

FILED

FILE No. 9878  
County Clerk, Victoria County, Texas

2020 JUN -4 P 1:09

*aw*  
*Diana Crutcher*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS 0000007635394

1201 E. COLORADO ST.  
VICTORIA, TX 77901

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: August 04, 2020

Time: The sale will begin at 11:00 AM or not later than three hours after that time.

Place: AREA IN FRONT OF THE EAST DOOR OF THE VICTORIA COUNTY COURTHOUSE BUILDING LOCATED AT 115 N. BRIDGE STREET 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 February 01, 2005 and recorded in Document CLERK'S FILE NO. 200501614; AS AFFECTED BY LOAN MODIFICATION AGREEMENT IN CLERK'S FILE NO. 201110025 real property records of VICTORIA County, Texas, with DOLORES DIANA RAMIREZ AND ADOLOFO RAMIREZ, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by DOLORES DIANA RAMIREZ AND ADOLOFO RAMIREZ, securing the payment of the indebtednesses in the original principal amount of \$56,217.00, 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. CARRINGTON MORTGAGE SERVICES, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

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



**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 JO WOOLSEY, BOB FRISCH, ARNOLD MENDOZA, SANDRA MENDOZA, VICKI HAMMONDS, JODI STEEN OR JAMIE STEEN 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**

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 \_\_\_\_\_ I filed at the office of the VICTORIA County Clerk and caused to be posted at the VICTORIA County courthouse this notice of sale.

\_\_\_\_\_

Declarants Name: \_\_\_\_\_

Date: \_\_\_\_\_

1201 E. COLORADO ST.  
VICTORIA, TX 77901

00000007635394

00000007635394

VICTORIA

**EXHIBIT "A"**

BEING LOT NUMBER FIVE (5), IN BLOCK NUMBER ONE HUNDRED TWENTY-FOUR (124), OF NORTH HEIGHTS ADDITION, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ACCORDING TO THE ESTABLISHED MAP AND PLAT OF SAID ADDITION OF RECORD IN VOLUME 1, PAGE 65 OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS, TO WHICH REFERENCE IS HERE MADE FOR DESCRIPTIVE PURPOSES.

*Debra Casler*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

THE STATE OF TEXAS     §  
  §     KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF VICTORIA   §

WHEREAS, by Deed of Trust dated November 27, 2018, B. J. Davis Builder, Inc. conveyed to Charles R. Collins, as Trustee, the following property situated in the County of Victoria, Texas, to-wit:

BEING Lot Number Four (4), in Block Number Nine (9), of LAKE FOREST SUBDIVISION SECTION 2, PHASE 1, an addition to the City of Victoria, Victoria County, Texas, according to the established map and plat of said addition of record in Volume 8, Page 195 C-D of the Plat Records of Victoria County, Texas, to which reference is here made for descriptive purposes

(herein the "Property") to secure that one certain Promissory Note therein described in the original principal amount of \$246,560.00 executed by B. J. Davis Builder, Inc. , and made payable to the order of NewFirst National Bank (herein the "Note"), which such Deed of Trust is recorded under Instrument Number 201813641 of the Official Records of Victoria County, Texas (herein "Deed of Trust"); and

WHEREAS, the undersigned has been appointed as Substitute Trustee in the place and stead of Charles R. Collins, Trustee, in the aforesaid Deed of Trust, said appointment being in the manner authorized by the Deed of Trust; and

WHEREAS, default has occurred under the terms of the Note secured by the Deed of Trust; the indebtedness evidenced therein is now wholly due and the owner and holder of said indebtedness has requested the undersigned to sell the property to satisfy same.

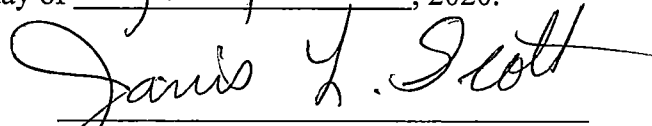
NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, August 4, 2020 I will sell for cash, the property in the area designated by the Commissioner's Court of Victoria County as the area where foreclosure sales are to take place, at the Victoria County Courthouse, to the highest bidder. The time at which the sale will begin will be 11:00 a.m., or within three (3) hours after said time.

