

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: LOT 4, BLOCK 2 OF THE WILLOW BROOK SUBDIVISION TO THE CITY OF SEALY, AUSTIN COUNTY, TEXAS, ACCORDING TO THE MAP AND PLAT OF SAID WILLOW BROOK SUBDIVISION DULY RECORDED IN VOLUME 311, PAGE 24, DEED RECORDS OF AUSTIN COUNTY, TEXAS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 02/26/2009 and recorded in Document 091003 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: 06/04/2024

Time: 01:00 PM

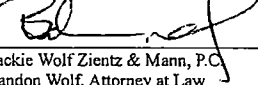
Place: Austin County, Texas at the following location: INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

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 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 LEON WALLACE AND FLORA L. WALLACE, provides that it secures the payment of the indebtedness in the original principal amount of \$91,836.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. LAKEVIEW LOAN SERVICING, LLC is the current mortgagee of the note and deed of trust and NATIONSTAR MORTGAGE LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is LAKEVIEW LOAN SERVICING, LLC c/o NATIONSTAR MORTGAGE LLC, 8950 Cypress Waters Blvd, Coppell, TX 75019 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Substitute Trustee(s) Appointed to Conduct Sale.* In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint 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.

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
Michael Zientz, Attorney at Law
Lori Liane Long, Attorney at Law
Chelsea Schneider, Attorney at Law
Ester Gonzales, Attorney at Law
Karla Balli, Attorney at Law
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254


Megan Randle

For additional sale information visit: www.auction.com or (800) 280-2832

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.

FILED

2024 APR 16 PM 2: 58

2024-0010

Andria Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK



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: 06/04/2024

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: 7211 Mikes Street, Wallis, TX 77485

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 09/27/2006 and recorded 10/02/2006 in Document 065812, real property records of Austin County, Texas, with **EVELYN MARTHA ORSAK, A SINGLE WOMAN** grantor(s) and **HOMECOMINGS FINANCIAL NETWORK INC** as Lender, **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.** 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 **EVELYN MARTHA ORSAK, A SINGLE WOMAN**, securing the payment of the indebtedness in the original principal amount of **\$138,900.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **Deutsche Bank Trust Company Americas, as Trustee for Residential Accredit Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-QS18** is the current mortgagee of the note and deed of trust or contract lien.

2024-00 11
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2024 APR 30 PM 3: 02

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:

LEGAL DESCRIPTION OF THE LAND: LOTS TEN (10) AND ELEVEN (11), IN WESTGATE ESTATES, A SUBDIVISION OF 22.102 ACRES OF LAND IN THE JACOB STEVENS LEAGUE IN AUSTIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 29, PLAT RECORDS OF AUSTIN COUNTY, TEXAS

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

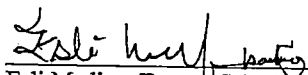
Phone: 877-744-2506

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 26, 2024



Esli Medina, Trustee Sale Associate
Authorized Agent of The Mortgagee or Mortgage Servicer

C/O Power Default Services, Inc.
7730 Market Center Ave, Suite 100
El Paso, TX 79912
Telephone: 855-427-2204
Fax: 866-960-8298

For additional sale information visit: www.realtybid.com/texas or (877) 518-5700

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.

I am Peta Florez Certificate of Posting
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 4-30-24 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 ACCELERATION AND NOTICE OF 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.

DEED OF TRUST INFORMATION:

Date: 03/03/2020
Grantor(s): JASON GAINES, A SINGLE MAN
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR GUILD MORTGAGE COMPANY, A CALIFORNIA CORPORATION, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$179,797.00
Recording Information: Instrument 200981
Property County: Austin
Property: (See Attached Exhibit "A")
Reported Address: 417 N MEINECKE ST, BELLVILLE, TX 77418

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Idaho Housing and Finance Association
Mortgage Servicer: Idaho Housing and Finance Association
Current Beneficiary: Idaho Housing and Finance Association
Mortgage Servicer Address: 565 W. Myrtle, Boise, ID 83702

SALE INFORMATION:

Date of Sale: Tuesday, the 4th day of June, 2024
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(s) is/are no longer the area(s) designated by the Austin County Commissioner's Court, at the area most recently designated by the Austin County Commissioner's Court.

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, Robert Randle or Ebbie Murphy, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, 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, Robert Randle or Ebbie Murphy, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, 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.

2024-0012

FILED

2024 MAY -2 PM 3:41

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK

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.

Substitute Trustee(s): Megan Randle, Robert Randle or Ebbie Murphy, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 350, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am Pete Florez whose address is 14841 Dallas Parkway, Suite 350, Dallas, TX 75254. I declare under penalty of perjury that on 5-2-24 I filed and / or recorded 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.

By: 

Exhibit "A"

ALL THAT TRACT OR PARCEL OF LAND CONSISTING OF 0.200 ACRES LOCATED IN THE JOHN NICHOLS LEAGUE, A-73, "CITY OF BELLVILLE", AUSTIN COUNTY, TEXAS. SUBJECT TRACT BEING THAT SAME TRACT DESCRIBED IN DEED TO CLAYTON WILLIAMS, AND WIFE, JIMMIE ODOM WILLIAMS, RECORDED IN FILE# 074540 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS. SAID TRACT CONSISTING OF 0.200 ACRES AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE SOUTH RIGHT-OF-WAY OF GREENHILL STREET (50' R.O.W.) AT ITS INTERSECTION WITH MEINECKE STREET (50' R.O.W.) AND BEING THE NORTHEAST CORNER OF THAT 2,250 SQ. FT. TRACT DESCRIBED IN DEED TO THE CITY OF BELLVILLE RECORDED IN VOLUME 627, PAGE 389 O.R.A.C.T. FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 65D 18' 00" E, PASSING AT 19.54 FT. A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF LOT 1 OF ROBERT MEINECKE SUBDIVISION RECORDED IN VOLUME 371, PAGE 903 DEED RECORDS OF AUSTIN COUNTY, TEXAS AND CONTINUING, A TOTAL DISTANCE OF 116.00 FT. TO A POINT AT AN EXISTING FENCE CORNER POST FOR THE NORTHWEST CORNER OF THE 0.257 ACRE TRACT DESCRIBED IN DEED TO MARTIN L. AND ROBIN A. GESSNER RECORDED IN FILE# 135041 O.R.A.C.T. AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 24D 58' 44" W, WITH THE COMMON LINE WITH THE 0.257 ACRE TRACT, A DISTANCE OF 75.00 FT. TO A POINT FOR CORNER AT AN EXISTING FENCE CORNER POST FOR THE NORTHEAST CORNER OF THE 0.256 ACRE TRACT DESCRIBED IN DEED TO ROBIN D. DONALDSON RECORDED IN FILE# 997143 O.R.A.C.T. AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 65D 17' 57" W, WITH THE COMMON LINE WITH THE 0.256 ACRE ADJOINING TRACT, A DISTANCE OF 117.00 FT. TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE 2,250 SQ. FT. CITY OF BELLVILLE TRACT AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 25D 44' 34" E, WITH THE COMMON LINE WITH THE 2,250 SQ. FT. CITY OF BELLVILLE TRACT, A DISTANCE OF 75.01 FT. TO THE PLACE OF BEGINNING AND CONTAINING 0.200 ACRES.

NOTES: BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF ROBERT MEINECKE SUBDIVISION RECORDED IN VOLUME 371, PAGE 903 O.R.A.C.T.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

NOTICE OF FORECLOSURE SALE

Date: May 10, 2024

Deed of Trust ("Deed of Trust"):

Dated: October 5, 2018
Grantor: Jerry Higgenbotham and wife, Fonda Higgenbotham
Trustee: Sidney Levine
Lender: Francis J. Lindberg and wife, Janice L. Lindberg
Recorded: Clerk's File No. 184777, Official Public Records of Austin County, Texas
Secures: Real Estate Lien Note ("Note") in the original principal amount of \$87,096.75 executed by Jerry Higgenbotham and wife, Fonda Higgenbotham, ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Legal Description: 62.935 acres of land located in the San Felipe de Austin Town Trace, A-5, Austin County, Texas, described in a deed from Beatrice F. Dennis, Trustee of the Dennis Children's Trust, to Francis J. Lindberg, dated June 24, 1997, and recorded in Volume 782 at Page 709 of the Official Public Records of Austin County, Texas, LESS, HOWEVER, 59.9350 acres of land located in the San Felipe de Austin Town Tract, A-5, Austin County, Texas, described in a deed from Francis J. Lindberg, et ux, to Eric G. Childs, et ux, dated May 5, 1999, and recorded under Clerk's File No. 992619 in the Official Public Records of Austin County, Texas, leaving a net acreage of 3.00 acres

Current Owner and

Holder of Note and Lien:

Frances Joseph Lindberg and Janice Lynn Lyndberg, Trustees under Assignment of Real Estate Lien Note to The Lindberg Family Living Trust, Francis Joseph Lindberg and Janice Lynn Lindberg, Trustees, recorded under Clerk's File No. 194055, Official Public Records of Austin County, Texas, and Transfer of Lien dated September 3, 2019, recorded in the Official Public Records of Austin County, Texas (as used therein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as so assigned and transferred)

Name and Address

of Substitute Trustee:

Kevin W. Mutscher
Betts, Walters & Mutscher, P.C.
P. O. Box 1118
Brenham, Texas 77834

Foreclosure Sale:

Date: June 4, 2024
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 10:00 a.m.

Place: Austin County Courthouse
One East Main Street
Bellville, Austin County, Texas

FILED

2024 MAY 10 AM 10: 53

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK

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

2024-0013

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.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Lender, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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 Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Lender. 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 "AS IS," without any expressed or implied warranties, except 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 Texas Property 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.


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.

In accordance with Texas Property Code Section 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint those individual(s) named herein as Substitute Trustee(s) to act under and by virtue of said Deed of Trust.

FILED

2024 MAY 10 AM 10: 53

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK



KEVIN W. MUTSCHER, attorney for Lender

2024-0013

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

AUSTIN County

Deed of Trust Dated: February 2, 2017

Amount: \$144,229.00

Grantor(s): ARIEL MONTOYA and OFELIA MONTOYA

Original Mortgagee: AMCAP MORTGAGE, LTD

Current Mortgagee: AMCAP MORTGAGE, LTD

Mortgagee Address: AMCAP MORTGAGE, LTD, 9999 BELLAIRE BLVD, STE 700, HOUSTON, TX 77036

Recording Information: Document No. 170599

Legal Description: SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES

Whereas, an Order to Proceed was entered on October 27, 2020 under Cause No. 2019V-0152 in the 155th Judicial District Court of AUSTIN County, Texas

Date of Sale: June 4, 2024 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 L. RANDLE, ROBERT RANDLE, REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, CHRISTIAN BROOKS, MICHAEL KOLAK, CARY CORENBLUM, KRISTOPHER HOLUB, JOSHUA SANDERS, JULIAN PERRINE, JAMI GRADY, AMY OIAN, MATTHEW HANSEN, RAMIRO CUEVAS, JAMI HUTTON, ALEENA LITTON, CRYSTAL KOZA, DANA DENNEN, CINDY DENNEN, MOLLIE MCCOSLIN, ROBERT LAMONT, SHERYL LAMONT, HARRIETT FLETCHER, SHARON ST. PIERRE, PETE FLOREZ, DEBBY JURASEK, JENNYFER SAKIEWICZ 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 Adam Garcia, ATTORNEY AT LAW
HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2019-006988

Printed Name:

Robert M. Rands

c/o Tejas Trustee Services

14800 Landmark Blvd, Suite 850
Addison, TX 75254

FILED

2024 MAY 14 PM 2: 23

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK

2024-0014

EXHIBIT "A"

Being a 1.83 acre parcel of land, more or less, situated in the T. Westall Survey, Abstracts 99 & 100, Austin County, Texas, and consisting of Lots 278, 279, 280, 281, 282, and 283 in Lury River Subdivision as recorded in Volume 318, Page 260 of the Deed Records of Austin County, and a 0.0210 acre tract as recorded in Austin County Clerk's File 153273, and also a 0.1741 acre tract as recorded in A.C.C.F. 153273, with the basis of bearing being said plat, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the southeastern right of way of Riverbend Drive (50' R.O.W.) for the north corner of Lot 284, the west corner of Lot 283, and marking the most south western corner of the herein described parcel;

THENCE, North 45° 00' 00" East, a distance of 163.28 feet along the eastern right of way of Riverbend Drive to a point for corner from which a 1/4" iron rod bears North 18° 54' 43" West, a distance of 0.64 feet for the beginning of a curve to the left, and marking an angle point in the western line of the herein described parcel;

THENCE, northwesterly along the eastern right of way of Riverbend Drive, and a curve to the left having a radius of 60.00 feet, an arc length of 120.86 feet, and a chord bearing North 12° 42' 20" West, 101.44 feet a 1/2" iron rod set with plastic cap marking an angle point in the western line of the herein described parcel;

THENCE, North 70° 34' 40" West, a distance of 24.64 feet along the eastern right of way of Riverbend Drive to a 1/2" iron rod set with plastic cap for the south corner of Lot 277, the west corner of Lot 278, and marking an angle point in the western line of the herein described parcel;

THENCE, North 45° 00' 00" East, a distance of 177.21 feet along the southeastern line of Lot 277 to a point for corner in the centerline of a creek for the east corner of Lot 277, the south corner of Lot 272, the west corner of Lot 271, and marking the most northern corner of the herein described parcel;

THENCE, the following courses and distances along the centerline of a creek, and the southwestern line of that Tract, being part of Lots 267, 268, 269, and 270:

South 46° 43' 00" East, a distance of 81.56 feet;

South 56° 44' 10" East, a distance of 24.40 feet;

North 34° 25' 46" East, a distance of 43.96 feet;

South 77° 03' 13" East, a distance of 26.91 feet;

South 26° 34' 28" East, a distance of 46.35 feet;

South 87° 48' 16" East, a distance of 30.97 feet;

North 60° 13' 02" East, a distance of 49.59 feet;

North 60° 13' 02" East, a distance of 3.12 feet;

South 88° 34' 57" East, a distance of 23.44 feet;

South 38° 16' 48" East, a distance of 20.26 feet to a point for corner in the northwest line of the called 20.01 acres as recorded in A.C.C.F. 154493 for the northeast corner of the called 0.0210 acres, and marking the most northeast corner of the herein described parcel;

EXHIBIT "A" Continued

THENCE, South 45 02' 40" West, a distance of 36.04 feet along the northwestern line of the called 20.01 acres to a 1/2" iron rod set for the southeast corner of the called 0.0210 acres, the northern corner of the called 0.1741 acres, and marking an angle point in the eastern line of the herein described parcel;

THENCE, South 45 02' 40" West, a distance of 65.00 feet along the western line of the called 20.01 acres to a 1/2" iron rod set with plastic cap for the southeast corner of the called 0.1741 acres, the east corner of Lot 280, and marking an angle point in the eastern line of the herein described parcel;

THENCE, South 45 02' 40" West, a distance of 418.00 feet along the western line of the called 20.01 acres and the called 3.9992 acres as recorded in A.C.C.P. 984422 to a 1/2" iron rod set with plastic cap for the east corner of Lot 284, the south corner of Lot 283, and marking the most south corner of the herein described parcel;

THENCE, North 45 00' 00" West, a distance of 129.38 feet along the northeastern line of Lot 284 back to the POINT OF BEGINNING and containing 1.83 acres of land, more or less.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

AUSTIN County

Deed of Trust Dated: February 2, 2017

Amount: \$144,229.00

Grantor(s): ARIEL MONTOYA and OFELIA MONTOYA

Original Mortgagee: AMCAP MORTGAGE, LTD

Current Mortgagee: AMCAP MORTGAGE, LTD

Mortgagee Address: AMCAP MORTGAGE, LTD, 9999 BELLAIRE BLVD, STE 700, HOUSTON, TX 77036

Recording Information: Document No. 170599

Legal Description: SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES

Whereas, an Order to Proceed was entered on October 27, 2020 under Cause No. 2019V-0152 in the 155th Judicial District Court of AUSTIN County, Texas

Date of Sale: June 4, 2024 between the hours of 1:00 PM and 4:00 PM.


Earliest Time Sale Will Begin: 1:00 PM

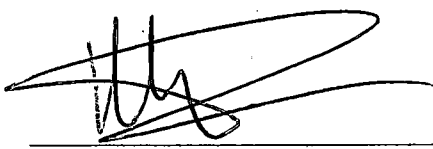
Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the AUSTIN County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court,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

EBBIE MURPHY OR MEGAN L. RANDLE, ROBERT RANDLE, REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, CHRISTIAN BROOKS, MICHAEL KOLAK, CARY CORENBLUM, KRISTOPHER HOLUB, JOSHUA SANDERS, JULIAN PERRINE, JAMI GRADY, AMY OLAN, MATTHEW HANSEN, RAMIRO CUEVAS, JAMI HUTTON, ALEENA LITTON, CRYSTAL KOZA, DANA DENNEN, CINDY DENNEN, MOLLIE MCCOSLIN, ROBERT LAMONT, SHERYL LAMONT, HARRIETT FLETCHER, SHARON ST. PIERRE, PETE FLOREZ, DEBBY JURASEK, JENNYFER SAKIEWICZ 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 Adam Garcia, ATTORNEY AT LAW
HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2019-006988



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

FILED

2024 MAY 23 PM 2: 14


COUNTY CLERK
AUSTIN COUNTY, CLERK

2024-0015

EXHIBIT "A"

Being a 1.23 acre parcel of land, more or less, situated in the T. Westall Survey, Abstracts 99 & 100, Austin County, Texas, and consisting of Lots 278, 279, 280, 281, 282, and 283 in Lury River Subdivision as recorded in Volume 318, Page 200 of the Deed Records of Austin County, and a 0.0210 acre tract as recorded in Austin County Clerk's File 151273, and also a 0.1741 acre tract as recorded in A.C.C.P. 151273, with the basis of bearings being said plat, and being more particularly described as follows:

BEGINNING at a 3/4" iron rod found in the southeastern right of way of Riverbend Drive (50' R.R.W.) for the north corner of Lot 284, the west corner of Lot 283, and marking the east (west) western corner of the herein described parcel;

THENCE, North 45 00' 00" East, a distance of 162.28 feet along the eastern right of way of Riverbend Drive to a point for corner from which a 1/2" iron rod bears North 12 54' 43" West, a distance of 0.64 feet for the beginning of a curve to the left, and marking an angle point in the western line of the herein described parcel;

THENCE, northwesterly along the eastern right of way of Riverbend Drive, and a curve to the left having a radius of 60.69 feet, an arc length of 120.85 feet, and a chord bearing North 12 42' 29" West, 101.44 feet a 1/2" iron rod set with plastic cap marking an angle point in the western line of the herein described parcel;

THENCE, North 70 24' 40" West, a distance of 24.61 feet along the eastern right of way of Riverbend Drive to a 1/2" iron rod set with plastic cap for the south corner of Lot 277, the west corner of Lot 278, and marking an angle point in the western line of the herein described parcel;

THENCE, North 45 00' 00" East, a distance of 177.21 feet along the southeastern line of Lot 277 to a point for corner in the centerline of a track for the east corner of Lot 277, the south corner of Lot 272, the west corner of Lot 271, and marking the east northeast corner of the herein described parcel;

THENCE, the following courses and distances along the centerlines of a creek, and the southwestern line of that Tract being part of Lots 267, 268, 269, and 270:

South 46 47' 06" East, a distance of 81.56 feet;
South 56 44' 10" East, a distance of 24.40 feet;
North 34 25' 46" East, a distance of 43.96 feet;
South 77 03' 13" East, a distance of 26.91 feet;
South 26 34' 23" East, a distance of 46.35 feet;
South 87 48' 36" East, a distance of 10.97 feet;
North 60 13' 02" East, a distance of 49.59 feet;
North 60 13' 02" East, a distance of 1.12 feet;
South 88 34' 57" East, a distance of 21.44 feet;
South 18 14' 48" East, a distance of 20.25 feet to a point for corner in the northwest line of the called 20.01 acres as recorded in A.C.C.P. 154093 for the northeast corner of the called 0.0210 acres, and marking the west northeast corner of the herein described parcel;

EXHIBIT "A" Continued

THENCE, South 45 02' 40" West, a distance of 36.01 feet along the northwestern line of the called 20.01 acres to a 1/2" iron rod set for the southeast corner of the called 0.0210 acres, the northeast corner of the called 0.1741 acres, and marking an angle point in the eastern line of the herein described parcel;

THENCE, South 45 02' 40" West, a distance of 65.00 feet along the western line of the called 20.01 acres to a 1/2" iron rod set with plastic cap for the southeast corner of the called 0.1741 acres, the east corner of Lot 250, and marking an angle point in the eastern line of the herein described parcel;

THENCE, South 45 02' 40" West, a distance of 418.00 feet along the western line of the called 20.01 acres and the called 1.9972 acres as recorded in A.C.C.F. 984422 to a 1/2" iron rod set with plastic cap for the east corner of Lot 284, the south corner of Lot 283, and marking the most south corner of the herein described parcel;

THENCE, North 45 00' 00" West, a distance of 129.38 feet along the northeastern line of Lot 284 back to the POINT OF BEGINNING and containing 1.63 acres of land, more or less.