## NOTICE OF FORECLOSURE SALE ("SUBSTITUTE TRUSTEE'S" SALE)

#### NOTICE REGARDING MILITARY SERVICE

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.

DATE OF NOTICE:

June 15, 2021

TYPE OF INSTRUMENT:

Deed of Trust ("Deed of Trust")

DATED:

January 13, 2017

**GRANTOR:** 

Timothy E. Pacheco & Rebecca D. Pacheco

TRUSTEE:

Coastal Properties

LENDER:

Safeguard Investments, LTD

**CURRENT** 

**HOLDER:** 

Safeguard Investments, LTD

RECORDED IN:

Deed of Trust is recorded under Document Number

666721 of the real property records the San Patricio County.

LEGAL DESCRIPTION & PROPERTY TO BE SOLD:

Lot Ten (10), Block Give (5), Portland-East Cliff #3, City

of Portland, San Patricio County, Texas

(More commonly known as: 102 E. Broadway, Portland,

Texas 78374)

**SECURES:** 

Promissory Note ("Note") in the original principal amount

of \$139,900.00, executed by Timothy E. Pacheco and Rebecca D. Pacheco ("Borrower"), and payable to the order

of Lender/Holder

#### **FORECLOSURE SALE:**

DATE:

July 6, 2021

TIME:

The earliest time the sale will begin is 1:00 P.M. or within three

hours thereafter

PLACE:

SAN PATRICIO COUNTY COURTHOUSE IN SINTON, TEXAS, AT THE FOLLOWING LOCATION: AT THE FIRST FLOOR OF THE COURTHOUSE, AT THE SOUTH ENTRANCE BETWEEN THE GLASS DOORS IN THE VESTIBULE, OR SUCH OTHER LOCATION AS MAY BE DESIGNATED BY THE COUNTY COMMISSIONERS COURT OF SAN PATRICIO COUNTY, TEXAS.

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 SAFEGUARD INVESTMENTS, LTD.'s, bid may be by credit against the indebtedness secured by the lien of the Deed of Trust

SUBSTITUTE TRUSTEE(S): Ashleigh Renfro, AND/OR Ian Ghrist, AND/OR Sarah Dill

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, SAFEGUARD INVESTMENTS, LTD., 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 SAFEGUARD INVESTMENTS, LTD.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with SAFEGUARD INVESTMENTS, LTD.'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 SAFEGUARD INVESTMENTS, LTD., 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

Notice of Foreclosure Sale 2 of 4 released of public record from the lien and/or security interest of the Deed of Trust by SAFEGUARD INVESTMENTS, LTD. 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, any 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.

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.

#### Name and Address of Sender of Notice:

Ashleigh Renfro, 2735 Villa Creek Drive, Suite, 140, Farmers Branch, Texas 75234

#### Name and Address of Servicer:

DIA Servicing, LLC, 2735 Villa Creek Drive, Suite, 140, Farmers Branch, Texas 75234

Pursuant to Section 51.0025 of the Texas Property Code, the mortgage servicer or Attorney are entitled to administer the foreclosure due to the fact that servicer, noteholder or Lender, and Attorney have entered into an agreement granting authority to service the mortgage and administer foreclosure proceedings.

By: Ashleigh Kenfro, Substitute Trustee

2733 Villa Creek Drive, Suite 140 Farmers Branch, Texas 75234

Telephone (972) 708-4425

Fax (972) 521-6413

Timothy E. Pacheco Rebecca D. Pacheco 102 E Broadway Portland, Texas 78374 DATE SENT: JUNE 15, 2021 VIA CMRRR # <u>7019 - 1640 - 0001 - 9056 - 6146</u> VIA USPS FIRST-CLASS MAIL

BY:

I HEREBY CERTIFY THAT ON JUNE 15, 2021, TRUE AND CORRECT COPIES OF THIS DOCUMENT WERE SENT TO THE RECIPIENTS AT THE ADDRESS AND BY THE METHOD(S) DESCRIBED ABOVE.