In offering this property for sale at foreclosure pursuant to its deed of trust, neither the lien holder nor the duly appointed trustee or substitute trustee, as the case may be, make any warranties or representations, express or implied, regarding the compliance or non-compliance of this property with the Comprehensive Environmental Response, Compensation and Liability Act, ("CERCLA"), the Resource Conservation and Recovery Act, ("RCRA"), the Texas Solid Waste and Disposal Act, the Regulations of the United States Environmental Protection Agency, the Texas Water Commission, or any other Federal, State or local environmental law or regulation, which include, but are not limited to representations that the property has not been used (i) for the storage, transportation, processing or disposal of hazardous waste, industrial solid or municipal solid waste as those terms are defined in the Texas Solid Waste and Disposal Act, Tex. Rev. Civ. Stat. Ann. Art. 4477-7, or any toxic or hazardous wastes, substances or materials as identified under the Resource Conservation and Recovery Act of 1976

(42 U.S.C. § 6901 et seq.), as amended, the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 et seq.), as amended, and the regulations of the United States Environmental Protection Agency, or (ii) in such a way as to create any environmental condition that is actionable under any Federal, State or local environmental law or regulation. Any such representations or warranties are expressly disclaimed hereby.

The Purchaser of the property at the foreclosure sale shall accept and take the property in its present condition and subject to any loss, claims, liability, damages, injunctive relief, injuries to person, property or natural resources, cost, expense, action, or cause of action, pursuant to any Federal, State or local law or regulation.

WITNESS my hand this the 13 day of July, 2020.



Janis L. Scott

Substitute Trustee

101 W Goodwin, Ste. 700, Victoria, TX 77901

FILE No. 9891  
County Clerk, Victoria County, Texas  
NOTICE OF TRUSTEE'S SALE

FILED  
2020 JUL 13 P 3:45

*Delia Casler*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

Date: July 10, 2020

Trustee: Clay E. Morgan

Lender: WC Ranches, LLC

Note: Real Estate Lien Note dated 5/30/2019, in the original principal amount of \$49,400.00, executed by Borrower and made payable to the order of Lender.

Deed of Trust: Deed of Trust dated 5/30/2019, executed by Reynaldo Estrada to Clay E. Morgan, Trustee for the benefit of lender, covering the Property and recorded in Document Number 201908039 of the Official Public Records of Victoria County, Texas

Property: Tract 46, Willow Creek Ranches, Sec 2, a 5.688 acre tract in the G. A. Levi Survey, A-373 in Victoria County, Texas.

Date of Sale (first Tuesday of month): August 4, 2020


Time of Sale: 1:00 p.m. to 4:00 p.m., local time

Place of Sale: The location designated by the commissioner's court of Victoria County, Texas for conducting public foreclosure sales is at 115 N. Bridge Street, Victoria, Texas 77901.

Lender has duly appointed Clay E. Morgan as Trustee under the Deed of Trust. Lender has instructed Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS-IS." The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than three hours thereafter.

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.

  
\_\_\_\_\_  
Clay E. Morgan

# EXHIBIT "A"

**DALE L. OLSON**

Registered Professional Land Surveyor

711 Water Street.

Bastrop, Texas 78602.

Phone (512)321-5476 Fax (512)303-5476

[olsonsurvey@sbcglobal.net](mailto:olsonsurvey@sbcglobal.net)

FIELD NOTES FOR A 5.688 ACRE TRACT IN THE G.A. LEVI SURVEY IN VICTORIA COUNTY, TEXAS.

BEING Tract No. 46, Willow Creek Ranch 2, an unrecorded subdivision, and being a 5.688 acre tract or parcel of land out of and being a part of the G.A. Levi Survey, A-373, in Victoria County, Texas, and being a part of that certain 423.001 acre tract described in a deed from Tracy Post Cliburn, Trustee, to Nine Mile Investments, Ltd., recorded in Instrument No. 201403936, Victoria County Official Public Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a 5/8 inch iron rod found in the center of Willow Creek Ranch Road, a 60 foot roadway easement as recorded in Doc. No. 201102378 and 201313880, Victoria County Official Public Records, in the south line of that certain 510.086 acre tract described in a deed from Tracy Post Cliburn, Trustee, to Nine Mile Investments, Ltd., recorded in Instrument No. 201111741, Victoria County Official Public Records, at the northwest corner of the Harry William Javer, 301.77 acre tract recorded in Instrument No. 201313879, Victoria County Official Public Records, and the northeast corner of the 423.001 acre tract, of which this is a part.

THENCE with the south line of the Nine Mile Investments 510.086 acre tract and north line of the 423.001 acre tract, of which this is a part, along the center of Willow Creek Ranch Road, N 79 deg. 43 min. 19 sec. W, 1193.43 feet to a point where same intersects the center of Slippery Elm Road, a 60 foot roadway easement.

