

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: January 03, 2017

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

Place: THE FRONT ENTRANCE OF THE KERR COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS 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 August 22, 2002 and recorded in Document CLERK'S FILE NO. 07935 real property records of KERR County, Texas, with DANNY GUERRERO AND CARRIE J MCCRACKEN, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS) AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by DANNY GUERRERO AND CARRIE J MCCRACKEN, securing the payment of the indebtednesses in the original principal amount of \$79,727.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. BANK OF AMERICA, N.A. 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. BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP
7105 CORPORATE DRIVE
PLANO, TX 75024

Deanna Ray by Dimitri Lozano

THOMAS ROSSINGTON, MARTHA ROSSINGTON, DEANNA RAY, VANESSA RAMOS, IRENE SALAZAR, RICHARD HOLTON, PATRICIA SANDERS, JONATHAN SCHENDEL, DOUG WOODARD, DAN HART, AARTI PATEL, MARYNA DANIELIAN, FREDERICK BRITTON, OR PAMELA THOMAS
Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

My name is Dimitri Lozano Certificate of Posting and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on 10/28/2016 I filed at the office of the KERR County Clerk and caused to be posted at the KERR County courthouse this notice of sale.

DL
Declarant's Name: Dimitri Lozano
Date: 10/28/2016

28th
Filed 28 Day of Oct A.D. 20 16
REBECCA BOLIN, KERR CO. CLERK TIME 10:15am
By: S. Parker Deputy



NOS0000006197495



LOT 6 SIERRA VISTA, SECTION ONE, KERR COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 385,
PLAT RECORDS OF KERR COUNTY, TEXAS.



NOS0000006197495

#59

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Date: 03/25/2013
Grantor(s): JOHN M. KOCUREK AND SPOUSE, LACI L. KOCUREK
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR PATRIOT BANK MORTGAGE, INC., ITS SUCCESSORS AND ASSIGNS

Original Principal: \$275,793.00
Recording Information: Instrument 13-02059
Property County: Kerr
Property:

BEING A 18.73 ACRE, MORE OR LESS, TRACT OF LAND SITUATED IN AND A PART OF THE B.S. AND F. SURVEY NO. 3, ABSTRACT NO. 74 IN KERR COUNTY, TEXAS; BEING THAT SAME PROPERTY CONVEYED FROM LOREN J.D. WALTHER AND WIFE RUTH B. WALTHER TO CARL W. KURZ AND WIFE, ELEANOR NEOMA KURZ BY A WARRANTY DEED DATED APRIL 23, 1985 AND RECORDED IN VOLUME 324, PAGE 65 OF THE REAL PROPERTY RECORDS OF KERR COUNTY, TEXAS DESCRIBED AS PARCEL NO. 1 AND PARCEL NO. 2; BEING ALSO KNOWN AS TRACTS 227-A AND 228-A OF B. AND R. RANCH, INC., AN UNRECORDED AND UNOFFICIAL SUBDIVISION PLAT OF AND IN KERR COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 1/2" IRON ROD FOUND MARKING THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT AND BEING LOCATED 891.2 FEET, S. 29 DEG. 32 MIN. E. AND 2000 FEET, S. 60 DEG. 28 MIN. W. FROM THE NORTH CORNER OF SAID SURVEY NO. 3; SAID 1/2" IRON ROD ALSO MARKS THE SOUTH CORNER OF SAID TRACT 227-A OF B. AND R. RANCH, INC.;

THENCE, WITH A FENCE ALONG THE SOUTHWEST LINE OF TRACT 227-A, N. 29 DEG. 32 MIN. W. (RECORD BEARING HELD), 434.21 FEET (RECORD: 435.6') TO A 1/2" IRON ROD FOUND IN THE CENTERLINE OF MCDONALD LOOP, A FIFTY-FOOT (50') WIDE ROADWAY EASEMENT; SAID 1/2" IRON ROD MARKS THE SOUTH CORNER OF SAID TRACT 228-A AND THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE CENTERLINE OF MCDONALD LOOP ALONG THE NORTHWEST AND NORTHEAST BOUNDARY OF TRACT 228-A AND OF THE HEREIN DESCRIBED TRACT, N. 03 DEG. 43 MIN. E., 511.82 FEET TO A BENT 1/2" IRON ROD FOUND, N. 41 DEG. 36 MIN. E., 259.82 FEET TO A 1/2" IRON ROD FOUND AT A FENCE POST, N. 63 DEG. 18 MIN. E., 245.04 FEET TO A 1/2" IRON ROD FOUND AT A FENCE POST, AND S. 69 DEG. 24 MIN. E., 355.94 FEET (RECORD: S. 69 DEG. 22 MIN. E., 365.2') TO AN IRON ROD FOUND IN THE CENTERLINE OF STONEY HILL ROAD, A FIFTY-FOOT (50') WIDE ROADWAY EASEMENT; SAID IRON ROD MARKS THE NORTHEAST CORNER OF SAID TRACT 228-A AND THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE CENTERLINE OF STONEY HILL ROAD ALONG THE NORTHEAST BOUNDARY OF TRACTS 228-A AND 227-A, S. 29 DEG. 26 MIN. E., 661.16 FEET (RECORD: S. 29 DEG. 32 MIN. E., 662.1') TO A 1/2" IRON ROD FOUND MARKING THE EAST CORNER OF TRACT 227-A AND THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE SOUTHEAST LINE OF TRACT 227-A, S. 60 DEG. 29 MIN. W., 998.27 FEET TO THE POINT OF BEGINNING, CONTAINING 18.73 ACRES, MORE OR LESS, WITHIN THESE METES AND BOUNDS. THIS FIELD NOTES DESCRIPTION IS A COMPANION TO A PLAT OF SURVEY DATED SEPTEMBER 5, 1995.