Ashleigh Renfro



Instrument Number: 7

Foreclosure Posting

Recorded On: June 15, 2021 04:35 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$3.00

#### \*\*\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Record and Return To:

Document Number:

- /

**TEXAS PROCESS SERVICES** 

Receipt Number:

Recorded Date/Time: June 15, 2021 04:35 PM

20210615000067

User:

Lina G

Station:

cclerkdeeds2



STATE OF TEXAS San Patricio County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of San Patricio County, Texas

Gracie Alaniz-Gonzales San Patricio County Clerk San Patricio County, TX Grani alaning Longele

# NOTICE OF FORECLOSURE SALE ("SUBSTITUTE TRUSTEE'S" SALE)

#### NOTICE REGARDING MILITARY SERVICE

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.

DATE OF NOTICE:

June 15, 2021

TYPE OF INSTRUMENT:

Deed of Trust ("Deed of Trust")

DATED:

March 21, 2016

**GRANTOR:** 

Christopher D. Joyce and Jennifer B. Joyce

TRUSTEE:

New Wave Properties, Inc.

LENDER:

First Capital Properties, LTD.

**CURRENT** 

**HOLDER:** 

First Capital Properties, LTD.

RECORDED IN:

Deed of Trust is recorded under Instrument/Document Number 655144 of the real property records of San Patricio

County, Texas

LEGAL DESCRIPTION & PROPERTY TO BE SOLD:

Lot Fourteen (14), Block One (1), Portland-Sutherland

Subdivision No. 1, 0.176 Acres

(More commonly known as: 202 Sutherland Drive,

Portland, Texas 78374)

SECURES:

Promissory Note ("Note") in the original principal amount

of \$123,500.00, executed by Christopher D. Joyce and Jennifer B. Joyce ("Borrower"), and payable to the order of

Lender/Holder.

#### **FORECLOSURE SALE:**

DATE:

July 6, 2021

TIME:

The earliest time the sale will begin is 1:00 P.M. or within three

hours thereafter

PLACE:

SAN PATRICIO COUNTY COURTHOUSE IN SINTON, TEXAS, AT THE FOLLOWING LOCATION: AT THE FIRST FLOOR OF THE COURTHOUSE, AT THE SOUTH ENTRANCE BETWEEN THE GLASS DOORS IN THE VESTIBULE, OR SUCH OTHER LOCATION AS MAY BE DESIGNATED BY THE COUNTY COMMISSIONERS

COURT OF SAN PATRICIO COUNTY, TEXAS

**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 First Capital Properties, LTD.'s, bid may be by credit against the

indebtedness secured by the lien of the Deed of Trust

TRUSTEES/SUBSTITUTE TRUSTEE(S): New Wave Properties, Inc., Ashleigh Renfro, AND/OR Ian Ghrist, AND/OR Sarah Dill, AND/OR Sara Colavito.

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, First Capital Properties, LTD., 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 First Capital Properties, LTD.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with First Capital Properties, LTD.'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 First Capital Properties, LTD., 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

Notice of Foreclosure Sale 2 of 4 released of public record from the lien and/or security interest of the Deed of Trust by First Capital Properties, LTD. 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, any 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.

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.

#### Name and Address of Sender of Notice:

Renfro Hausheer, PLLC 2735 Villa Creek Drive, Suite, 140 Farmers Branch, Texas 75234

#### Name and Address of Sender of Notice:

DIA Servicing, LLC 2735 Villa Creek Drive, Suite, 140 Farmers Branch, Texas 75234

Pursuant to Section 51.0025 of the Texas Property Code, the mortgage servicer and/or its Attorney are entitled to administer the foreclosure due to the fact that servicer, noteholder or Lender, and Attorney have entered into an agreement granting authority to service the mortgage and administer foreclosure proceedings.