THENCE with the center of Slippery Elm Road, S 08 deg. 39 min. 13 sec. W, 661.75 feet to a point at the beginning of a curve to the right.

THENCE continuing with the center of Slippery Elm Road, along a curve to the right whose radius is 330.00 feet; whose long chord bears S 26 deg. 18 min. 30 sec. W, 200.06 feet; 203.26 feet along the arc to a point at the end of same.

THENCE continuing with the center of Slippery Elm Road, S 43 deg. 56 min. 33 sec. W, 1804.94 feet to a point where same intersects the center of Ironwood Road, a 60 foot roadway easement.

THENCE with the center of Ironwood Road, N 46 deg. 03 min. 27 sec. W, 480.00 feet to a point in the center of a cul-de-sac of Ironwood Road, for the POINT OF BEGINNING, for the east corner of this tract, from which a 5/8 inch iron rod set for Reference in the southwest line of the said cul-de-sac bears S 43 deg. 56 min. 33 sec. E, 60.00 feet.

THENCE S 43 deg. 56 min. 33 sec. W, 455.00 feet to a 5/8 inch iron rod set for the south corner of this tract.

THENCE N 46 deg. 03 min. 27 sec. W, 557.00 feet to a 5/8 inch iron rod set for the west corner of this tract.

THENCE N 43 deg. 56 min. 33 sec. E, 434.73 feet to a 5/8 inch iron rod set for the north corner of this tract.

THENCE S 48 deg. 08 min. 30 sec. E, at 497.37 feet pass a 5/8 inch iron rod set in the before said cul-de-sac of Ironwood Road, 557.37 feet in all to the POINT OF BEGINNING, containing 5.688 acres of land.

*Dale L. Olson*


Dale L. Olson  
Reg. Pro. Land Surveyor

Order# 15-323-32s\_46



Michael D. Olson  
Reg. Pro. Land Surveyor 5386  
Olson Surveying Co.  
Date Created: 7-31-15

FILE No. 9892  
County Clerk, Victoria County, Texas  
NOTICE OF TRUSTEE'S SALE

FILED   
2020 JUL 13 P 3:45

Date: July 10, 2020

Trustee: Clay E. Morgan

Lender: WC Ranches, LLC

Note: Real Estate Lien Note dated 7/27/2018, in the original principal amount of \$47,400.00, executed by Borrower and made payable to the order of Lender.

Deed of Trust: Deed of Trust dated 7/27/2018, executed by Glenda Escalante De Balderas to Clay E. Morgan, Trustee for the benefit of lender, covering the Property and recorded in Document Number 201808769 of the Official Public Records of Victoria County, Texas

Property: Tract 11, Willow Creek Ranch, Sec 2, 5.004 acre tract in the G. A. Levi Survey, A-373, in Victoria County, Texas.

Date of Sale (first Tuesday of month): August 4, 2020

Time of Sale: 1:00 p.m. to 4:00 p.m., local time

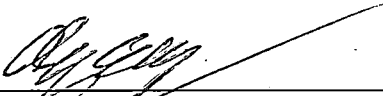
Place of Sale: The location designated by the commissioner's court of Victoria County, Texas for conducting public foreclosure sales is at 115 N. Bridge Street, Victoria, Texas 77901.

  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

Lender has duly appointed Clay E. Morgan as Trustee under the Deed of Trust. Lender has instructed Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS-IS." The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than three hours thereafter.

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.

  
\_\_\_\_\_  
Clay E. Morgan



# EXHIBIT "A"

**DALE L. OLSON**  
Registered Professional Land Surveyor  
711 Water Street  
Bastrop, Texas 78602  
Phone (512)321-5476 Fax (512)303-5476  
[olsonsurvey@sbcglobal.net](mailto:olsonsurvey@sbcglobal.net)

## FIELD NOTES FOR A 5.004 ACRE TRACT IN THE G.A. LEVI SURVEY IN VICTORIA COUNTY, TEXAS.

BEING Tract No. 11, Willow Creek Ranch 2, an unrecorded subdivision, and being a 5.004 acre tract or parcel of land out of and being a part of the G.A. Levi Survey, A-373, in Victoria County, Texas, and being a part of that certain 423.001 acre tract described in a deed from Tracy Post Cliburn, Trustee, to Nine Mile Investments, Ltd., recorded in Instrument No. 201403936, Victoria County Official Public Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a 5/8 inch iron rod found in the center of Willow Creek Ranch Road, a 60 foot roadway easement as recorded in Doc. No. 201102378 and 201313880, Victoria County Official Public Records, in the south line of that certain 510.086 acre tract described in a deed from Tracy Post Cliburn, Trustee, to Nine Mile Investments, Ltd., recorded in Instrument No. 201111741, Victoria County Official Public Records, at the northwest corner of the Harry William Javer, 301.77 acre tract recorded in Instrument No. 201313879, Victoria County Official Public Records, and the northeast corner of the 423.001 acre tract, of which this is a part.