Reported Address: 240 STONEY HILLS ROAD, CENTER POINT, TX 78010

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Wells Fargo Bank, NA
Mortgage Servicer: Wells Fargo Bank, N. A.
Current Beneficiary: Wells Fargo Bank, NA
Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

Filed 14 Day of Nov. D. 20 16
 REBECCA BOLIN, KERR CO. CLERK TIME 10:15 AM

By: *M. O'Connell* Deputy

SALE INFORMATION:

Date of Sale: Tuesday, the 3rd day of January, 2017
Time of Sale: 1:00PM or within three hours thereafter.
Place of Sale: THE FRONT ENTRANCE OF THE KERR COUNTY COURTHOUSE in Kerr County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Kerr County Commissioner's Court.

Substitute Trustee(s): Thomas Rossington, Martha Rossington, Deanna Ray, Vanessa Ramos, Irene Salazar, Richard Holton, Patricia Sanders, Jonathan Schendel, Doug Woodard, Dan Hart, Aarti Patel, Maryna Danielian, Frederick Britton, Pamela Thomas, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act

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

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

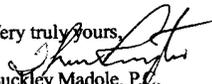
WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Thomas Rossington, Martha Rossington, Deanna Ray, Vanessa Ramos, Irene Salazar, Richard Holton, Patricia Sanders, Jonathan Schendel, Doug Woodard, Dan Hart, Aarti Patel, Maryna Danielian, Frederick Britton, Pamela Thomas, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, 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. Thomas Rossington, Martha Rossington, Deanna Ray, Vanessa Ramos, Irene Salazar, Richard Holton, Patricia Sanders, Jonathan Schendel, Doug Woodard, Dan Hart, Aarti Patel, Maryna Danielian, Frederick Britton, Pamela Thomas, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, 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.

Very truly yours,


Buckley Madole, P.C.

#60

Our File Number: 390.100369

Name: JUAN MANUEL MANZANO AND MARIA GUADALUPE MANZANO, HUSBAND AND WIFE

NOTICE OF TRUSTEE'S 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 OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

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.

WHEREAS, on June, 26 2008, JUAN MANUEL MANZANO AND MARIA GUADALUPE MANZANO, HUSBAND AND WIFE, executed a Deed Of Trust conveying to EDWARD KERSHNER as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ACTING SOLELY AS NOMINEE FOR SWBC MORTGAGE CORPORATION, in the payment of a debt therein described, said DEED OF TRUST being recorded under County Clerk Number 004941, Volume 1683, , Page 0531 in the DEED OF TRUST OR REAL PROPERTY records of KERR COUNTY, TX; and

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by said DEED OF TRUST;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on TUESDAY, **December 6, 2016** between ten o'clock AM and four o'clock PM and beginning not earlier than 01:00 PM or not later than three hours thereafter, the duly appointed Substitute Trustee will sell said Real Estate at the area designated by the County Commissioners Court pursuant to Section 51.002 of the Texas Property Code in KERR COUNTY, TEXAS to the highest bidder for cash. The sale will be conducted in the area of the Courthouse; specifically, the front entrance of the Kerr County Courthouse or any other area designated by the County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, of said county, pursuant to Section §51.002 of the Texas Property Code as amended.

Said Real Estate is described as follows:

BEING A 0.30 ACRE TRACT OF LAND COMPRISED OF THE NORTHWEST 87-1/2 FEET OF LOT 25, RICHESON-NICHOLS SUBDIVISION, A SUBDIVISION OF KERR COUNTY, TEXAS, RECORDED IN VOLUME 1, PAGE 46 OF THE PLAT RECORDS OF KERR COUNTY, TEXAS; BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

Property Address: 2817 HUNT STREET
KERRVILLE, TX 78028
Mortgage Servicer: Carrington Mortgage Services, LLC
Noteholder: Carrington Mortgage Services, LLC
1600 South Douglass Road, Suite 200-A
Anaheim, CA 92806

The Mortgage Servicer is authorized to represent the Noteholder by virtue of a servicing agreement with the Noteholder. 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.

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

WITNESS MY HAND this day, November 14, 2016.

Jill Nichols, Meghan Lamonte, ~~Thomas Rossington~~, Martha Rossington, Deanna Ray, Vanessa Ramos, Irene Salazar, Richard Holton, Frederick Britton, Patricia Sanders, Pamela Thomas, Chance Oliver or Max Murphy, Substitute Trustee
c/o Angel Reyes & Associates, P.C.
5950 Berkshire Lane, Suite 410
Dallas, TX 75225 469-425-3140

Filed 14 Day of NOV. D. 20 16
REBECCA BOLIN, KERR CO. CLERK TIME 10:20 AM

By: Deputy

V TEJAS TRUSTEE'S SERVICES

Exhibit "A"

BEING A 0.30 ACRE TRACT OF LAND COMPRISED OF THE NORTHWEST 87-1/2 FEET OF LOT 25, RICHESON-NICHOLS SUBDIVISION, A SUBDIVISION OF KERR COUNTY, TEXAS, RECORDED IN VOLUME 1, PAGE 46 OF THE PLAT RECORDS OF KERR COUNTY, TEXAS; RICHESON-NICHOLS BEING A SUBDIVISION OF THAT CERTAIN TRACT CONVEYED FROM MRS. CLARA HUNT, A.K.A. MRS. R. F. HUNT TO G. L. RICHESON AND R. V. NICHOLS BY DEED DATED JANUARY 12, 1946, RECORDED IN VOLUME 78, PAGE 157, DEED RECORDS OF KERR COUNTY, TEXAS; BEING THE SAME 0.30 ACRE TRACT CONVEYED IN A DEED OF TRUST FROM FIDEL LEAL, JR. TO DON C. KENDRICK, JR, TRUSTEE DATED JUNE 30, 1988, RECORDED IN VOLUME 476, PAGE 587 OF THE REAL PROPERTY RECORDS OF KERR COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the south corner of the herein described tract at a 1/2" iron rod found in concrete at the base of a fence corner post; being in the northwest line of that certain twenty-five (25) foot wide roadway right of way conveyed from G. L. Richeson and wife, Iva Byas Richeson and R. V. Nichols and wife, Vera Nichols to the County of Kerr, State of Texas by a Warranty Deed dated March 7, 1951, recorded in Volume 90, Page 265 of the Deed Records of Kerr County, Texas;