Renfro Hausheer, PLLC

By: Ashleigh Rentro, Substitute Trustee

3 of 4

2735 Villa Creek/Drive, Suite 140 Farmers Branch, Texas 75234

Telephone (972) 708-4425

Fax (972) 521-6413

RECIPIENT(S)

Christopher D. Joyce Jennifer B. Joyce 202 Sutherland Drive Portland, Texas 78374

DATE SENT: JUNE 15 2021

VIA CMRRR # <u>7020 - 3160 -000 Z - 20</u>8|-7186 VIA USPS FIRST-CLASS MAIL

RV.

I HEREBY CERTIFY THAT ON JUNE 15, 2021, TRUE AND CORRECT COPIES OF THIS DOCUMENT WERE SENT TO THE RECIPIENTS AT THE ADDRESS AND BY THE METHOD(S) DESCRIBED ABOVE.

Ashleigh Rentro



### San Patricio County **Gracie Alaniz-Gonzales** San Patricio County Clerk

Instrument Number: 8

Foreclosure Posting

Recorded On: June 15, 2021 04:35 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$3.00

#### \*\*\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Record and Return To:

Document Number:

8

**TEXAS PROCESS SERVICES** 

Receipt Number:

20210615000067

Recorded Date/Time: June 15, 2021 04:35 PM

User:

Lina G

Station:

cclerkdeeds2



STATE OF TEXAS San Patricio County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of San Patricio County, Texas

Gracie Alaniz-Gonzales San Patricio County Clerk San Patricio County, TX

Grane alaning Longola

### MNOTICE OF TRUSTEE'S SALE

T.S. #: 042021-01234-10TX

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 TO THE SENDER OF THIS NOTICE IMMEDIATELY.

#### SALE INFORMATION:

Date: 7/6/2021 Time of Sale: 1:00 PM

Place: On the first floor of the San Patricio County Courthouse at the south entrance

between the glass doors in the vestibule, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's

Court

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties except as to the warranties of title, if any, provided for under the deed of trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

#### DEED OF TRUST INFORMATION:

Date: 10/29/2007

Grantor(s): David Sandoval and Joann Sandoval

Original Mortgagee: Citifinancial Inc

Current Mortgagee: U.S. Bank Trust, National Association, as Trustee of American Homeowner

**Preservation Trust Series AHP Servicing** 

Original Principal Amount: \$26,144.63

Recording Information: 11/4/2007, as Instrument No. 574779,

Property County: San Patricio
Property Address: 613 Second St

Taft TX 78390

LOT FOUR (4), BLOCK SIXTY-FOUR (64) TO THE TOWN OF TAFT, SAN

PATRICIO COUNTY, TEXAS, AS SHOWN BY THE MAP OR PLAT OF SAME OF RECORD IN VOLUME 3, AT PAGE 1B OF THE MAP RECORDS OF SAN PATRICIO

COUNTY, TEXAS.

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. AHP Servicing, LLC, as the Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o AHP Servicing, LLC 440 S Lasalle St, Suite 1110 Chicago, IL 60605

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 IF THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

The undersigned agent for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their steed Arnold Mendoza, Susan

Sandoval, Jo Woolsey, Bob Frisch, Sandra Mendoza, Jodi Steen, Leslye Evans, Janice Stoner, Mary Goldston or Alexis Mendoza whose address is c/o Americas Trustee Services, Coppell, Texas 75019 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduce and direct the execution of remedies set aside to the beneficiary therein.

TO OBTAIN THE LATEST SALE INFORMATION PLEASE CONTACT AGENCY SALES & POSTING LLC (ASAP) AT 714-730-2727 OR <u>SERVICELINKASAP.COM</u>.