THENCE with the southeast line of the Nine Mile Investments 423.001 acre tract and northwest line of the Javer 301.77 acre tract, S 43 deg. 56 min. 33 sec. W, at 36.04 feet pass a 5/8 inch iron rod found for Reference in the south line of Willow Creek Ranch Road, 2723.83 feet in all to a rock found near a fence corner, the north corner of that certain 263 acre tract described as Tract 1 in a deed from Natalan Mayer to Nelson Janssen, recorded in Vol. 310, Page 320, Victoria County Official Records, and west corner of the Javer 301.77 acre tract, for an angle of the 423.001 acre tract:

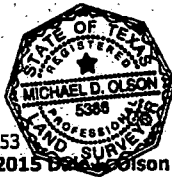
THENCE continuing with the southeast line of the 423.001 acre tract and northwest line of the Javer 301.77 acre tract, S 44 deg. 03 min. 22 sec. W, 1067.16 feet to a 5/8 inch iron rod set for the POINT OF BEGINNING, for the east corner of this tract.

THENCE continuing with said line, S 44 deg. 03 min. 22 sec. W, 397.90 feet to a 5/8 inch iron rod set for the south corner of this tract.

THENCE N 46 deg. 03 min. 27 sec. W, at 517.45 feet pass a 5/8 inch iron rod set for Reference in the southeast line of Slippery Elm Road, a 60 foot roadway easement, 547.45 feet in all to a point in the center of Slippery Elm Road, for the west corner of this tract.

THENCE with the center of Slippery Elm Road, N 43 deg. 56 min. 33 sec. E, 397.90 feet to a point for the north corner of this tract, from which a 5/8 inch iron rod set in the southeast line of Slippery Elm Road bears S 46 deg. 03 min. 27 sec. E, 30.00 feet.

THENCE S 46 deg. 03 min. 27 sec. E, 548.24 feet to the POINT OF BEGINNING, containing 5.004 acres of land.



Dale L. Olson  
Reg. Pro. Land Surveyor 1753

Order# 15-323-32s\_11

Michael D. Olson  
Reg. Pro. Land Surveyor 5386

Date Created: 7-31-15

©2015 Dale L. Olson Surveying Co.

FILE No. 9893  
County Clerk, Victoria County, Texas  
NOTICE OF TRUSTEE'S SALE

FILED

*Bo*

2020 JUL 13 P 3:45

*Clay E. Morgan*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

Date: July 10, 2020

Trustee: Clay E. Morgan

Lender: WC Ranches, LLC

Note: Real Estate Lien Note dated 3/29/2019, in the original principal amount of \$49,400.00, executed by Borrower and made payable to the order of Lender.

Deed of Trust: Deed of Trust dated 3/29/2019, executed by Andrew J. Lozano and Andrea Marks to Clay E. Morgan, Trustee for the benefit of lender, covering the Property and recorded in Document Number 201903605 of the Official Public Records of Victoria County, Texas

Property: Tract 69, Willow Creek Ranch, Sec 1, A 5.069 acre tract in the A. E. Noble Survey, A-380, Day Land & Cattle Company Survey, A-477, and Indianola Railroad Company. Survey No. 5, A-189, in Victoria County, Texas

Date of Sale (first Tuesday of month): August 4, 2020


Time of Sale: 1:00 p.m. to 4:00 p.m., local time

Place of Sale: The location designated by the commissioner's court of Victoria County, Texas for conducting public foreclosure sales is at 115 N. Bridge Street, Victoria, Texas 77901.

Lender has duly appointed Clay E. Morgan as Trustee under the Deed of Trust. Lender has instructed Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS-IS." The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than three hours thereafter.

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.

  
\_\_\_\_\_  
Clay E. Morgan

**EXHIBIT "A"**

**DALE L. OLSON**

Registered Professional Land Surveyor  
711 Water Street  
Bastrop, TX 78602  
Phone (512) 321-5476 \* Fax (512) 303-5476

FIELD NOTES FOR TRACT NO. 69, A 5.069 ACRE TRACT IN THE A.E. NOBLE SURVEY, DAY LAND & CATTLE COMPANY SURVEY AND INDIANOLA RAILROAD CO. SURVEY NO 5, IN VICTORIA COUNTY, TEXAS.