THENCE, with the southwest line of the herein described tract, same being the northeast line of that certain portion of Lot 15 in the name of Concha C. Gutierrez, recorded in Volume 825, Page 406 of the Real Property Records of Kerr County, Texas, N.37°15'00"W., 87.50 feet (*Record Bearing and Distance*) to a 1/2" rebar rod set marking the west corner of the herein described tract; the common rear corner of Lots 14, 15, 24, and 25, said Richeson-Nichols subdivision;

THENCE, with the northwest line of the herein described tract, same being the southeast line of that certain Lot 24 in the name of Billy K. Shelley and wife, Beverly J. Shelley, recorded in Volume 218, Page 676 of the Deed Records of Kerr County, Texas, N.45°50'47"E., 149.44 feet (*Record Call: N.45°E., 150'*) to a 3/8" rebar rod set in the southwest line of Hunt Street marking the north corner of the herein described tract, the east corner of said Lot 24;

THENCE, with the northeast line of Lot 25, the southwest line of Hunt Street (*called Second Street on recorded plat with dedication to the public - said Vol. 1, Pg. 46*), S.37°15'00"E., 87.50 feet (*Record Call and Bearing Basis from monuments found along this line*) to a 3/8" rebar rod set marking the east corner of the herein described tract;

THENCE, through the interior of said Lot 25 with the northwest line of said twenty-five (25) foot wide roadway in said Volume 90, Page 265, S.45°50'47"W., 149.44 feet (*Record Call: S.45°W., 150'*) to the **POINT OF BEGINNING**, containing 0.30 acre, more or less, within these metes and bounds. This Metes and Bounds Description is a companion document to a plat of survey dated July 22, 1997.

Filed 14 Day of Nov A.D. 20 16 10:20 AM
REBECCA BOLIN, KERR CO. CLERK TIME
By: M. Over Deputy

#61

Notice of Substitute Trustee's Sale

Date: November 14th 2016

Substitute Trustee: CARROLL J. BRYLA

Substitute Trustee's Address: 105 West San Antonio Street, Fredericksburg, Texas 78624

Mortgagee: BIERSCHWALE CREDIT AND LENDING CO., by Transfer of Rights and Note and Lien filed for record with the Kerr County Clerk on September 3, 2014, recorded in Clerk's File No. 14-05374 of the Official Public Records of Kerr County, Texas.

Note: Note dated August 5, 2011 in the original principal amount of \$250,000.00 wherein Kerrville Grove Land Co., Ltd. is Borrower and Great Central Mortgage Acceptance Company, Ltd. is Lender.

Deed of Trust

Date: August 5, 2011

Grantor: Kerrville Grove Land Co., Ltd.

Mortgagee: Great Central Mortgage Acceptance Company, Ltd.

Recording information: Clerk's File No. 11-05100 of the Official Public Records of Kerr County, Texas

Property: All that certain tract or parcel of land lying and being situated in the County of Kerr and State of Texas, and being more particularly described in **Exhibit "A"** attached hereto and made a part hereof for all purposes.

County: Kerr

Date of Sale (first Tuesday of month): December 6, 2016

Time of Sale: Between the hours of 10:00 A.M. and 1:00 P.M. on the date of sale

Place of Sale: The door facing Main Street at the front entrance of the County Courthouse of Kerr County, Texas, 700 Main Street, Kerrville, Texas 78028.

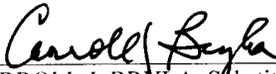
ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

1

Filed 14 Day of Nov A.D. 2016
REBECCA BOLIN, KERR CO. CLERK TIME 11:11 AM
By: Maria Rodriguez Deputy

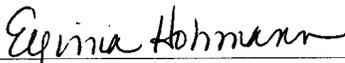
Mortgagee has appointed CARROLL J. BRYLA as Substitute Trustee under the Deed of Trust. Mortgagee has instructed Substitute Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Substitute Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS." The sale will begin at the Time of Sale or not later than three hours thereafter.


CARROLL J. BRYLA, Substitute Trustee

STATE OF TEXAS §
COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 14th day of November, 2016, by CARROLL J. BRYLA, Substitute Trustee.


Notary Public, State of Texas

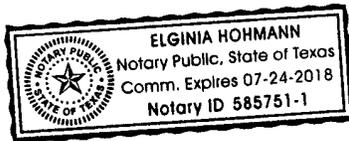


EXHIBIT " A "

FIELD NOTE DESCRIPTION 24.70 ACRES

Being a tract of land containing 24.70 acres situated in Kerr County, Texas in the Rowland Nichols Survey No. 126, Abstract No. 262, and being the same tract of land conveyed to Kerrville Grove Land Co., Ltd. from Brent L. Bates by Warranty Deed in Volume 1747, Page 40, Official Public Records of Kerr County and being the southerly 24.70 acres of Subdivision No. 1 of the Will H. Furr Estates Subdivision as surveyed by Louis Domingues on March 25, 1958, and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod set at the intersection of the northwest right of way line of a 30' wide public roadway known as Blue Ridge Drive and the north right of way line of a 150' wide highway known as Texas State Highway No. 27 (aka - Junction Highway) and being the southeast corner of the subject tract;

THENCE along or near a fence, with the north right of way line of said Texas State Highway No. 27, N 86°29'49"W, 63.60 feet to a 6" cedar fence corner post found for the southeast corner of a 0.75 acre tract of record in Volume 83, Page 140, Deed Records of Kerr County, Texas;

THENCE continuing along or near a fence, with the common lines of said 0.75 acre tract and the subject tract, N 03°31'13"E, 156.48 feet to a 6" cedar fence corner post found for the northeast corner of said 0.75 acre tract and continuing, N 86°27'10"W, 207.46 feet to an 8" creosote fence corner post found in the east line of a 5.98 acre tract of record in Volume 80, Page 394, Deed Records of Kerr County and being the northwest corner of said 0.75 acre tract;

