

RECEIVED

210 MESQUITE CIRCLE, ARANSAS PASS, TX, 78336
7015FC.0373

JUL 30 2020
9:57P.M.
GRACIE ALANIZ-GONZALES
COUNTY CLERK

**APPOINTMENT OF SUBSTITUTE TRUSTEE AND
NOTICE OF SUBSTITUTE TRUSTEE SALE**

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

**APPOINTMENT OF
SUBSTITUTE TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, Arnold Mendoza, Sandra Mendoza, Alexis Mendoza, Susana Sandoval, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE TRUSTEE'S
ADDRESS:**

c/o JACK O'BOYLE & ASSOCIATES, Mailing Address: P.O. Box 815369, Dallas, Texas 75381;
Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF SUBSTITUTE
TRUSTEE SALE:**

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

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on September 01, 2020 between the hours of 1pm-4pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

LOCATION OF SALE:

The place of the sale shall be: ON THE FIRST FLOOR OF THE 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 in SAN PATRICIO County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO BE
FORECLOSED:**

Deed of Trust or Contract Lien dated 05/22/2007 and recorded under Volume, Page or Clerk's File No. INSTRUMENT NO. 569425 in the real property records of San Patricio County Texas, with DANIEL W. NELSON, A MARRIED MAN AND CHERRIE A. NELSON, A MARRIED WOMAN as Grantor(s) and Secretary of Veterans Affairs, an Officer of the United States of America as Original Mortgagee.

OBLIGATIONS SECURED:

Deed of Trust or Contract Lien executed by DANIEL W. NELSON, A MARRIED MAN AND CHERRIE A. NELSON, A MARRIED WOMAN securing the payment of the indebtedness in the original principal amount of \$121,400.00 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by DANIEL W. NELSON, CHERRIE A. NELSON, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF VENDEE MORTGAGE TRUST 2008-1 is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

**MORTGAGE SERVICING
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 property securing the above referenced loan. CARRINGTON MORTGAGE SERVICES, LLC is acting as the Mortgage Servicer for DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF VENDEE MORTGAGE TRUST 2008-1 who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. CARRINGTON MORTGAGE SERVICES, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF



4725627

VENDEE MORTGAGE TRUST 2008-1
c/o CARRINGTON MORTGAGE SERVICES, LLC
1600 SOUTH DOUGLASS ROAD, SUITE 200-A
ANAHEIM, CA 92806

**LEGAL DESCRIPTION OF
PROPERTY TO BE SOLD:**

LOTS 10 AND 11, FALMAN, AN ADDITION TO THE TOWN OF ARANSAS PASS IN SAN PATRICIO COUNTY, TEXAS, AS SHOWN BY MAP OR PLAT RECORDED UNDER COUNTY CLERK'S FILE NO. 487924, MAP/PLAT RECORD, SAN PATRICIO COUNTY, TEXAS

SAVE AND EXCEPT:

BEING THE DESCRIPTION OF THE SOUTH 19 FEET EMBRACING 4,419.4 SQUARE FEET OF LAND OUT OF LOT 10, FALMAN SUBDIVISION OF A PART OF FARM LOTS 14, 15 AND 16, LAND BLOCK TWO, T.P. MCCAMPBELL 15,000 ACRE SUBDIVISION, SAN PATRICIO COUNTY, TEXAS, ACCORDING TO MAP OR PLAT RECORDED IN VOLUME 5, PAGE 12, MAP/PLAT RECORDS, SAN PATRICIO COUNTY, TEXAS, WITH SAID 4419.4 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEING AT A 1/2' IRON ROD ROUND IN THE WESTERLY R.O.W. LINE OF MESQUITE CIRCLE FOR THE COMMON CORNER OF LOTS 9 AND 10 OF SAID FALMAN SUBDIVISION AND BEING THE SOUTHEAST CORNER AND PLACE OF BEGINNING OF THIS DESCRITIPON:

THENCE NORTH 34° 37' EAST ALONG AND WITH THE WESTERLY R.O.W. LINE OF MESQUITE CIRCLE A DISTANCE OF 19.0 FEET TO A 5/8" IRON ROD SET FOR THE NORTHEAST CORNER OF THIS SURVEY;

THENCE NORTH 55° 23' WEST ALONG AND WITH THE LINE PARALLEL AND 10.00 FEET NORTH OF THE COMMON LINE BETWEEN SAID LOT 9 AND 10 A DISTANCE OF 232.60 FEET TO A 5/8" IRON ROD SET IN THE EASTERLY R.O.W. LINE OF MESQUITE CIRCLE FOR THE NORTHWEST CORNER OF THIS SURVEY;

THENCE SOUTH 34° 37' WEST ALONG THE EASTERLY R.O.W. LINE OF MESQUITE CIRCLE A DISTANCE OF 19.0 FEET TO A 1/2" IRON ROD FOUND FOR THE COMMON CORNER OF LOTS 9 AND 10 OF SAID FALMAN SUBDIVISION AND BEING THE SOUTHWEST CORNER OF THIS SURVEY;

THENCE SOUTH 55° 23' EAST ALONG AND WITH THE COMMON LINE BETWEEN LOTS 9 AND 10 A DISTANCE OF 232.60 FEET TO THE PLACE OF BEGINNING AND CONTAINING 4419.4 SQUARE FEET OF LAND MORE OR LESS. (the "Property")

**REPORTED PROPERTY
ADDRESS:**

210 MESQUITE CIRCLE, ARANSAS PASS, TX 78336

TERMS OF SALE: The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

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 and the priority of the lien being foreclosed.

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 Mortgagee and/or Mortgage Servicer 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.

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 Deed of Trust, but prospective bidders are reminded that by law the 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. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event

of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein 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 refilled 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.

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.

Signed on the 23 day of July, 2020.

Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC



Jack O'Boyle | SBN: 15163700

jack@jackoboyle.com

Travis H. Gray | SBN: 24044965

travis@jackoboyle.com

Chris S. Ferguson | SBN: 24069714

chris@jackoboyle.com

P.O. Box 815369

Dallas, Texas 75381

P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR MORTGAGEE AND/OR ITS MORTGAGE
SERVICER

CERTIFICATE OF POSTING

My name is Sandra Mendoza, and my address is c/o 12300 Ford Rd, Ste. 212, Dallas, TX 75234. I declare under the penalty of perjury that on 7.30.20 I filed at the office of the San Patricio County Clerk and caused to be posted at the San Patricio County courthouse (or other designated place) this notice of sale.

Signed: _____

Declarant's Name: _____

Sandra Mendoza

Date: _____

7.30.20

RECEIVED

JUL -2 2020

9:45 AM
GRACIE ALANIZ-GONZALES
COUNTY CLERK

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 NO. ONE (1), BLOCK NO. TWO HUNDRED FIFTY FOUR (254) IN THE CITY OF ARANSAS PASS, ACCORDING TO THE MAP OR PLAT OF SAID CITY MADE BY P.L. TELFORD, SURVEYOR, RECORDED IN VOL. 3, PAGE 41, MAP RECORDS, SAN PATRICIO COUNTY, TEXAS; TO WHICH MAP REFERENCE IS HERE MADE FOR FURTHER DESCRIPTION OF SAID PROPERTY; BEING THE SAME PROPERTY CONVEYED TO DON L. VANDEVENTER AND WIFE, DELAINE M. VANDERVENTER BY DEED FROM UNA E. KENNEDY RECORDED 03/10/1978 IN DEED INSTRUMENT 267551, 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 04/14/2015 and recorded in Document 646642 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: 09/01/2020
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 DELAINE M. POOL, provides that it secures the payment of the indebtedness in the original principal amount of \$82,500.00, 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
Wori Liane Long, Attorney at Law
Chelsea Schneider, Attorney at Law
Ester Gonzales, Attorney at Law
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254

I am Sandra Mendoza 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 7-2-20 I filed this Notice of Foreclosure Sale at the office of the San Patricio County Clerk and caused it to be posted at the location directed by the San Patricio County Commissioners Court.

RECEIVED

JUN 18 2020

8:53A M

GRACIE ALANIZ-GONZALES
COUNTY CLERK

2315 MEMORIAL PKWY
PORTLAND, TX 78374

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NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

1. Date, Time, and Place of Sale.

Date: September 01, 2020

Time: The sale will begin at 1:00 PM or not later than three hours after that time.

Place: THE SOUTH ENTRANCE INSIDE BUILDING ON THE FIRST FLOOR OF THE SAN PATRICIO COUNTY COURTHOUSE or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated June 09, 2009 and recorded in Document CLERK'S FILE NO. 591420 real property records of SAN PATRICIO County, Texas, with SCOTT LEE HEBERT AND KATIE JEAN HEBERT, grantor(s) and FIRST COMMUNITY BANK, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by SCOTT LEE HEBERT AND KATIE JEAN HEBERT, securing the payment of the indebtednesses in the original principal amount of \$111,619.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. MIDFIRST BANK is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK
999 N.W. GRAND BLVD
STE 110
OKLAHOMA CITY, OK 73118-6077



NTSS0000008768434

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead 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, SANDRA MENDOZA, ARNOLD MENDOZA, ALEXIS MENDOZA, SUSAN SANDOVAL, LESLYE EVANS OR WILLIAM D. LAREW whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.

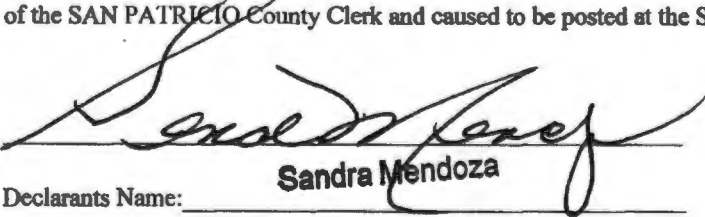


Israel Saucedo

Certificate of Posting

Sandra Mendoza

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 6.18.20 I filed at the office of the SAN PATRICIO County Clerk and caused to be posted at the SAN PATRICIO County courthouse this notice of sale.


Declarants Name: _____

Sandra Mendoza

Date: 6.18.20

2315 MEMORIAL PKWY
PORTLAND, TX 78374

00000008768434

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SAN PATRICIO

EXHIBIT "A"

LOT THIRTY-TWO (32), BLOCK TWO (2), OAK RIDGE ESTATES UNIT-3, AN ADDITION TO THE CITY OF PORTLAND SAN PATRICIO COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 13, PAGES 61-63, OF THE MAP RECORDS OF SAN PATRICIO COUNTY, TEXAS.