BEING a 5.069 acre tract, lot, or parcel of land out of and being a part of the Day Land & Cattle Company Survey, A-477, A.E. Noble Survey, A-380, and Indianola Railroad Co. Survey No. 5, A-189, in Victoria County, Texas, and being a part of that certain 510.086 acre tract in the Indianola Railroad Co. Surveys No. 5, 6, 9, and 11 and the Day Land and Cattle Co. Survey, described in a deed from Tracy Post Cliburns, Independent Executrix and Trustee under the will of John Weldon Cliburn, to Nine Mile Investments, LTD, dated Nov. 18, 2011, recorded in Instrument No. 201111741, Victoria County Official Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the southeast corner of the said 510.086 acre tract, a 5/8 inch iron rod found at the intersection of a 60 foot access easement with the west line of US Hwy. No. 77, from which a 60d nail found at a fence corner at the northeast corner of the 510.086 acre tract bears N 03 deg. 14 min. 20 sec. E, 302.56 feet.

THENCE with the south line of the 510.086 acre tract and center of the said 60 foot access easement, N 79 deg. 43 min. 19 sec. W, at 3315.10 feet pass a 5/8 inch iron rod found where same intersects the center of another 60 foot access easement, at 5141.65 feet pass a 5/8 inch iron rod found where same intersects the center of another 60 foot access easement, at 6531.24 feet pass a 5/8 inch iron rod found, in the center of another 60 foot access easement, 6855.69 feet in all to a 60d nail found; N 64 deg. 51 min. 34 sec. W, 1207.57 feet to a 60d nail found at the beginning of a curve to the left.

THENCE continuing with said line along a curve to the left whose radius is 1500.00 feet; whose long chord bears N 66 deg. 54 min. 33 sec. W, 107.31 feet; 107.33 feet along the arc to a 5/8 inch iron rod set where same intersects the centerline of another 60 foot access easement.

THENCE with the center of the last said 60 foot access easement, N 01 deg. 58 min. 01 sec. W, 1094.76 feet to a 5/8 inch iron rod set; N 44 deg. 39 min. 10 sec. E, 1788.99 feet to a 5/8 inch iron rod set at an angle of same and intersection with another 60 foot access easement.

THENCE with the center of the last said 60 foot access easement, N 02 deg. 52 min. 30 sec. E, 648.62 feet to a 5/8 inch iron rod set in the center of a cul-de-sac, for the POINT OF BEGINNING, for the west corner of this tract.

THENCE N 44 deg. 50 min. 53 sec. E, at 60.00 feet pass a 5/8 inch iron rod set for Reference, 397.63 feet to a 5/8 inch iron rod set in the north line of the 510.086 acre tract, for the north corner of this tract.

THENCE with the north line of the 510.086 acre tract, S 53 deg. 22 min. 34 sec. E, 533.32 feet to a 5/8 inch iron rod set for the east corner of this tract.

THENCE S 36 deg. 49 min. 27 sec. W, 393.55 feet to a 5/8 inch iron rod set for the south corner of this tract.

THENCE N 53 deg. 22 min. 34 sec. W, at 528.83 feet pass a 5/8 inch iron rod set for Reference, 588.83 feet in all to the POINT OF BEGINNING, containing 5.069 acres of land.



Dale L. Olson  
Reg. Pro. Land Surveyor 1753

OR

Michael D. Olson  
Reg. Pro. Land Surveyor 5386

©2013 Dale L. Olson Surveying Co.

Order #: 116211-69

Date Created: 01-28-13

FILED

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

2020 JUL 14 A 9:23

*aw*

*Debra Casley*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

THE STATE OF TEXAS     §  
  §  
COUNTY OF VICTORIA   §

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, by Deed of Trust dated July 5, 2009, Melissa A. Villareal and Samuel Rios conveyed to Loren W. Peters, as Trustee, the following property situated in the County of Victoria, Texas, to-wit:

Lot 1, Block 1, Swanson Subdivision, in the City of Victoria, Victoria County, Texas

(herein the "Property") to secure that one certain Promissory Note therein described in the original principal amount of \$159,999.00 executed by Melissa A. Villareal and Samuel Rios, and made payable to the order of Delfino Ornelas, Jr. (herein the "Note"), which such Deed of Trust is recorded under Instrument Number 201400582 of the Official Records of Victoria County, Texas (herein "Deed of Trust"); and

WHEREAS, the undersigned has been appointed as Substitute Trustee in the place and stead of Loren W. Peters, Trustee, in the aforesaid Deed of Trust, said appointment being in the manner authorized by the Deed of Trust; and

WHEREAS, default has occurred under the terms of the Note secured by the Deed of Trust; the indebtedness evidenced therein is now wholly due and the owner and holder of said indebtedness has requested the undersigned to sell the property to satisfy same.