THENCE continuing along or near a fence, with the common lines of said 5.98 acre tract and the subject tract, N 03°50'51"E, 1060.96 feet to a 10" creosote fence corner post found for the northeast corner of said 5.98 acre tract and continuing, S 83°04'33"W, 209.70 feet to a 6" cedar fence corner post found for the southeast corner of a 34.98 acre tract of record in Volume 1561, Page 238, Official Public Records of Kerr County;

THENCE continuing along or near a fence, with the common line of said 34.98 acre tract and the subject tract, N 04°31'15"E, 468.80 feet to a ½" iron rod, control monument, found for the southwest corner of a 12.00 acre tract of record in Volume 800, Page 175, Real Property Records of Kerr County and being the northwest corner of the subject tract;

THENCE continuing along or near a fence with the common line of said 12.00 acre tract and the subject tract, S 85°25'22"E, bearing basis, 868.50 feet to a ½" iron rod, control monument, found, in a fence, in the west line of a 7.83 acre tract of record in Volume 247, Page 835, Deed Records of Kerr County and being the northeast corner of the subject tract;

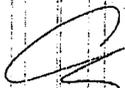
THENCE continuing along or near a fence with the west line of said 7.83 acre tract and subsequently the west line of a 1.13 acre tract of record in Volume 1178, Page 42, Real Property Records of Kerr County and a 5.73 acre tract of record in Volume 1179, Page 282, Real Property Records of Kerr County, and being the east line of the subject tract, S 03°08'58"W, 1184.33 feet to a 6" cedar fence corner post found in the northwest right of way line of the aforementioned Blue Ridge Drive;

THENCE continuing along or near a fence, with the northwest right of way line of said Blue Ridge Drive, S 46°11'47"W, 609.23 feet to the POINT OF BEGINNING and containing 24.70 acres within these metes and bounds.

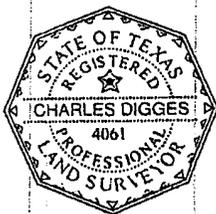
Note: This survey is based on the North American Datum 1983, Texas State Plane Coordinate System, South Central Zone. All bearings, distances and acreages shown hereon relate to this datum and coordinate system.

Note: All iron rods set are capped with an orange plastic cap marked "GUADALUPE SURVEY".

This description is a companion to a Plat of Survey dated June 29, 2011 and was prepared this 21st day of July 2011.



Charles Digges, R.P.L.S
Texas Registration No. 4061
File #11070701 msword DP



62

Notice of Substitute Trustee's Sale

Date: November 14th 2016

Substitute Trustee: CARROLL J. BRYLA

Substitute Trustee's Address: 105 West San Antonio Street, Fredericksburg, Texas 78624

Mortgagee: BIERSCHWALE CREDIT AND LENDING CO., by Transfer of Rights and Note and Lien filed for record with the Kerr County Clerk on September 3, 2014, recorded in Clerk's File No. 14-05373 of the Official Public Records of Kerr County, Texas.

Note: Note dated August 5, 2011 in the original principal amount of \$50,000.00 wherein Kerrville Grove Land Co., Ltd. is Borrower and Broadway National Bank Trust Department as Custodian for IRA account no. 1842 is Lender.

Deed of Trust

Date: August 5, 2011

Grantor: Kerrville Grove Land Co., Ltd.

Mortgagee: Broadway National Bank Trust Department as Custodian for IRA account no. 1842

Recording information: Clerk's File No. 11-05099 of the Official Public Records of Kerr County, Texas

Property: All that certain tract or parcel of land lying and being situated in the County of Kerr and State of Texas, and being more particularly described in **Exhibit "A"** attached hereto and made a part hereof for all purposes.

County: Kerr

Date of Sale (first Tuesday of month): December 6, 2016

Time of Sale: Between the hours of 10:00 A.M. and 1:00 P.M. on the date of sale

Place of Sale: The door facing Main Street at the front entrance of the County Courthouse of Kerr County, Texas. 700 Main Street, Kerrville, Texas 78028.

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

Filed 14 Day of NOV. D. 20 16
REBECCA BOLIN, KERR CO. CLERK TIME 11:11 AM
By: M. O'Connell Rodriguez Deputy

Mortgagee has appointed CARROLL J. BRYLA as Substitute Trustee under the Deed of Trust. Mortgagee has instructed Substitute Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Substitute Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS." The sale will begin at the Time of Sale or not later than three hours thereafter.


CARROLL J. BRYLA, Substitute Trustee

STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 14th day of November, 2016, by CARROLL J. BRYLA, Substitute Trustee.


Notary Public, State of Texas

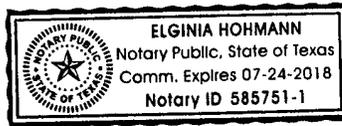


EXHIBIT " A "

FIELD NOTE DESCRIPTION
24.70 ACRES

Being a tract of land containing 24.70 acres situated in Kerr County, Texas in the Rowland Nichols Survey No: 126, Abstract No. 262, and being the same tract of land conveyed to Kerrville Grove Land Co., Ltd. from Brent L. Bates by Warranty Deed in Volume 1747, Page 40, Official Public Records of Kerr County and being the southerly 24.70 acres of Subdivision No. 1 of the Will H. Furr Estates Subdivision as surveyed by Louis Domingues on March 25, 1958, and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod set at the intersection of the northwest right of way line of a 30' wide public roadway known as Blue Ridge Drive and the north right of way line of a 150' wide highway known as Texas State Highway No. 27 (aka - Junction Highway) and being the southeast corner of the subject tract;

THENCE along or near a fence, with the north right of way line of said Texas State Highway No. 27, N 86°29'49"W, 63.60 feet to a 6" cedar fence corner post found for the southeast corner of a 0.75 acre tract of record in Volume 83, Page 140, Deed Records of Kerr County, Texas;