America's Trustee Services, LLC

Cheryl Asher, General Counsel



## San Patricio County Gracie Alaniz-Gonzales San Patricio County Clerk

Instrument Number: 4

Foreclosure Posting

Recorded On: June 03, 2021 01:10 PM

Number of Pages: 3

" Examined and Charged as Follows: "

Total Recording: \$3.00

#### \*\*\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Record and Return To:

Document Number:

4

PIONEER LAND SERVICES

Receipt Number:

20210603000030

Recorded Date/Time:

June 03, 2021 01:10 PM Janie F

User: Station:

cclerkdeeds1-pc



STATE OF TEXAS
San Patricio County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of San Patricio County, Texas

Gracie Alaniz-Gonzales San Patricio County Clerk San Patricio County, TX Jane Main Jong Com

## 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: 05/23/2006

Grantor(s): NICANORA VALDE

Original Mortgagee:

NICANORA VALDEZ, AN UNMARRIED WOMAN A/K/A NICANORA G VALDEZ MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR BNC MORTGAGE, INC., A DELAWARE CORPORATION, ITS

SUCCESSORS AND ASSIGNS \$27,200.00

Original Principal:

Recording Information: Instrument 557336

Property County: San Patricio

Property: (See Attached Exhibit "A")

Reported Address: 448 PEACH STREET, TAFT, TX 78390

#### MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee:

gagee: U.S. Bank National Association, as trustee for Structured Asset Investment Loan Trust

Mortgage Pass-Through Certificates, Series 2006-BNC3

Mortgage Servicer:

PHH Mortgage Corporation

Current Beneficiary:

U.S. Bank National Association, as trustee for Structured Asset Investment Loan Trust

Mortgage Pass-Through Certificates, Series 2006-BNC3

Mortgage Servicer Address:

1 Mortgage Way, Mount Laurel, NJ 08054

#### **SALE INFORMATION:**

Date of Sale:

Tuesday, the 6th day of July, 2021 1:00PM or within three hours thereafter.

Time of Sale:

ON THE FIRST FLOOR OF THE COURTHOUSE AT THE SOUTH ENTRANCE

BETWEEN THE GLASS DOORS IN THE VESTIBULE in San Patricio County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the San Patricio County Commissioner's Court, at the area most recently designated by the San Patricio

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 John Sisk, Colette Mayers, Stephen Mayers, Israel Curtis, Ramon Perez, Garrett Sanders, Marcia Chapa, Dylan Ruiz, Amy Ortiz, Maryna Danielian, Megan Ysassi, Evan Press, Kathleen Adkins, Dana Dennen, Jo Woolsey, Bob Frisch, Arnold Mendoza, Braden Barnes, 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:

- 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. John Sisk, Colette Mayers, Stephen Mayers, Israel Curtis, Ramon Perez, Garrett Sanders, Marcia Chapa, Dylan Ruiz, Amy Ortiz, Maryna Danielian, Megan Ysassi, Evan Press, Kathleen Adkins, Dana Dennen, Jo Woolsey, Bob Frisch, Arnold Mendoza, Braden Barnes, 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 choice prior to participating in the sale of the property.

9540-2359 2147024288 PG1 POSTPKG

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.

<u>Substitute Trustee(s) appointed to Conduct Sale</u>: 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 John Sisk, Colette Mayers, Stephen Mayers, Israel Curtis, Ramon Perez, Garrett Sanders, Marcia Chapa, Dylan Ruiz, Amy Ortiz, Maryna Danielian, Megan Ysassi, Evan Press, Kathleen Adkins, Dana Dennen, Jo Woolsey, Bob Frisch, Arnold Mendoza, Braden Barnes, 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

Bradeh Barnes, BN 24059423
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

Sandra Mendoza

whose address is 14841 Dailas Partway, Suite 425, Dailas, TX 75254. I declare under penalty of perjury that on office of the San Patricio County and australia to be posted at the location directed by the San Patricio County Commissioners Court.

Exhibit "A"

LOT FIFTEEN (15), BLOCK ELEVEN (11), SECOND ROOSEVELT ADDITION, AN ADDITION THE CITY OF TAFT, SAN PATRICIO COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 15, MAP RECORDS OF SAN PATRICIO COUNTY, TEXAS.