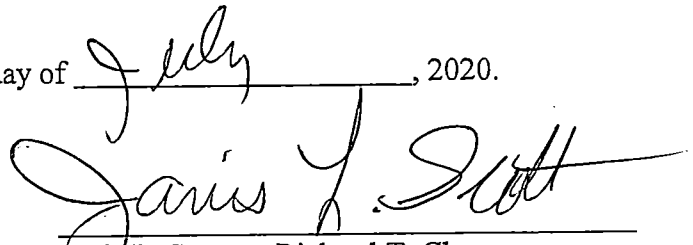
NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, August 4, 2020 I will sell for cash, the property in the area designated by the Commissioner's Court of Victoria County as the area where foreclosure sales are to take place, at the Victoria County Courthouse, to the highest bidder. The time at which the sale will begin will be 11:00 a.m, or within three (3) hours after said time.

In offering this property for sale at foreclosure pursuant to its deed of trust, neither the lien holder nor the duly appointed trustee or substitute trustee, as the case may be, make any warranties or representations, express or implied, regarding the compliance or non-compliance of this property with the Comprehensive Environmental Response, Compensation and Liability Act, ("CERCLA"), the Resource Conservation and Recovery Act, ("RCRA"), the Texas Solid Waste and Disposal Act, the Regulations of the United States Environmental Protection Agency, the Texas Water Commission, or any other Federal, State or local environmental law or regulation, which include, but are not limited to representations that the property has not been used (i) for the storage, transportation, processing or disposal of hazardous waste, industrial solid or municipal solid waste as those terms are defined in the Texas Solid Waste and Disposal Act, Tex. Rev. Civ. Stat. Ann. Art. 4477-7, or any toxic or hazardous wastes, substances or materials

as identified under the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 et seq.), as amended, the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 et seq.), as amended, and the regulations of the United States Environmental Protection Agency, or (ii) in such a way as to create any environmental condition that is actionable under any Federal, State or local environmental law or regulation. Any such representations or warranties are expressly disclaimed hereby.

The Purchaser of the property at the foreclosure sale shall accept and take the property in its present condition and subject to any loss, claims, liability, damages, injunctive relief, injuries to person, property or natural resources, cost, expense, action, or cause of action, pursuant to any Federal, State or local law or regulation.

WITNESS my hand this the 14 day of July, 2020.



Janis L. Scott or Richard T. Chapman  
Substitute Trustee  
C/O Janis L. Scott, Anderson, Smith, Null & Stofer,  
LLP, 101 W. Goodwin, Ste. 700, Victoria, TX  
77901

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Pursuant to authority conferred upon me by that certain Deed of Trust executed by CHARLES D. WHITE, dated September 9, 2013, and duly recorded as Instrument No. 201311265, in the Official Records of Victoria County, Texas, I will, as Substitute Trustee under said Deed of Trust, in order to satisfy the indebtedness secured thereby and at the request of the holder of said indebtedness, default having been made in the payment thereof, sell on Tuesday, August 4, 2020, (that being the first Tuesday of said month), at public auction to the highest bidder for cash at the area of the Victoria County Courthouse designated by the Victoria County Commissioners Court for foreclosure sales (the Commissioners Court designation is recorded in the Real Property Records of Victoria County, Texas), said Courthouse being located in Victoria, Texas, between the hours of 10:00 o'clock a.m. and 1:00 o'clock p.m. of that day (the earliest time at which the sale will occur is 10:00 o'clock a.m., and the latest time at which it may occur is 1:00 o'clock p.m.), the following-described property, to-wit:


BEING a 2.128 acre tract in the Jose Estevan Galban Survey, Abstract No 34 in Victoria County, Texas and described by metes and bounds in attached Exhibit "A";

Subject, however, to any title exceptions and other matters set forth in the Deed of Trust described above or as may appear of record in the Office of the County Clerk of Victoria County, Texas, any ad valorem taxes that may be owing against the above-described property, and to any rights of parties in possession of the above-described property.

NOTICE

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.

Executed this 14th day of July, 2020.