THENCE continuing along or near a fence, with the common lines of said 0.75 acre tract and the subject tract, N 03°31'13"E, 156.48 feet to a 6" cedar fence corner post found for the northeast corner of said 0.75 acre tract and continuing, N 86°27'10"W, 207.46 feet to an 8" creosote fence corner post found in the east line of a 5.98 acre tract of record in Volume 80, Page 394, Deed Records of Kerr County and being the northwest corner of said 0.75 acre tract;

THENCE continuing along or near a fence, with the common lines of said 5.98 acre tract and the subject tract, N 03°50'51"E, 1060.96 feet to a 10" creosote fence corner post found for the northeast corner of said 5.98 acre tract and continuing, S 83°04'33"W, 209.70 feet to a 6" cedar fence corner post found for the southeast corner of a 34.98 acre tract of record in Volume 1561, Page 238, Official Public Records of Kerr County;

THENCE continuing along or near a fence, with the common line of said 34.98 acre tract and the subject tract, N 04°31'15"E, 468.80 feet to a ½" iron rod, control monument, found for the southwest corner of a 12.00 acre tract of record in Volume 800, Page 175, Real Property Records of Kerr County and being the northwest corner of the subject tract;

THENCE continuing along or near a fence with the common line of said 12.00 acre tract and the subject tract, S 85°25'22"E, bearing basis, 868.50 feet to a ½" iron rod, control monument, found, in a fence, in the west line of a 7.83 acre tract of record in Volume 247, Page 835, Deed Records of Kerr County and being the northeast corner of the subject tract;

THENCE continuing along or near a fence with the west line of said 7.83 acre tract and subsequently the west line of a 1.13 acre tract of record in Volume 1178, Page 42, Real Property Records of Kerr County and a 5.73 acre tract of record in Volume 1179, Page 282, Real Property Records of Kerr County, and being the east line of the subject tract, S 03°08'58"W, 1184.33 feet to a 6" cedar fence corner post found in the northwest right of way line of the aforementioned Blue Ridge Drive;

THENCE continuing along or near a fence, with the northwest right of way line of said Blue Ridge Drive, S 46°11'47"W, 609.23 feet to the POINT OF BEGINNING and containing 24.70 acres within these metes and bounds.

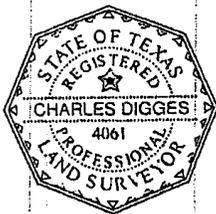
Note: This survey is based on the North American Datum 1983, Texas State Plane Coordinate System, South Central Zone. All bearings, distances and acreages shown hereon relate to this datum and coordinate system.

Note: All iron rods set are capped with an orange plastic cap marked "GUADALUPE SURVEY".

This description is a companion to a Plat of Survey dated June 29, 2011 and was prepared this 21st day of July 2011.



Charles Digges, R.P.L.S.
Texas Registration No. 4061
File #11070701 msword DP



63

NOTICE OF FORECLOSURE SALE

State of Texas §
County of Kerr §

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:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, LYING AND BEING SITUATED IN THE COUNTY OF KERR, STATE OF TEXAS, AND BEING PROPOSED LOT 1, BLOCK ONE, OF LIMESTONE BEACH, A PROPOSED SUBDIVISION OF KERR COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED IN VOLUME 8, PAGE 42, PLAT RECORDS OF KERR COUNTY, TEXAS, SAID PROPOSED LOT 1 CONTAINING 1.93 ACRES, MORE OR LESS.

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

Date: **December 6, 2016**
Time: The sale shall begin no earlier than **12:00 PM** or no later than three hours thereafter.
Place: **Kerr County Courthouse in Kerrville, Texas**, at the following location: the area designated by the Commissioners Court of **Kerrville, Kerr County, Texas**, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

The deed of trust permits the Mortgagee of Record to postpone, withdraw, or reschedule the sale for another day. In that 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. The reposting or refiled may be after the date originally scheduled for this sale.

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.

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.

3. Terms of 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 Mortgagee of Record 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.

1003846-1

Filed 14 Day of Nov A.D. 2016
REBECCA BOLIN, CLERK TIME 4:00pm
By: [Signature] Deputy

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 nature and extent of such matters, if any.

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

4. Type of Sale. The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by **Evelyn Christiansen, Matthew D. Christiansen.**
5. Obligations Secured. The Deed of Trust is dated **September 10, 2007**, and is recorded in the office of the County Clerk of **Kerr County, Texas**, in/under **Document No. 008408, Book Vol 1631, Page 0204, Official Public Records of Kerr County, Texas.** The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to the promissory note in the original principal amount of **\$200,000.00**, executed by **Evelyn Christiansen, Matthew D. Christiansen**, and payable to the order of **USAA Federal Savings Bank.**

Original Mortgagee: USAA Federal Savings Bank.

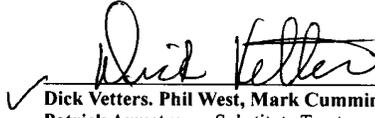
Current Mortgagee of Record: Ditech Financial LLC whose address is **7360 S. Kyrene Road, TEMPE, AZ 85283.**

6. Default and Request To Act. Default has occurred under the deed of trust, and the beneficiary has requested me, as Substitute Trustee, to conduct this public sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

7. **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.**

Sent by: Jeffrey B. Lewis
Robertson Anschutz Veters
1500 CityWest Blvd., Suite 700
Houston, TX 77042

DATED November 14, 2016.


✓ Dick Veters, Phil West, Mark Cummings, Jason West or
Patrick Armstrong, Substitute Trustee
c/o Robertson Anschutz Veters
1500 CityWest Blvd., Suite 700
Houston, TX 77042
Phone: 713-244-1360

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.

#64

NOTICE OF FORECLOSURE SALE

State of Texas §
 §
County of Kerr §

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:

SEE LEGAL DESCRIPTION EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

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

Date: **December 6, 2016**
Time: The sale shall begin no earlier than **12:00 PM** or no later than three hours thereafter.
Place: **Kerr County Courthouse in Kerrville, Texas**, at the following location: the area designated by the Commissioners Court of **Kerrville, Kerr County, Texas**, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

The deed of trust permits the Mortgagee of Record to postpone, withdraw, or reschedule the sale for another day. In that 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. The reposting or refiling may be after the date originally scheduled for this sale.

