

Notice of Foreclosure Sale

May 22, 2020

FILED

2020 MAY 26 A 11:20

Deed of Trust ("Deed of Trust"):

Dated: August 22, 2107
Grantor: Jose Oscar Garcia and Arabia Harris
Trustee: Joshua J. Benn
Lender: 23Vibe Investment Properties, LLC

KAREN McQUEEN, COUNTY CLERK
BRAZOS COUNTY, BRYAN, TEXAS
BY: *Debbie Baker*

Recorded in: Volume 14229, Page 136 of the real property records of Brazos County, Texas

Legal Description: Lot Four (4), Block Two (2) of the Sherwood Heights Phase 2 Subdivision, College Station, Brazos County, Texas.

Secures: Promissory Note ("Note") in the original principal amount of \$171,500.00, executed by Jose Oscar Garcia and Arabia Harris ("Borrower") and payable to the order of Lender

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described as Lot Four (4), Block Two (2) of the Sherwood Heights Phase 2 Subdivision, College Station, Brazos County, Texas, and all rights and appurtenances thereto

Foreclosure Sale:

Date: Tuesday, July 7, 2020

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 am and not later than three hours thereafter.

Place: Brazos County Administration Building
200 S. Texas Ave., Bryan, Texas 77803

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 23Vibe Investment Properties, LLC'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, 23Vibe Investment Properties, LLC,

the owner and holder of the Note, has requested Trustee to sell the Property.

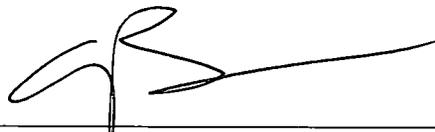
The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of 23Vibe Investment Properties, LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with 23Vibe Investment Properties, LLC's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law. If 23Vibe Investment Properties, LLC 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 23Vibe Investment Properties, LLC. 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 as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property. Pursuant to section 51.0075(a) of the Texas Property Code, 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 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.



Joshua J. Benn, Trustee
3091 University Drive East #110
Bryan, Texas 77802
Telephone (979) 393-0345
Telecopier (979) 704-6555

NOTICE OF SUBSTITUTE TRUSTEE'S SALE **FILED**

DATE: May 26, 2020

2020 JUN -1 A 11:49

NOTE: Promissory Note described as follows:

Date: December 13, 2016
Maker: Betty Jean Burns Revocable Trust
Payee: Charles H. Price and Penelope Price
Original Principal Amount: \$210,000.00

KAREN McQUEEN, COUNTY CLERK
BRAZOS COUNTY, BRYAN, TEXAS
BY: *[Signature]* DEPUTY

DEED OF TRUST: Deed of Trust described as follows:

Date: December 13, 2016
Grantor: Betty Jean Burns Revocable Trust
Trustee: William S. Thornton, Jr. Esq.
Beneficiary: Charles H. Price and Penelope Price
Recorded: Instrument 2016-1284225 in Volume 13763, Page 68 of the Official Public Records of Brazos County, Texas

LENDER: Charles H. Price and Penelope Price

BORROWER: Betty Jean Burns Revocable Trust

PROPERTY: The real property described as follows:

All of Lot Fourteen (14), Briarcrest Valley, Phase II, an addition to the City of Bryan, Brazos County, Texas, according to the Plat thereof recorded in Volume 380, Page 333, Deed Records of Brazos County, Texas, and also known as 2427 E. Briargate Drive, Bryan, Texas 77802.

Together with all improvements, easements, personal property, intangibles, rents, revenues, contracts, and rights appurtenant to the real property, as described in the Deed of Trust.

SUBSTITUTE TRUSTEE: Ryan T. Becker

SUBSTITUTE TRUSTEE'S MAILING ADDRESS:

4343 Carter Creek Parkway, Suite 100
Bryan, Brazos County, Texas 77802

DATE AND TIME OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

July 7, 2020, the first Tuesday of the month, to commence at 10:00 a.m., or within three (3) hours after that time.

PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

The Atrium on the first floor of the Brazos County Administration Building, 200 South Texas Avenue, Bryan, Brazos County, Texas 77803, or as further designated by the County Commissioners pursuant to Section 51.002 of the Texas Property Code.

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 sender of this notice immediately.

RECITALS

Default has occurred in the payment of the Note and in the performance of the obligations under the Deed of Trust that secures the Note. Because of this default, Lender, the owner and holder of the Note and the Deed of Trust lien under Texas Property Code section 51.002, has requested that Substitute Trustee sell the Property according to the terms of the Deed of Trust and applicable law.

The Deed of Trust may encumber both real and personal property. Formal notice is now given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust, consistent with Lender's rights and remedies under the Deed of Trust and Texas Business and Commerce Code section 9.604(a).

Therefore, notice is given that on the Date and Time of Substitute Trustee's Sale of Property and at the Place of Substitute Trustee's Sale of Property, Substitute Trustee, or any other substitute trustee Lender may appoint, will sell the Property by public sale to the highest bidder for cash or acceptable certified funds, according to the Deed of Trust and applicable law. The sale and conveyance of the Property will be subject to all matters of record applicable to the Property that are superior to the Deed of Trust and to any permitted exceptions to title described in the Deed of Trust. Substitute Trustee has not made and will not make any covenants, representations, or warranties about the Property other than providing the successful bidder at the sale with a deed to the Property containing any warranties of title required by the Deed of Trust. The Property will be sold AS IS, WHERE IS, AND WITH ALL FAULTS.

EXECUTED as of May 26, 2020.



Ryan T. Becker,
Substitute Trustee

AFTER RECORDING PLEASE RETURN ORIGINAL TO:
BRUCHEZ, GOSS, THORNTON, MERONOFF & BRIERS, P.C.
4343 Carter Creek Parkway, Suite 100
Bryan, Texas 77802
File Number: 19-1304: RTB/kh

NOTICE OF ACCELERATION AND 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.

DEED OF TRUST INFORMATION:

Date: 02/14/2007
Grantor(s): HELENA RUTH JOHNSON
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR HOME123 CORPORATION, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$95,000.00
Recording Information: Book 7862 Page 79 Instrument 00956644
Property County: Brazos
Property: (See Attached Exhibit "A")
Reported Address: 6721 RAYMOND STOTZER PKWY, COLLEGE STATION, TX 77845

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee for SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2007-BR5, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BR5
Mortgage Servicer: PHH Mortgage
Current Beneficiary: DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee for SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2007-BR5, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BR5
Mortgage Servicer Address: 1 Mortgage Way, Mount Laurel, NJ 08054

SALE INFORMATION:

Date of Sale: Tuesday, the 7th day of July, 2020
Time of Sale: 11:00AM or within three hours thereafter.
Place of Sale: THE ATRIUM ON THE 1ST FLOOR OF THE COUNTY ADMINISTRATION BUILDING, 200 SOUTH TEXAS AVENUE, BRYAN, TEXAS in Brazos County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Brazos County Commissioner's Court, at the area most recently designated by the Brazos 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 Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, Michael Burns, Tori Jones, 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. Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, Michael Burns, Tori Jones, 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

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(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 Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, Michael Burns, Tori Jones, or Suzanne Suarez, any to act as substitute trustee under and by virtue of said Deed of Trust.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254



Michael Burns, TBN 24054447
Suzanne Suarez, TBN 24076723
Marilyn Jones, TBN 24077649
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICE

Certificate of Posting

I am Pete Florez whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on 6-4-20 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Brazos County Clerk and caused it to be posted at the location directed by the Brazos County Commissioners Court.