  
\_\_\_\_\_  
HOWARD R. MAREK,  
Substitute Trustee  
203 N. Liberty  
Victoria, Texas 77901  
361-573-5500 Telephone  
361-570-2184 Facsimile

**EXHIBIT 'A'**

**PART ONE:**

**Legal Description:** *BEING a 2.128 acre tract in the Jose Estevan Galban Survey, Abstract No 34 in Victoria County Texas and described by metes and bounds in attached Exhibit "A".*

**PART TWO:**

- (a) all fixtures, equipment, systems, machinery, furniture, furnishings, appliances, goods, building and construction materials, supplies, and articles of personal property, of every kind and character, now owned or hereafter acquired by Grantor, which are now or hereafter attached to or situated in, on or about the real estate described in Exhibit "A" attached hereto and incorporated herein by reference (the "Land") and all improvements now or hereafter situated or to be situated on the Land (the "Improvements"), or used in or necessary to the complete and proper planning, development, use, occupancy or operation thereof, or acquired (whether delivered to the Land or stored elsewhere) for use or installation in or on the Land or the Improvements, and all renewals and replacements of, substitutions for an additions for the foregoing (the properties referred to in this clause (a) being herein sometimes collectively called the "Accessories," all of which are hereby declared to be permanent accessions to the Land);
  
- (b) all (i) plans and specifications for the improvements; (ii) Grantor's rights, but not liability for any breach by Grantor, under all commitments (including any commitment for financing to pay any of the indebtedness secured hereby), insurance policies and other contracts and general intangibles related to the Land and Improvements (collectively called the "Premises") or the Accessories or the operation thereof; (iii) deposits (including but not limited to deposits with respect to utility services to the Premises; and any deposits on reserves hereunder or under any other loan document for taxes, insurance or otherwise), money, accounts, instruments, documents, notes and chattel paper arising from or by virtue of any transaction related to the Premises or the Accessories; (iv) permits, licenses, franchises, certificates, developmental rights, commitments and rights for utilities; and other rights and privileges obtained in connection with the Premises or the Accessories; and (v) engineering, accounting, title, legal, and other technical or business data concerning the Premises which are in the possession of Grantor or in which Grantor can otherwise grant a security interest; and
  
- (c) all proceeds arising of or arising from the properties, rights, title, interests referred to above, including but not limited to proceeds of any sale, lease or other disposition thereof, proceeds of each policy of insurance relating thereto (including premium refunds), proceeds of the taking thereof or of any rights appurtenant thereto, including change of grade of streets, curb cuts or other rights of access, by eminent domain or transfer in lieu thereof for public or quasi-public use under any law, any proceeds arising out of any damage thereto.

STATE OF TEXAS  
COUNTY OF VICTORIA

Field notes of a 2.128 acre tract of land, being part of an 100.00 acre tract conveyed from W. G. Maroney, et ux, to Donovan White and wife Valaata White by Deed dated September 23, 1959, and recorded in Volume 312, Page 292 of the Deed Records of Victoria County, Texas;

Said 2.128 acre tract is comprised of a portion of the Jose Estevan Galban League, Abstract 34, is situated in Victoria County, Texas, approximately 2 miles southeast of the town of Bloomington, and is described by metes and bounds as follows:

Beginning at a point on the northwest line of said 100.00 acre tract and in the center of a public road (Traylor Road), at the north corner of a 26.67 acre tract, for the west corner of this tract, whence the west corner of said 100.00 acre tract bears S 54° 30' 00" W, a distance of 630.00 feet;

Thence N 54° 30' 00" E with the northwest line of said 100.00 acre tract and the northwest line of this tract, a distance of 50.27 feet to a point for the north corner of this tract;

Thence S 41° 25' 00" E with the northeast line of this tract, at 40 feet pass the southeast right-of-way line of said public road, in all a distance of 1854.00 feet to a point for the east corner of this tract;

Thence S 54° 30' 00" W with the southeast line of said 100.00 acre tract and the southeast line of this tract, a distance of 50.27 feet to a 3/4" iron pipe at the east corner of said 26.67 acre tract, for the south corner of this tract;

Thence N 41° 25' 00" W with the northeast line of said 26.67 acre tract and southwest line of this tract, at 1814.00 feet pass the southeast right-of-way line of said public road, in all a distance of 1854.00 feet to the place of beginning, containing 2.128 acres, more or less, of which 0.846 acres are within the right-of-way of said public road.

Prepared from the Deed Records of Victoria County, Texas, this the 31st day of August, 1994.