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.

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.

3. Terms of 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 Mortgagee of Record 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 nature and extent of such matters, if any.

1000827-3

Filed 14 Day of Nov A.D. 2016 4:30pm
REBECCA BOLIN, KERR CO. CLERK TIME
By: [Signature] Deputy

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

4. Type of Sale. The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by **Richard L. Whitman, Debra J. Whitman.**
5. Obligations Secured. The Deed of Trust is dated **January 19, 2007**, and is recorded in the office of the County Clerk of **Kerr County, Texas**, in/under **00812, Book 1580, Page 0495, Official Public Records** of **Kerr County, Texas**. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to the promissory note in the original principal amount of **\$222,400.00**, executed by **Richard L. Whitman, Debra J. Whitman**, and payable to the order of **MainStreets of Texas Mortgage**.

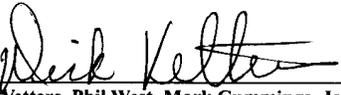
Original Mortgagee: MainStreets of Texas Mortgage.

Current Mortgagee of Record: TIB-The Independent BankersBank whose address is **11701 Luna Road, Farmers Branch, TX 75234.**

6. Default and Request To Act. Default has occurred under the deed of trust, and the beneficiary has requested me, as Substitute Trustee, to conduct this public sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.
7. **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.**

Sent by: Jeffrey B. Lewis
Robertson Anschutz Veters
1500 CityWest Blvd., Suite 700
Houston, TX 77042

DATED November 14, 2016.



**Dick Veters, Phil West, Mark Cummings, Jason West or
Patrick Armstrong**
, Substitute Trustee
c/o Robertson Anschutz Veters
1500 CityWest Blvd., Suite 700
Houston, TX 77042
Phone: 713-244-1360

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.

1000827-3

EXHIBIT A

VOL. 1580 PAGE 0512

MITES AND BOUNDS DESCRIPTION OF 6.96 ACRES

Out of the John C. Sheffield Survey No. 121, Abstract No. 291, Kerr County, Texas, being that called 0.90 acre tract of land being described as the Northwest 1/4 of Lot No. 3, Block No. 4, Starkey Manor Subdivision according to the corrected plat recorded in Volume 1, Page 117, Plat Records of Kerr County, Texas, being the same tract conveyed to Richard L. Whitman and Debra J. Whitman per Warranty Deed with Vendor's Lien found of record in Volume 156, Page 791-797, Real Property Records, Kerr County, Texas:

BEGINNING at a 3/8" iron stake found at a 3-way fence corner post for the West corner of herein described 0.90 acres, the West corner of Lot No. 3, the common corner of Lot Nos. 2, 3, 12 and 13, Block 4 of said Starkey Manor Subdivision;

TRENCHE North 63 degrees 42 minutes 02 seconds East, with the Northwest line of Lot No. 3, at 323.93 feet passing a 1/2" iron rod found in the southwest line of Virginia Drive, a 40 foot wide public road easement, a total distance of 346.02 feet to a 60D nail found in the centerline of said road easement, for the north corner of Lot No. 3, for the North corner of herein described 0.90 acres, for the East corner of Lot No. 3;

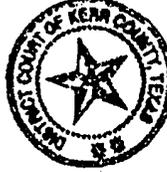
TRENCHE South 20 degrees 33 minutes 51 seconds East, with the northeast line of Lot No. 3 and the centerline of Virginia Drive, a distance of 84.65 feet to a found 60D nail;

TRENCHE South 25 degrees 22 minutes 03 seconds East a distance of 19.50 feet to a 60D nail found for the east corner of herein described 0.90 acres, said nail being the north corner of a tract of land conveyed to R.R. Oester by deed recorded in Volume 154, Page 43, Deed Records, Kerr County, Texas;

TRENCHE South 57 degrees 16 minutes 46 seconds West, over and across Lot 3 with the northern line of said Quarter tract, at a distance of 20.10 feet passing a 3/4" iron pipe found, to the said 40' road easement of Virginia Drive, continuing for a total distance of 362.63 feet to a 1/2" iron pipe found in the southwest line of Lot No. 3, the northeast line of Lot No. 12, for the south corner of herein described 0.90 acres and the west corner of said Quarter tract;

TRENCHE North 41 degrees 32 minutes 35 seconds West, with the Southwest line of Lot No. 3, a distance of 143.58 feet to the **POINT OF BEGINNING** and enclosing 0.90 acres of land, subject to any and all easements, setbacks, restrictions, and Right-of-Way lines that may affect.

Craig A. Williams 1-24-07
Craig A. Williams, P.E., R.P.L.S.
R.P.L.S. No. 5810
CAW Consultant
117 Dresden Lane, Fredericksburg, Texas 77834
Phone (207) 997-9500
Fax (207) 997-9502
Job No. 07-164-81
January 24, 2007



RECORDING NOTE
IT IS THE POLICY OF THIS OFFICE TO BE RESPONSIBLE FOR BEST PRACTICES AND REPRODUCIBILITY OF THE ORIGINAL DOCUMENT OF THIS RECORD BY ANY MEANS, INCLUDING OF PRINT, MICROFILM, ELECTRONIC OR OTHER MEANS.

CAUSE NO. 15166A

IN RE: ORDER FOR FORECLOSURE
CONCERNING
Under Tex.R.Civ.P.736

IN THE DISTRICT COURT OF

Richard L. Whitman, Debra J. Whitman

FILED 7-20 20 15
@ 9:40 A.M.
ROBBIN BURLEW
District Clerk, Kerr County, TX
By Jessica Williams Deputy

("RESPONDENT(S)")

AND

1227 VIRGINIA DRIVE, KERRVILLE, TX
78028

KERR COUNTY, TEXAS

("PROPERTY MAILING ADDRESS")

AND

TIB-The Independent BankersBank

216TH JUDICIAL DISTRICT

("APPLICANT")



HOME EQUITY FORECLOSURE ORDER

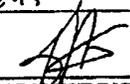
1. On this day, the Court considered Petitioners' Application for an expedited foreclosure order. Applicant's application complies with the requirements of Texas Rule of Civil Procedure 736.1.
2. The name and last known addresses of each Respondent subject to this order is Richard L. Whitman 166 Dowling Rd., Ingram, TX 78025 and Debra J. Whitman 1227 Virginia Drive, Kerrville, TX 78028. Each Respondent was properly served with the citation, ~~but none filed a response within the time required by law.~~ The return of service for each Respondent has been on file with the court for at least ten days. *M*
3. The property that is the subject of this foreclosure proceeding is commonly known as 1227 Virginia Drive, Kerrville, TX 78028 with the following legal description:
**SEE LEGAL DESCRIPTION EXHIBIT "A" ATTACHED HERETO
AND MADE A PART HEREOF FOR ALL PURPOSES.**
4. The lien to be foreclosed is indexed or recorded at Document No. 00812 Book 1580 Page 0495 and recorded in the real property records of Kerr County, Texas.

100827-3 1419648790 - Tx HE Foreclosure Order for - Rev. 02/21/2013

CERTIFIED TRUE AND CORRECT COPY
The document to which this certificate is affixed
containing 2 pages is a full, true and correct
copy of the original on file and of record in my office.
Attest: 7-20 20 15
ROBBIN BURLEW, District Clerk
Kerr County, Texas
By Jessica Williams

5. The material facts establishing the bases of the foreclosure of the lien because there has been a default or breach of Respondent's obligation under the loan agreement or contract supporting the lien sought to be foreclosed.
6. Based on the affidavit of the Applicant, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Act, 50 U.S.C. App. _ 501 et seq.
7. Therefore, the Court grants Applicant's Application for Expedited Foreclosure Order under the Texas Rules of Civil Procedure 736.7 and 736.8. Applicant may foreclosure on the lien described above in accordance with applicable law and the loan agreement sought to be foreclosed.
8. This Order is not subject to a motion for rehearing, new trial, Bill of review or appeal. Any challenge to this Order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.8.

SIGNED THIS 20 day of July, 2015



JUDGE PRESIDING



EXHIBIT A

VOL. 1580 PAGE 0512

METES AND BOUNDS DESCRIPTION OF 0.90 ACRES

Out of the John C. Sheffield Survey No. 121, Abstract No. 291, Kerr County, Texas, being that called 0.90 acre tract of land being described as the Northwest 1/4 of Lot No. 3, Block No. 4, Starkey Manor Subdivision according to the corrected plat recorded in Volume 1, Page 112, Plat Records of Kerr County, Texas, being the same tract conveyed to Richard L. Whitman and Debra J. Whitman per Warranty Deed with Vendors Lien issued of record in Volume 156, Page 793-797, Real Property Records, Kerr County, Texas:

BEGINNING at a 3/8" iron stake found at a 3-way fence corner post for the West corner of herein described 0.90 acres, the West corner of Lot No. 3, the common corner of Lot Nos. 2, 3, 12 and 13, Block 4 of said Starkey Manor Subdivision;

TRENCHE North 63 degrees 42 minutes 02 seconds East, with the Northwest line of Lot No. 3, a distance of 325.93 feet passing a 1/2" iron rod found in the southwest line of Virginia Drive, a 40 foot wide public road easement, a total distance of 346.02 feet to a 60D nail found in the easement of said road easement, for the north corner of Lot No. 3, for the North corner of herein described 0.90 acres, for the East corner of Lot No. 3;

TRENCHE South 20 degrees 33 minutes 51 seconds East, with the northwest line of Lot No. 3 and the centerline of Virginia Drive, a distance of 84.65 feet to a 60D nail;

TRENCHE South 25 degrees 22 minutes 03 seconds East a distance of 19.50 feet to a 60D nail found for the east corner of herein described 0.90 acres, said nail being the north corner of a tract of land conveyed to R.B. Ouster by deed recorded in Volume 154, Page 43, Deed Records, Kerr County, Texas;

TRENCHE South 57 degrees 16 minutes 46 seconds West, over and across Lot 3 with the northern line of said Quarter tract, at a distance of 30.10 feet passing a 3/4" iron pipe found, in the said 40' road easement of Virginia Drive, continuing for a total distance of 302.65 feet to a 1/2" iron pipe found in the southwest line of Lot No. 3, the northwest line of Lot No. 12, for the south corner of herein described 0.90 acres and the west corner of said Quarter tract;

TRENCHE North 61 degrees 33 minutes 33 seconds West, with the Southwest line of Lot No. 3, a distance of 143.58 feet to the **POINT OF BEGINNING** and enclosing 0.90 acres of land, subject to any and all easements, setbacks, restrictions, and Right-of-Way lines that may affect.

Carl W. White 1-24-07

Carl A. Whitman, P.E., S.P.L.S.
S.P.L.S. No. 5810
CAW Consulting
137 Dresden Lane, Yoakum, Texas 77984
Phone (337) 997-9500
Fax (337) 997-9502
Job No. 07-164-01
January 24, 2007



RECORDING NOTE
AT THE OF RECORDING INSTRUMENT PLANS
TO BE SUBMITTED FOR BEST PRACTICES
REQUIREMENTS ARE TO THE PUBLIC'S BENEFIT OF
FIRST ORDER BY FIRST OF THE SUPERVISOR OF
MAPS, LITERATURE MARKET OR PAPER COPY ETC.

#65

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: December 06, 2016

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

Place THE FRONT ENTRANCE OF THE KERR COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS 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 December 04, 2006 and recorded in Document VOLUME 1572, PAGE 0764 real property records of KERR County, Texas, with SUZANNE M FERRIGNO, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by SUZANNE M FERRIGNO, securing the payment of the indebtednesses in the original principal amount of \$88,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. DITECH FINANCIAL LLC 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. DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC
345 SAINT PETER STREET
ST. PAUL, MN 55102

Dan Hart by Dimitri Lozano
THOMAS ROSSINGTON, MARTHA ROSSINGTON, DEANNA RAY, VANESSA RAMOS, IRENE SALAZAR, RICHARD HOLTON, PATRICIA SANDERS, JONATHAN SCHENDEL, DOUG WOODARD, DAN HART, AARTI PATEL, MARYNA DANIELIAN, FREDERICK BRITTON, OR PAMELA THOMAS
Substitute Trustee
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting
My name is Dimitri Lozano and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on 11/15/16 I filed at the office of the KERR County Clerk and caused to be posted at the KERR County courthouse this notice of sale.

D.L.
Declarants Name: Dimitri Lozano
Date: 11/15/16

Filed 15th Day of Nov, 2016
REBECCA BOLD, KERR CO. CLERK TIME 2:10pm
By: [Signature] Deputy



NOS00000004533923



BEING A 0.13 ACRE TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; BEING COMPRISED OF THE NORTHEAST 55 FEET OF LOT 10, BLOCK 80, J.A. TIVY ADDITION, AS RECORDED IN VOLUME P, PAGE 16, OF THE DEED RECORDS OF KERR COUNTY, TEXAS; BEING THE SAME TRACT HAVING BEEN CONVEYED FROM CRESENCIO V. CASILLAS TO GLORIA V. CASILLAS BY A WARRANTY DEED EXECUTED THE 20TH DAY OF FEBRUARY, 1980, RECORDED VOLUME 233, PAGE 225, OF THE DEED RECORDS OF KERR COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE EAST CORNER OF THE HEREIN DESCRIBED TRACT, A 1/2 INCH REBAR ROD FOUND IN THE NORTHWEST LINE OF LYTLE STREET, A 60 FOOT WIDE PUBLIC ROADWAY, MARKING THE COMMON FRONT CORNER OF LOT 9 AND LOT 10, SAID BLOCK 80, SAID ROD BEING LOCATED 83.24 FEET, S 44 DEG 37' 25" W FROM A 1/2 INCH REBAR ROD FOUND MARKING THE EAST CORNER OF THAT CERTAIN TRACT IN THE NAME OF ALFRED W. POESKE, RECORDED IN VOLUME 447, PAGE 545, REAL PROPERTY RECORDS OF KERR COUNTY, TEXAS;

THENCE S 45 DEG 00' 00" W, WITH THE NORTHWEST LINE OF LYTLE STREET, ALONG THE SOUTHEAST LINE OF SAID LOT 10, 55.00 FEET (RECORD S 45 DEG W, 55.00') TO A 1/2 INCH REBAR ROD SET MARKING THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT, THE EAST CORNER OF THAT CERTAIN TRACT, THE REMAINDER OF SAID LOT 10, IN THE NAME OF MICHAEL L. HOLDER, RECORDED IN VOLUME 995, PAGE 600, REAL PROPERTY RECORDS;

THENCE THROUGH THE INTERIOR OF LOT 10, WITH THE NORTHEAST LINE OF SAID HOLDER TRACT; N 45 DEG 00' 00" W, 100.00 FEET (RECORD N 45 DEG W, 100.00') TO A 1/2 INCH REBAR ROD SET IN THE NORTHWEST LINE OF SAID LOT 10 TO MARK THE WEST CORNER OF THE HEREIN DESCRIBED TRACT, THE NORTH CORNER OF SAID HOLDER TRACT;

THENCE N 45 DEG 28' 57" E (RECORD N 45 DEG E, 55.00'), WITH THE COMMON LINE OF LOT 10 AND LOT 11, BLOCK 80, THE SOUTHEAST LINE OF THAT CERTAIN TRACT RECORDED IN VOLUME 1103, PAGE 114, REAL PROPERTY RECORDS, 55.00 FEET (RECORD 55.00') TO A 1/2 INCH IRON PIPE FOUND MARKING THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT, THE WEST CORNER OF SAID POESKE TRACT;

THENCE WITH THE COMMON LINE OF LOT 9, AND LOT 10, S 45 DEG 00' 00" E (RECORD BEARING BASIS HELD) 99.54 FEET (RECORD 100') TO THE POINT OF BEGINNING, CONTAINING 0.13 ACRE OF LAND WITHIN THESE METES AND BOUNDS, A COMPANION DOCUMENT TO A PLAT OF THIS SURVEY DATED NOVEMBER 26, 2003.



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#66

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: December 06, 2016

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

Place: THE FRONT ENTRANCE OF THE KERR COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS 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 May 08, 2001 and recorded in Document VOLUME 1122 PAGE 0634 real property records of KERR County, Texas, with JENNY HEFFERNAN AND SHANNON S HEFFERNAN, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS"), AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by JENNY HEFFERNAN AND SHANNON S HEFFERNAN, securing the payment of the indebtednesses in the original principal amount of \$63,200.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. FEDERAL NATIONAL MORTGAGE ASSOCIATION, A/K/A FANNIE MAE 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. SETERUS, INC., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o SETERUS, INC.
14523 SW MILLIKAN WAY SUITE 200
BEAVERTON, OR 97005

Dimitri Lozano

JOHN MCCARTHY, ZACH MCCARTHY, TOMMY GARZA, JOEL CORONADO, OR DIMITRI LOZANO
Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting

My name is Dimitri Lozano, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on 11/15/16 I filed at the office of the KERR County Clerk and caused to be posted at the KERR County courthouse this notice of sale.

DL
Declarant's Name: Dimitri Lozano
Date: 11/15/16

Filed 15th Day of Nov, A.D. 20 16
REBECCA BOLAN, KERR CO. CLERK TIME 2:11pm
By: [Signature] Deputy



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ALL THAT CERTAIN TRACT OR PARCEL OF LAND, LYING AND BEING SITUATED IN THE COUNTY OF KERR, STATE OF TEXAS, AND BEING LOTS 16 AND 17, OF FAWN RUN, A SUBDIVISION OF KERR COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED IN VOLUME 5, PAGE 107, PLAT RECORDS OF KERR COUNTY, TEXAS.



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