By: 

Exhibit "A"

BEING 0.2926 ACRES, MORE OR LESS, AND BEING SITUATED IN BRAZOS COUNTY, TEXAS, OUT OF THE STEPHEN JONES LEAGUE, A-27 AND BEING A PART OF THE TRACT OF LAND CONVEYED TO TOMMIE H. PRESTON, AS RECORDED IN VOLUME 397, PAGE 352, OF THE BRAZOS COUNTY, TEXAS DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A-1 ATTACHED HERETO AND MADE A PART HEREOF.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN BRAZOS COUNTY, TEXAS OUT OF THE STEPHEN JONES LEAGUE, A-27 AND BEING A PART OF THE TRACT OF LAND CONVEYED TO TOMMIE

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: 11/14/2018
Grantor(s): REAVANS VILLA MARIA, LLC, A TEXAS LIMITED LIABILITY COMPANY
NICK ICHIMARU, MANAGER
HIRO KAWATA, MANAGER
Original Mortgagee: ATHAS CAPITAL GROUP, INC., A CALIFORNIA CORPORATION
Original Principal: \$91,000.00
Recording Information: Book 15051 Page 138 Instrument 1347730
Property County: Brazos
Property: (See Attached Exhibit "A")
Reported Address: 1305 WEST VILLA MARIA ROAD, UNIT#A-103, BRYAN, TX 77801

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Wilmington Savings Fund Society, FSB, not its individual capacity but solely as Trustee for the Verus Securitization Trust 2019-INV1
Mortgage Servicer: Shellpoint Mortgage Servicing
Current Beneficiary: Wilmington Savings Fund Society, FSB, not its individual capacity but solely as Trustee for the Verus Securitization Trust 2019-INV1
Mortgage Servicer Address: 55 Beattie Place, Suite 110, Greenville, SC 29601

SALE INFORMATION:

Date of Sale: Tuesday, the 7th day of July, 2020
Time of Sale: 11:00AM or within three hours thereafter.
Place of Sale: THE ATRIUM ON THE 1ST FLOOR OF THE COUNTY ADMINISTRATION BUILDING, 200 SOUTH TEXAS AVENUE, BRYAN, TEXAS in Brazos County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Brazos County Commissioner's Court, at the area most recently designated by the Brazos 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 Pete Florez, Zachary Florez, Orlando Rosas or Bobby Brown, Michael Burns, Tori Jones, 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. Pete Florez, Zachary Florez, Orlando Rosas or Bobby Brown, Michael Burns, Tori Jones, 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.

KAREN MACQUEEN
CLERK
Brazos County
BY: [Signature]

2020 JUN 11 7

FILE

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): Pete Florez, Zachary Florez, Orlando Rosas or Bobby Brown, Michael Burns, Tori Jones, or Suzanne Suarez, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, 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 425, Dallas, TX 75254. I declare under penalty of perjury that on 6-11-20 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Brazos County Clerk and caused it to be posted at the location directed by the Brazos County Commissioners Court.

By: 

Exhibit "A"

UNIT NO. 103, IN BUILDING A, TOGETHER WITH AN UNDIVIDED INTEREST IN THE APPURTENANT COMMON ELEMENTS OF THE OAKS OF VILLA MARIA CONDOMINIUMS, A CONDOMINIUM REGIME SITUATED IN THE CITY OF BRYAN, BRAZOS COUNTY, TEXAS, ACCORDING TO THE CONDOMINIUM DECLARATION, RECORDED IN VOLUME 633, PAGE 222, MODIFIED BY VOLUME 13385, PAGE 166, CONDOMINIUM RECORDS OF BRAZOS COUNTY, TEXAS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

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: **September 29, 2006**
Grantor(s): **Fred N. Matthews and Stephanie A. Matthews, husband and wife**
Original Mortgagee: **Mortgage Electronic Registration Systems, Inc., as nominee for WMC Mortgage Corp.**
Original Principal: **\$30,000.00**
Recording Information: **Volume 7619, Page 66**
Property County: **Brazos**
Property: **ALL OF LOT FORTY-THREE (43), BLOCK TWENTY-SEVEN (27). SHENANDOAH, PHASE 7-A, AN ADDITION TO THE CITY OF COLLEGE STATION, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4671, PAGE 157 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.**
Property Address: **1307 Portsmouth Court
College Station, TX 77845**

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: **Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust I**
Mortgage Servicer: **Statebridge Company, LLC**
Mortgage Servicer Address: **5680 Greenwood Plaza Blvd.
Suite 100S
Greenwood Village, CO 80111**

SALE INFORMATION:

Date of Sale: **July 7, 2020**
Time of Sale: **11:00 am or within three hours thereafter.**
Place of Sale: **The Atrium on the first floor of the County Administration building at 200 South Texas Avenue, Bryan, Texas or, if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner & Court.**
Substitute Trustee: **Pete Florez, Zachary Florez, Orlando Rosas or Bobby Brown, any to act**
Substitute Trustee Address: **5501 East LBJ Frwy, Ste. 925
Dallas, TX 75240**

RECORDED
JUN 11 A 11:05
BRYAN COUNTY CLERK
BRYAN, TEXAS
DEFINITE
A. D.

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 are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Pete Florez, Zachary Florez, Orlando Rosas or Bobby Brown, any to act, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; 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 is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
2. Pete Florez, Zachary Florez, Orlando Rosas or Bobby Brown, 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 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 imposed by the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the 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 sold "AS-IS", purchaser's 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 interest 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.
5. 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, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.

Padgett Law Group
6267 Old Water Oak Road
Suite 203
Tallahassee, FL 33213
(850) 422-2520

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD, 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.

NOTICE OF SALE BY SUBSTITUTE TRUSTEE

STATE OF TEXAS
 COUNTY OF BRAZOS

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KNOW ALL MEN BY THESE PRESENTS:

FILED
 2020 JUN 15 PM 1:56
 KAREN MOOREN, CLERK
 BRAZOS COUNTY, TEXAS
 BY: [Signature]

Note: Retail Installment Contract dated August 17, 1998 executed and delivered by Barbie Fay Hill to Neatherlin Homes, Inc.

Security Instrument: Mechanic's Lien Contract with Power of Sale, dated August 17, 1998, executed and delivered by Barbie Fay Hill to Neatherlin Homes, Inc., to secure payment of that certain Retail Installment Contract, recorded in Volume 03249, Page 00200, in Brazos County, Texas.

Original Creditor: Neatherlin Homes, Inc.

Current Holder: U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust VIII

Current Owner: U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust VIII

Mortgage Servicer: New Rez LLC d/b/a Shellpoint Mortgage Servicing ("Servicer"), 75 Beattie Pl. #300, Greenville, SC 29601

Appointed Substitute Trustees: JIM MILLS, SUSAN MILLS, EMILY NORTHERN, ED HERNDERSON, MARLENE ZOGRAFOS, KAREN POLLOCK, MARLEY ROSS, JERRY MERKER, CARLA HENDERSON, JACOB NINK
 9065 JOLLYVILLE, SUITE 203A, AUSTIN, TX 78759

Note: Each substitute trustee is authorized individually, to act alone without the joinder of the other trustees.

AND
 PETE FLOREZ, SHERYL LAMONT, HARRIETT FLETCHER, ROBERT LAMONT, ALLAN JOHNSTON, SHARON ST. PIERRE, RONNIE HUBBARD, PETE FLOREZ, SHERYL LAMONT, HARRIETT FLETCHER, ROBERT LAMONT, ALLAN JOHNSTON, SHARON ST. PIERRE, RONNIE HUBBARD,
 SERVICE LINK, 3220 EL CAMINO REAL, IRVINE, CA 92602

The Substitute Trustees are authorized to sell the Premises at public venue to the highest bidder or

PROPERTY ADDRESS: 1210 Suncrest Bryan, TX 77803	RP FILE NO. SHELL02-52	BORROWER: Hill, Barbie Fay
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bidders, for cash.

AND

AMY BOWMAN, REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, CARY CORENBLUM, JOSHUA SANDERS, AARTI PATEL, MARIEL MARROQUIN, KRISTOPHER HOLUB, JULIAN PERRINE, PETE FLOREZ, ZACHARY FLOREZ, ORLANDO ROSAS, BOBBY BROWN

AUCTION.COM, 1 MAUCHLY, IRVINE, CA 92618

AND

CALVIN SPEER, NANCY GOMEZ, LEO GOMEZ, WENDY SPEER, MELODY SPEER OR VICKI RODRIGUEZ

XOME, 750 TX-121, SUITE 100, LEWISVILLE, TX 75067

AND

T. J. RINEY, H. HOOPER, S.G. HARVEY, B.K. PACKARD, M. SANTOYO

5420 LBJ FREEWAY, SUITE 220, DALLAS, TX 75225

Property to be sold:

1210 Suncrest, Bryan, TX 77803, and as further described in Exhibit A attached hereto, along with the improvements on such real property and any after acquired permanent improvements or title to such improvements and/or real property (the "Premises" as described in §9.604 of the Texas Uniform Commercial Code).

Date of Sale:

Tuesday, July 7, 2020.

Time of Sale:

TOT: The sale will begin no earlier than **1:00 PM** and no later than three (3) hours thereafter.

Location of Sale:

At the **County Courthouse in Brazos County**, Texas, at the Atrium on the first floor of the county administration building, 200 South Texas Avenue, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Brazos County, 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:

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Mechanic's Lien Contract with Power of Sale permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Mechanic's Lien Contract with Power of Sale 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 Security Instrument, but prospective bidders are reminded that by law the

PROPERTY ADDRESS: 1210 Suncrest Bryan, TX 77803	RP FILE NO. SHELL02-52	BORROWER: Hill, Barbie Fay
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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 Security Instrument. The sale shall not cover any part of the property that has been released of public record from the lien of the Security Instrument. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Security Instrument, the beneficiary 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 Mechanic's Lien Contract with Power of Sale. 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 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.

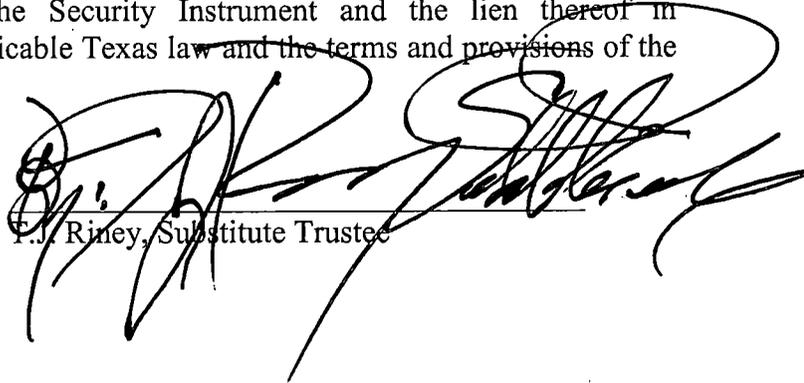
Type of Sale:

The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Barbie Fay Hill.

Default and Notice:

Default has been made in payment of the Note and Security Instrument and the Note is now unpaid, delinquent and in default. All required notices have been given to Barbie Fay Hill and any and all other necessary parties with regard to the defaulted indebtedness. Servicer has requested the undersigned, substitute trustee, to post, file and give notice of foreclosure of the Security Instrument and the lien thereof in accordance with applicable Texas law and the terms and provisions of the Security Instrument.

Dated: June 3, 2020.



T.J. Riney, Substitute Trustee

AFTER RECORDING, PLEASE RETURN TO:

Riney Packard, PLLC
Attn: T.J. Riney
Two Lincoln Centre
5420 LBJ Freeway, Suite 220
Dallas, Texas 75240

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Hill, Barbie Fay

EXHIBIT "A"

LOT NUMBER TWO (2) IN BLOCK NUMBER THREE (3) OF SUNSET ADDITION NUMBER TWO (2)
TO THE CITY OF BRYAN, BRAZOS COUNTY, TEXAS

PROPERTY ADDRESS: 1210 Suncrest Bryan, TX 77803	RP FILE NO. SHELL02-52	BORROWER: Hill, Barbie Fay
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NOTICE OF SUBSTITUTE TRUSTEE'S SALE

FILED

THE STATE OF TEXAS

§
§
§

COUNTY OF BRAZOS

KNOW ALL MEN BY THESE PRESENTS:

2020 JUN 15 P 3:27

KAREN McQUEEN, COUNTY CLERK
BRAZOS COUNTY, BRYAN, TEXAS
BY: *M. DeLeon* DEPUTY

WHEREAS, on November 28, 2016, **Vernell Investments LLC** ("Grantor") executed and delivered a Deed of Trust, Security Agreement and Assignment of Rents (the "Deed of Trust") conveying to **David Zalman**, as Trustee, the herein below described property to secure **Prosperity Bank**, in the payment of all indebtedness (collectively the "Note") therein described, the Deed of Trust being filed and recorded in Clerk's File No. 2016-1282508 Volume 13731, Page 18 et. seq. of the Official Public records of Brazos County, Texas to which reference is hereby made for all purposes; and

WHEREAS, default has occurred in the payment of the Note and the same is now wholly due, and **Prosperity Bank** (the "Beneficiary"), the owner and holder of the Note, has requested the undersigned to sell the Property to satisfy the Note; and

WHEREAS, the above named Trustee and any previously appointed Substitute Trustee was removed under and in accordance with the Deed of Trust and the Beneficiary designated and appointed **L. David. Smith, Pete Florez, Zachary Florez, Orlando Rosas and Bobby Brown**, any of whom may act independently as Substitute Trustee to enforce the Trust, and any of whom may conduct the sale of the Property and may be contacted as indicated on the signature block below.

NOW, THEREFORE, pursuant to the authority conferred upon me by the Deed of Trust, I, **L. David Smith**, hereby give notice that I or one of the other Substitute Trustees whose names and addresses are set out below, will sell the Property at public auction to the highest bidder, for cash,

on **Tuesday, July 7, 2020**. The earliest time at which the sale will occur shall be at **11:00 o'clock A.M.** and it may take place not later than three hours after said time, and the sale shall take place at the Atrium on the first floor of the Brazos County Administration Building located at 200 South Texas Avenue, Bryan, Texas, which designated area is more particularly described in the Brazos County Commissioner's Court Minutes recorded in the Official Real Property Records of Brazos County, Texas, or any other area which has been designated by the Brazos County Commissioner's Court as the area for foreclosures to take place. This conveyance will be made subject to any exceptions referenced in the Deed of Trust to the extent the same are still in effect and shall not cover any part of the Property that has been released from the liens of the Deed of Trust. The Property that will be sold at the foreclosure sale includes the following described real property, together with all improvements and fixtures thereon and appurtenances thereto:

Lots One (1), Two (2), Three (3), Four (4), and Six (6), Block Ten (10), The Barracks II Subdivision Phase 201, City of College Station, according to the plat thereof recorded in Volume 12241, Page 67, Official Records, Brazos County, Texas.

THE SALE OF THE PROPERTY IS "AS-IS" AND "WHERE-IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. THE SUBSTITUTE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE COMPLIANCE WITH THE LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

SUBSTITUTE TRUSTEES

NOTICE IS HEREBY PROVIDED THAT ONE OF THE FOLLOWING NAMED SUBSTITUTE TRUSTEES WHOSE ADDRESS AND CONTACT INFORMATION FOR PURPOSES HEREOF IS AS FOLLOWS MAY CONDUCT THE SALE:

L. David. Smith, Pete Florez, Zachary Florez, Orlando Rosas and Bobby Brown ,

c/o L. David. Smith
2618 Kittansett Circle
Katy Texas 77450
Telephone: (713) 800-8604
cell phone: 281-788-3666
Email: smith@csrslaw.com

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.

Dated this 11th day of June, 2020.

L. David Smith Substitute Trustee

L. David. Smith, Substitute Trustee
2618 Kittansett Circle
Katy Texas 77450
Telephone: (713) 800-8604
Cell phone 281-788-3666
Email: smith@csrslaw.com

NOTICE OF FORECLOSURE SALE FILED

STATE OF TEXAS

2020 JUN 15 P 3: 39

COUNTY OF BRAZOS

KAREN McQUEEN, COUNTY CLERK
BRAZOS COUNTY, BRYAN, TEXAS
BY: *[Signature]* DEPUTY

Notice is hereby given of a public non-judicial foreclosure sale

1. Property to be Sold. The property to be sold is described as follows:

Lot Fifteen (15), Block Three (3), Angels Gate Subdivision Phase 1, City of Bryan, according to the plat thereof recorded in Volume 7394, Page 296, Official Records, Brazos County, Texas .

This conveyance will be made subject to any exceptions referenced in the Deed of Trust to the extent the same are still in effect and shall not cover the property that has been released from the liens of the Deed of Trust.

2. Date, Time and Place of Sale. The sale is scheduled to be held at the following date, time and place:

Date: July 7, 2020

Time: Between the hours of 10:00 a.m. and 4:00 p.m. The sale shall commence at a time no earlier than 1:00 p.m. or within three (3) hours thereafter.

Place: In the commons area of the Brazos County Courthouse in Bryan, Texas.

The Deed of Trust permits the Beneficiary to postpone or withdraw, or reschedule the sale for another day. In such case, the Trustee or Substitute Trustee under the Deed of Trust need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting and refileing may be after the date originally scheduled for this sale.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day of sale for the property being sold.

4. Type of Sale. The sale is a non-judicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by a Deed of Trust executed by REGINA DENISE GRAHAM as The Deed of Trust is dated June 29, 2006, and is recorded in Volume 7415, Page 274, Official Records, Brazos County, Texas.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively called "Obligations") including but not limited to (a) the promissory note in the original principal sum of \$27,900.00, executed by REGINA DENISE GRAHAM and payable to the order of BRYAN-COLLEGE STATION HABITAT FOR HUMANITY, INC.; (b) all renewals and extensions of the note; and (c) any and all present and future indebtednesses of REGINA DENISE GRAHAM as to BRYAN-COLLEGE STATION HABITAT FOR HUMANITY, INC. BRYAN-COLLEGE STATION HABITAT FOR HUMANITY, INC. is the current owner and holder of the Obligations and is the Beneficiary under the Deed of Trust and is referred to herein as the "Beneficiary".

As of June 15, 2020, there was owed \$20,804.32 in principal and escrow deficiency on the Note, plus penalty interest and the sum due and payable or paid to Texas Department of Housing & Community Affairs on a prior note and lien. Additionally, unpaid amounts for property taxes, insurance premiums, attorneys fees, trustee fees, and other costs of repossession and costs of sale, are delinquent and owing to Beneficiary.

An exact statement of the amount due, owing and secured by the Deed of Trust may be obtained by contacting the undersigned or by contacting the Beneficiary as follows:

BRYAN-COLLEGE STATION HABITAT FOR HUMANITY, INC.
119 Lake Street
Bryan, Texas 77801

6. Default and Request to Act. Default has occurred under the Deed of Trust and the Beneficiary has requested me, as the Substitute Trustee, to conduct this sale. Notice is given that prior to the sale Beneficiary may appoint another person as a Substitute Trustee to conduct the sale.

DATED June 15, 2020



CULLY LIPSEY and/or LAUREN E. TURNBILL
and/or HEATH C. POOLE, Substitute Trustee
Hoelscher, Lipsey, Elmore, Poole & Turnbill, P.C.
1021 University Drive East
College Station, TX 77840-2120
(979) 846-4726