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

9540-2359 2147024288 PG2 POSTPKG



## San Patricio County Gracie Alaniz-Gonzales San Patricio County Clerk

Instrument Number: 5

Foreclosure Posting

Recorded On: June 03, 2021 01:10 PM

Number of Pages: 3

" Examined and Charged as Follows: "

Total Recording: \$3.00

#### \*\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Record and Return To:

Document Number:

5

PIONEER LAND SERVICES

Receipt Number:

20210603000030

Recorded Date/Time:

June 03, 2021 01:10 PM

User:

Janie F

Station:

cclerkdeeds1-pc



STATE OF TEXAS
San Patricio County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of San Patricio County, Texas

Gracie Alaniz-Gonzales San Patricio County Clerk San Patricio County, TX Gran Many Granden

#### 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 ONE (1), BLOCK FIVE (5) VILLANOVA PLACE, AN ADDITION TO THE TOWN OF INGLESIDE, SAN PATRICIO COUNTY, TEXAS, AS SHOWN BY THE MAP OR PLAT OF SAID ADDITION, RECORDED IN VOLUME 4, PAGE 44, MAP RECORDS, SAN PATRICIO COUNTY, TEXAS.

BEING THE SAME PROPERTY CONVEYED TO WALTER L. LOVING AND WIFE, JOYCE E. LOVING BY DEED FROM WOODROW W. MCCURE, NOT JOINED BY MY WIFE AS THE PROPERTY HEREIN CONVEYED CONSITUTES NO PART OF OUR HOMESTEAD RECORDED 06/11/1976 IN DEED BOOK 530 PAGE 287, IN THE REGISTER'S OFFICE OF SAN PATRICIO COUNTY, TEXAS.

- 2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 07/25/2015 and recorded in Document 649292 real property records of San Patricio County, Texas.
- 3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date:

07/06/2021

Time:

01:00 PM

Place:

San Patricio County, Texas at the following location: FIRST FLOOR OF THE COURTHOUSE AT THE SOUTH ENTRANCE BETWEEN THE GLASS DOORS IN THE VESTIBULE 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, 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.
- 5. Obligations Secured. The Deed of Trust executed by WALTER L. LOVING AND JOYCE E. LOVING, provides that it secures the payment of the indebtedness in the original principal amount of \$139,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. AMERICAN ADVISORS GROUP is the current mortgagee of the note and deed of trust and AMERICAN ADVISORS GROUP is mortgage servicer. A servicing agreement between the mortgagee, whose address is AMERICAN ADVISORS GROUP c/o AMERICAN ADVISORS GROUP, 3900 Capital City Blvd., Lansing, MI 48906 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



Instrument Number: 6

Foreclosure Posting

Recorded On: June 03, 2021 01:10 PM

Number of Pages: 2

" Examined and Charged as Follows: "

Total Recording: \$3.00

#### \*\*\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Record and Return To:

Document Number:

PIONEER LAND SERVICES

Receipt Number:

20210603000030

Recorded Date/Time: June 03, 2021 01:10 PM

User:

Janie F

Station:

cclerkdeeds1-pc



STATE OF TEXAS San Patricio County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of San Patricio County, Texas

Gracie Alaniz-Gonzales San Patricio County Clerk San Patricio County, TX

Granie alaning Longola

# NOTICE OF FORECLOSURE SALE ("SUBSTITUTE TRUSTEE'S" SALE)

#### NOTICE REGARDING MILITARY SERVICE

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.

RECEIVED

DATE OF NOTICE:

May 18, 2021

TYPE OF INSTRUMENT:

Deed of Trust ("Deed of Trust")

DATED:

January 13, 2017

GRANTOR: 7

Timothy E. Pacheco & Rebecca D. Pacheco

TRUSTEE:

Coastal Properties

LENDER:

Safeguard Investments, LTD

**CURRENT** 

**HOLDER:** 

Safeguard Investments, LTD

**RECORDED IN:** 

Deed of Trust is recorded under Document Number

666721 of the real property records the San Patrizio County.

LEGAL DESCRIPTION &

PROPERTY TO BE SOLD:

Lot Ten (10), Block Give (5), Portland-East Cliff #3, City

of Portland, San Patricio County, Texas

(More commonly known as: 102 E. Broadway, Portland.

**Texas** 78374)

**SECURES:** 

Promissory Note ("Note") in the original principal amount

of \$139,900.00, executed by Timothy E. Pacheco and Rebecca D. Pacheco ("Borrower"), and payable to the order

of Lender/Holder

#### **FORECLOSURE SALE:**

**DATE:** July 6, 2021

**TIME:** The earliest time the sale will begin is 10:00 A.M. or within three

hours thereafter

PLACE: SAN PATRICIO COUNTY COURTHOUSE IN SINTON,

TEXAS, AT THE FOLLOWING LOCATION: AT THE FIRST FLOOR OF THE COURTHOUSE, AT THE SOUTH ENTRANCE BETWEEN THE GLASS DOORS IN THE VESTIBULE, OR SUCH OTHER LOCATION AS MAY BE DESIGNATED BY THE COUNTY COMMISSIONERS

COURT OF SAN PATRICIO COUNTY, TEXAS.

**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 SAFEGUARD INVESTMENTS, LTD.'s, bid may be by credit against the indebtedness secured by the lien of the Deed of Trust

SUBSTITUTE TRUSTEE(S): Ashleigh Renfro, AND/OR Ian Ghrist, AND/OR Sarah Dill

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, SAFEGUARD INVESTMENTS, LTD., 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 SAFEGUARD INVESTMENTS, LTD.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with SAFEGUARD INVESTMENTS, LTD.'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 SAFEGUARD INVESTMENTS, LTD., 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

Notice of Foreclosure Sale 2 of 4

released of public record from the lien and/or security interest of the Deed of Trust by SAFEGUARD INVESTMENTS, LTD. 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, any 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.

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.

#### Name and Address of Sender of Notice:

Ashleigh Renfro, 2735 Villa Creek Drive, Suite, 140, Farmers Branch, Texas 75234

#### Name and Address of Servicer:

DIA Servicing, LLC, 2735 Villa Creek Drive, Suite, 140, Farmers Branch, Texas 75234

Pursuant to Section 51.0025 of the Texas Property Code, the mortgage servicer or Attorney are entitled to administer the foreclosure due to the fact that servicer, noteholder or Lender, and Attorney have entered into an agreement granting authority to service the mortgage and administer foreclosure proceedings.

By: Ashleigh Renfro, Substitute Trustee

2735 Villa Creek/Drive, Suite 140

Farmers Branch, Texas 75234 Telephone (972) 708-4425

Fax (972) 521-6413

Notice of Foreclosure Sale 3 of 4

Timothy E. Pacheco Rebecca D. Pacheco 102 E Broadway Portland, Texas 78374

VIA CMRRR #7019-2970-0000-1670-6997 VIA USPS FIRST-CLASS MAIL

**DATE SENT: MAY 18, 2021** 

RV.

I HEREBY CERTIFY THAT ON MAY 18, 2021, TRUE AND CORRECT COPIES OF THIS DOCUMENT WERE SENT TO THE RECIPIENTS AT THE ADDRESS AND BY THE METHOD(S) DESCRIBED ABOVE.

Ashleigh Renfro



## San Patricio County Gracie Alaniz-Gonzales San Patricio County Clerk

Instrument Number: 3

Foreclosure Posting

Recorded On: May 21, 2021 01:15 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$3.00

#### \*\*\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Record and Return To:

Document Number:

**COASTAL PROPERTIES** 

Receipt Number:

20210521000061

Recorded Date/Time: May 21, 2021 01:15 PM

User:

Lina G

Station:

cclerkdeeds2



STATE OF TEXAS San Patricio County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of San Patricio County, Texas

Gracie Alaniz-Gonzales San Patricio County Clerk San Patricio County, TX

Jane Maring Jong Sen





MAY 2 n

GRACIE ALANIZ

#### **DEED OF TRUST INFORMATION:**

Grantor(s)	Frances Yeamans	Deed of Trust Date	March 16, 2009 UNITY CLE
Original Mortgagee	Financial Freedom Senior Funding	Original Principal	\$345,000.00
	Corporation	****	
Recording	Instrument #: 589684 in San Patricio	Original Trustee	Brown, Fowler & Alsup
Information	County, Texas		
Property Address	806 S. Lamont Street, Aransas Pass, TX	<b>Property County</b>	San Patricio
	78336		

#### MORTGAGE SERVICER INFORMATION:

Current	Seattle Bank	Mortgage Servicer	Reverse Mortgage
Mortgagee			Solutions, Inc.
Current	Seattle Bank	Mortgage Servicer	14405 Walters Rd, Suite
Beneficiary		Address	200, Houston, TX 77014

#### SALE INFORMATION:

Date of Sale	07/06/2021	
Time of Sale	01:00 PM or no later than 3 hours thereafter	
Place of Sale	On the first floor of the Courthouse at the South Entrance between the glass doors in the vestible County Courthouse in San Patricio County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the San Patricio County Commissioner's Court.	
Substitute Trustees	Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Jodi Steen, Susan Sandoval,	
	Leslye Evans, Vicki Hammonds, Alexis Mendoza, Janice Stoner, Mary Goldston, Selim	
	Taherzadeh, Mo Taherzadeh, or Michael Linke, any to act	
Substitute Trustees'	15851 N. Dallas Parkway, Suite 410, Addison, TX 75001	
Address		

#### PROPERTY INFORMATION:

Legal Description as per the Deed of Trust:

LOTS TWENTY-SEVEN (27), TWENTY-EIGHT (28), TWENTY-NINE (29), THIRYTY (30), THIRTY-ONE (31), AND THIRTY-TWO (32, BLOCK THREE HUNDRED FIFTY-SEVEN (357), CITY OF ARANSAS PASS IN SAN PATRICIO COUNTY, TEXAS, AS SHOWN BY MAP OR PLAT OF SAME OF RECORD IN VOLUME 3, PAGE 41, MAP RECORDS OF SAN PATRICIO COUNTY, TEXAS

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

Default has occurred under the Deed of Trust and all sums secured by the Deed of Trust were declared immediately due and payable. The Beneficiary has, or caused another to, removed the Original Trustee and appointed Substitute Trustees. On behalf of the Mortgagee, Mortgage Servicer, and Substitute Trustees, the undersigned is providing this Notice of Trustee's Sale.

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Beneficiary thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all other matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released from the lien of the Deed of Trust. Prospective bidders

## NOTICE OF TRUSTEE'S SALE

are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Deed of Trust, 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 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. Purchasers will buy the property "at the purchaser's own risk" and "at his/her peril", and no representation is made concerning the quality of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property.

Pursuant to 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.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee, or any subsequently appointed Trustee, 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. The reposting or refiling may be after the date originally scheduled for this sale.

Interested parties are encouraged to consult counsel of their choice prior to participating in the sale of the property.

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.

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.

Dated May 19, 2021.

Selfn H. Taherzadeh

15851 N. Dallas Parkway, Suite 410

Addison, TX 75001 (469) 729-6800

Return to: TAHERZADEH, PLLC

15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

AT 31.451 M O'CLOCK

MAY 1 8 2021

HEAVIER D. MARKS, OLERK OF TRICT COURT
EAN PATRICIOCOLUMN TEXAS
BY DEPUTY

#### CAUSE NUMBER S-21-5228CV-C

8888888

IN RE: ORDER FOR FORECLOSURE CONCERNING

IN THE DISTRICT COURT

806 S. LAMONT STREET ARANSAS PASS, TX 78336

343rd JUDICIAL DISTRICT OF

UNDER TEX. R. CIV. PROC. 736

SAN PATRICIO COUNTY, TEXAS

#### DEFAULT ORDER ALLOWING FORECLOSURE

Seattle Bank, Petitioner, on behalf of itself, its successors and assigns, has brought before this Court for consideration its Application for Court Order Allowing Foreolosure of a Lien Under Texas Constitution Article XVI, Section 50(k)(6) ("Application"). Having considered the evidence presented, the Court finds that:

- 1) the Application complies with Texas Rule of Civil Procedure ("TRCP") 736.1;
- 2) the Application was properly served in accordance with TRCP 736.3;
- 3) a respondent did not file a response to the Application by the due date; and
- 4) the return of service has been on file with the Clerk of the Court for at least 10 days; and
- 5) Petitioner has established the basis for foreclosure and finds that:
  - (a) Petitioner is the holder of an Adjustable Rate Note (Home Equity Conversion) secured by a lien created under Texas Constitution Article XVI, Section 50(k). A debt exists.
  - (b) The obligation secured by the lien sought to be foreclosed is in default.
- (c) The requisite notice to cure the default has been mailed to each person as

  DEFAULT ORDER 281-00066

required under applicable law and the loan agreement, contract, or lien sought to be foreclosed and the opportunity to cure has expired. Before the Application was filed, any other action required under applicable law and the loan agreement, contract, or lien sought to be foreclosed was performed.

#### IT IS THEREFORE ORDERED that:

1. Seattle Bank, together with its successors and assigns, is hereby authorized to serve Notice of Sale on each Respondent and may proceed with a foreclosure sale in accordance with the security agreement and Texas Property Code Section 51.002 concerning the property with a commonly known mailing address of 806 S. Lamont Street, Aransas Pass, TX 78336 and legal description as described in the Real Property Records of San Patricio County, Texas as follows:

LOTS TWENTY-SEVEN (27), TWENTY-EIGHT (28), TWENTY-NINE (29), THIRYTY (30), THIRTY-ONE (31), AND THIRTY-TWO (32, BLOCK THREE HUNDRED FIFTY-SEVEN (357), CITY OF ARANSAS PASS IN SAN PATRICIO COUNTY, TEXAS, AS SHOWN BY MAP OR PLAT OF SAME OF RECORD IN VOLUME 3, PAGE 41, MAP RECORDS OF SAN PATRICIO COUNTY, TEXAS

2. The name and last known address of each respondent subject to the order are:

Frances Yeamans
806 S. Lamont Street
Aransas Pass, TX 78336

- 3. The recording or indexing information of each lien to be foreclosed is as follows:
  - Instrument #: 589684 in the Real Property Records of San Patricio County, Texas.
- 4. A conformed copy of an Order Allowing Foreclosure must be attached to the Trustee or Substitute Trustee's Foreclosure Deed in accordance with TRCP 736.12.

DEFAULT ORDER 281-00066

- 5. Petitioner may communicate with each Respondent and all third parties as reasonably necessary to conduct a foreclosure sale.
- 6. Notice of Foreclosure Sale must be mailed to respondent's counsel by certified mail if a respondent is represented by counsel.

Signed, this 18 day of \_\_\_\_\_\_\_, 2021.

Julige Presiding

JANSKA WARATLEY

Approved as to form by:

Jelim H. Taherzadeh Texas Bar No. 24046944 st@taherzlaw.com

- Jeremiah B. Hayes
  Texas Bar No. 24048532
  jh@taherzlaw.com
  - Scott H. Crist
    Texas Bar No. 24057814
    sc@taherzlaw.com
    15851 N. Dallas Parkway
    Suite 410
    Addison, Texas 75001

Telephone: (469) 729-6800 Facsimile: (469) 828-2772

ATTORNEYS FOR PETITIONER



San Patricio County Gracie Alaniz-Gonzales San Patricio County Clerk

Instrument Number: 2

Foreclosure Posting

Recorded On: May 20, 2021 12:07 PM

Number of Pages: 7

" Examined and Charged as Follows: "

Total Recording: \$3.00

#### \*\*\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Record and Return To:

Document Number:

2

PIONEER LAND SERVICES

Receipt Number:

20210520000030

Recorded Date/Time: May 20, 2021 12:07 PM

Janie F

Station:

User:

cclerkdeeds1-pc



STATE OF TEXAS
San Patricio County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of San Patricio County, Texas

Gracie Alaniz-Gonzales San Patricio County Clerk San Patricio County, TX Jesus Maning Jazzelle