**EXHIBIT "A"**



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

The State of Texas     §  
                                   §     KNOW ALL MEN BY THESE PRESENTS:  
County of Victoria     §

WHEREAS, by Deed of Trust dated July 8, 2016, Rosemary Benavides conveyed to Richard Chapman, as Trustee, the following property situated in the County of Victoria, Texas, to-wit:

Lot 15, Block 15, Shady Oaks Subdivision Section VI, an addition in Victoria County, TX, according to the established map and plat of said addition of record in Volume 8, Page 37-A, Plat Records, Victoria County, TX, together with the 1998 CMH Manufacturing Inc. Rio Vista double wide manufactured home, Label Nos HWC0261033 and HWC0261034 and Serial Nos. CW2004719TXA and CW2004719TXB located thereon.

(herein the "Property") to secure that one certain Promissory Note therein described in the original principal amount of \$50,000.00 executed by Rosemary Benavides, and made payable to the order of David Castilla (herein the "Note"), which such Deed of Trust is recorded under Instrument Number 201607551 of the Official Records of Victoria County, Texas (herein "Deed of Trust"); and

WHEREAS, the undersigned has been appointed as Substitute Trustee in the place and stead of Richard Chapman, Trustee, in the aforesaid Deed of Trust, said appointment being in the manner authorized by the Deed of Trust; and

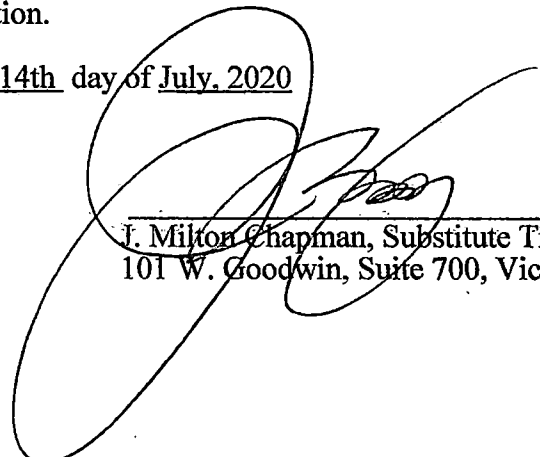
WHEREAS, default has occurred under the terms of the Note secured by the Deed of Trust; the indebtedness evidenced therein is now wholly due and the owner and holder of said indebtedness has requested the undersigned to sell the property to satisfy same.


NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, August 4, 2020, I will sell for cash, the property in the area designated by the Commissioner's Court of Victoria County, Texas, as the area where foreclosure sales are to take place, being on the patio outside of the east door, facing Bridge Street, of the Victoria County Courthouse, 115 N. Bridge, Victoria, Texas, to the highest bidder. The time at which the sale will begin will be 10 AM, or within three (3) hours after said time.

In offering this property for sale at foreclosure pursuant to its deed of trust, neither the lien holder nor the duly appointed trustee or substitute trustee, as the case may be, make any warranties or representations, express or implied, regarding the compliance or non-compliance of this property with the Comprehensive Environmental Response, Compensation and Liability Act, ("CERCLA"), the Resource Conservation and Recovery Act, ("RCRA"), the Texas Solid Waste and Disposal Act, the Regulations of the United States Environmental Protection Agency, the Texas Water Commission, or any other Federal, State or local environmental law or regulation, which include, but are not limited to representations that the property has not been used (i) for the storage, transportation, processing or disposal of hazardous waste, industrial solid or municipal solid waste as those terms are defined in the Texas Solid Waste and Disposal Act, Tex. Rev. Civ. Stat. Ann. Art. 4477-7, or any toxic or hazardous wastes, substances or materials as identified under the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 et seq.), as amended, the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 et seq.), as amended, and the regulations of the United States Environmental Protection Agency, or (ii) in such a way as to create any environmental condition that is actionable under any Federal, State or local environmental law or regulation. Any such representations or warranties are expressly disclaimed hereby.

The Purchaser of the property at the foreclosure sale shall accept and take the property in its present condition and subject to any loss, claims, liability, damages, injunctive relief, injuries to person, property or natural resources, cost, expense, action, or cause of action, pursuant to any Federal, State or local law or regulation.

WITNESS my hand this the 14th day of July, 2020

  
\_\_\_\_\_  
J. Milton Chapman, Substitute Trustee  
101 W. Goodwin, Suite 700, Victoria, Texas 77901

**FILED** *Ro*  
2020 JUL 14 P 3:06  
  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS