH THE NORTHWESTERLY LINE OF SAID 10.00 ACRE TRACT OF LAND, ALSO BEING THE SOUTHEASTLY RIGHT-OF-WAY LINE OF SAID TOMLINSON ROAD;

THENCE: NORTH 45 DEGREES 13 MINUTES EAST 162.58 FEET ALONG THE NORTHWESTERLY LINE OF SAID 10.00 ACRE TRACT OF LAND, ALSO BEING THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID TOMLINSON ROAD TO THE POINT OF BEGINNING, CONTAINING AN ACRE OF 0.500 ACRE.

TAX MAP OR PARCEL ID NO.: R47240

# Meade Neese & Barr LLP

## Trial Lawyers

Andrew K. Meade.  
Partner

### NOTICE OF FORECLOSURE

ameade@mnbllp.com  
713-658-9006

April 19, 2023

***Via CMRRR and email***

Marlene J. Sarres  
7520 Lawndale St.  
Houston, Texas 77012  
[msarres@gorhamgroup.com](mailto:msarres@gorhamgroup.com)

**Re: Notice of Foreclosure Sale under Second Collateral Assignment of Note, Liens, Rents and Leases**

Dear Ms. Sarres,

This letter is formal notice of the Foreclosure Sale for the property located at 203 Meyer Street, Sealy, Texas which is subject to the Second Collateral Assignment of Note, Liens, Rents and Leases executed by you on March 15, 2021 for the benefit of FT 1463, LLC ("FT1463"). You were formally notified of your default under the Release and Settlement Agreement on October 17, 2022 and have made no attempts to cure that default. The remaining balance due under the Release and Settlement Agreement is \$175,000, payable immediately.

**Active Military Notice:**

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU 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 UNDERSIGNED IMMEDIATELY.

**Property to be Sold:**

203 Meyer Street, Sealy, Texas, described as 0.611 acre of land, more or less, being all of Lot One(1) and Two (2), and a portion of Lot Three (3) of Block Forty-Three (43) of the "Town (City) of Sealy," recorded in Volume "X," page 6 of the Deed of Records of Austin County, Texas; San Felipe De Austin Town Tract, A-5, "City of Sealy," Austin County, Texas; subject tract being residue of that tract described in Deed to Jerry Mazac and wire, Mary

FILED

2023 APR 27 PM 3: 44

*Andrea Cordano*  
COUNTY CLERK  
AUSTIN COUNTY, CLERK

2118 Smith Street | Houston, Texas 77002  
713-355-1:



4782617

2023-0015

Geraldine Mazac, recorded in Volume 381, Page 876, Deed Records, Austin County, Texas.

**Instruments to be Foreclosed:** Second Collateral Assignment of Note, Liens, Rents and Leases

**Date of Sale:** June 6, 2023

**Earliest Time sale will Begin:** 1:00 p.m.

**Location of Sale:** In the foyer of the Austin County Courthouse, One East Main, Bellville, Austin, Texas 77418, or if the preceding area is no longer the designated area, in the area most recently designated by the Commissioner's Court, pursuant to §51.002 of the Texas Property Code.

**Terms of Sale:** The sale will be conducted as a public or private auction to the highest bidder for cash. Pursuant to the Texas Property Code, §51.009, the property will be sold as is, where is, without any express or implied warranties, except as to warranties of title, if any, provided for under the Collateral Assignment of Note and Liens, referenced in the Second Collateral Assignment of Note, Liens, Rents and Leases. The sale will begin at the earliest time stated above or within three hours of that time.

**Obligations Secured:** Payment under the March 15, 2021 Release and Settlement Agreement in the remaining amount of \$175,000.

**Substitute Trustee:** The undersigned as attorney for the creditor appoints AVT Title Services, LLC as substitute trustee in accordance with Texas Property Code § 51.0076 to act under and by virtue of the Collateral Assignment of Note and Liens. 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.

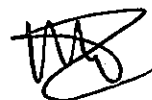
**Substitute Trustee Address:** 5177 Richmond Avenue, Suite 1230, Houston, Texas 77056

Please contact my office immediately to arrange for payment of the outstanding amount to avoid foreclosure.

Sincerely,



Andrew K. Meade



Megan L. Randle

cc: **E.F. Mano DeAyala** (via email)

**GL&L Holdings, LLC** (via CMRRR)  
14780 Memorial Drive, Suite 220  
Houston, Texas 77079

**Independent Bank** (via CMRRR)  
1051 FM 1960 West  
Houston, Texas 77090



**NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF 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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060**

**INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION**

Deed of Trust dated August 28, 2014 and recorded under Clerk's File No. 143840, in the real property records of AUSTIN County Texas, with Monte B Marshall, and Sheila Marshall, husband and wife. as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for United Wholesale Mortgage, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Monte B Marshall, and Sheila Marshall, husband and wife. securing payment of the indebtedness in the original principal amount of \$417,000.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Monte B Marshall. US Bank Trust National Association, Not In Its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan. Shellpoint Mortgage Servicing is acting as the Mortgage Servicer for the Mortgagee. Shellpoint Mortgage Servicing, is representing the Mortgagee, whose address is: 75 Beattie Place, Suite 300, Greenville, SC 29601.

**Legal Description:**

**TRACT THIRTEEN (13) IN BURLEIGH PLANTATION A SUBDIVISION IN AUSTIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 111, PLAT RECORDS OF AUSTIN COUNTY, TEXAS.**

**SALE INFORMATION**

**Date of Sale: 06/06/2023**

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

**Location of Sale:** The place of the sale shall be: AUSTIN County Courthouse, Texas at the following location: In the foyer of the Austin County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

**TERMS OF SALE**

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. 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,"

44-23-1028  
AUSTIN



4783432

FILED

2023 MAY -4 AM 10:44

*Andrea Cardenas*  
COUNTY CLERK  
AUSTIN COUNTY, CLERK

2023-0016

**“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.**

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.


**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.**

**WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE Megan L. Randle, Ebbie Murphy, Evan Press, Kathleen Adkins, Joshua Sanders, Cary Corenblum, Kristopher Holub, Reid Ruple, Amy Oian, Matthew Hansen, Aleena Litton, Christian Brooks, Cindy Dennen, Crystal Koza, Jami Grady, Megan Randle, Michael Kolak, Ramiro Cuevas, Traci Yeaman, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee.**

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Executed on 05/01/2023.

/s/ Olufunmilola Oyekan SBOT No. 24084552, Attorney at  
Law  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Posted and filed by:   
Printed Name: Megan Randle

C&M No. 44-23-1028

2023-0016