

JAN 14 2020

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

SHERRY LEMON, COUNTY CLERK  
WISE COUNTY, TEXAS  
By: *Vicky Traoria* DEPUTY

STATE OF TEXAS §  
  §  
COUNTY OF WISE §

KNOW ALL MEN BY THESE PRESENTS:

**WHEREAS**, by that one certain Deed of Trust dated August 29, 2014, and recorded as Instrument No. 201409068, Real Property Records, Wise County, Texas (the "Deed of Trust"), RWRC, Incorporated ("Grantor") conveyed to Embry Hines and/or Jamie Cook, Trustee ("Trustee"), for the benefit of First State Bank ("Beneficiary"), the real property situated in Wise County, Texas, as more particularly described on Exhibit "A" attached hereto and incorporated herein for all purposes (the "Property"), to secure the payment of a Real Estate Lien Note (Adjustable Rate Mortgage) dated August 29, 2014, in the original principal amount of \$248,000.00, executed by Grantor and made payable to the order of Beneficiary (the "Note"); and

**WHEREAS**, the Note and Deed of Trust were modified pursuant to the terms of that one certain Modification and Extension Agreement dated December 15, 2017, and recorded as Instrument No. 201714360, Real Property Records, Wise County, Texas (the "Extension") (the Extension and the Note are hereinafter collectively referred to as the "Note"); and

**WHEREAS**, default occurred under the terms of the Note and the Deed of Trust; and

**WHEREAS**, demand for payment of all amounts owed under the Note and the Deed of Trust was made, and all required notices have been given, all in accordance with the Note, the Deed of Trust and applicable law; and

**WHEREAS**, the indebtedness evidenced by the Note and secured by the Deed of Trust is now wholly due and payable; and

**WHEREAS**, the outstanding balance due under the Note and the Deed of Trust has not been paid; and

**WHEREAS**, Embry Hines and/or Jamie Cook, Trustee in the aforesaid Deed of Trust, was removed as Trustee, and the undersigned or Lee F. Christie or Jeremy L. Harmon or Michael L. Atchley or Ethel A. Steele or Justin S. Light were appointed as Substitute Trustee in the place and stead of the said Embry Hines and/or Jamie Cook, said removal and appointment being in the manner authorized by the Deed of Trust; and

**WHEREAS**, Beneficiary, the current owner and holder of said indebtedness and the current beneficiary under the Deed of Trust, has requested the undersigned or Lee F. Christie or Jeremy L. Harmon or Michael L. Atchley or Ethel A. Steele or Justin S. Light, as acting Substitute Trustee, to sell the Property to satisfy the indebtedness secured by the Deed of Trust.

**NOW, THEREFORE, NOTICE IS HEREBY GIVEN** that on Tuesday, the 4<sup>th</sup> day of February, 2020, between the hours of 10:00 A.M. and 4:00 P.M., the undersigned or Lee F. Christie or Jeremy L. Harmon or Michael L. Atchley or Ethel A. Steele or Justin S. Light will sell the Property at

public auction on the southeast corner of the Wise County Courthouse, 101 N. Trinity Street, Decatur, Texas 76234, or in the area designated by the Wise County Commissioners Court, if different, to the highest bidder for cash, subject to the right of Beneficiary to have its bid credited to the Note up to the amount of the debt that is secured by the Deed of Trust at the time of sale. Said sale will begin no earlier than 10:00 A.M. and no later than three hours after that time.

**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.**

The Sender of this notice and his contact information is as follows:

Matthew T. Taplett  
Pope, Hardwicke, Christie, Schell, Kelly & Taplett, L.L.P.  
500 W. 7<sup>th</sup> Street, Suite 600  
Fort Worth, Texas 76102  
817/332-3245

WITNESS MY HAND this 14<sup>th</sup> day of January, 2020.

SUBSTITUTE TRUSTEE:



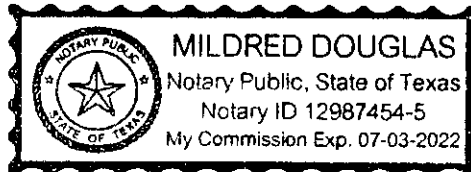
Matthew T. Taplett

STATE OF TEXAS       §  
                                  §  
COUNTY OF WISE     §

This instrument was acknowledged before me on the 14<sup>th</sup> day of January, 2020, by Matthew T. Taplett, Substitute Trustee, who acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.



Notary Public for the State of Texas



**NAME, ADDRESS AND TELEPHONE  
NUMBER OF MORTGAGEE:**

First State Bank  
c/o Patrick Johnson  
201 S. Weatherford Street  
Chico, TX 76431  
(940) 644-8010

**NAME, ADDRESS AND PHONE  
NUMBER OF SUBSTITUTE  
TRUSTEE:**

Matthew T. Taplett  
Lee F. Christie  
Michael L. Atchley  
Jeremy Lee Harmon  
Ethel A. Steele  
Justin S. Light  
Pope, Hardwicke, Christie, Schell,  
Kelly & Taplett, L.L.P.  
500 W. 7<sup>th</sup> Street, Suite 600  
Fort Worth, TX 76102  
(817) 332-3245

EXHIBIT A

**PROPERTY (including any improvements):**

Being a 7.08 acre tract in the M. Nusbaumer Survey, Abstract Number 949, Wise County, Texas, also being a certain called 7.096 acre tract described in instrument recorded in Volume 1061, Page 44, Official Public Records, Wise County, Texas and being described by metes and bounds as follows:

BEGINNING at a 2" steel fence post in the North line of Cundiff Crafton Road for the Southwest corner of said 7.096 acre tract and the Southeast corner of a certain 19.73 acre tract described in instrument recorded in Volume 1291, Page 299, Official Public Records, Wise County, Texas;

THENCE North 00 degrees 00' 00" East with the East line of said 19.73 acre tract a distance of 879.56 feet to a 3/8" iron rod found for the Northwest corner of said 7.096 acre tract and the Southwest corner of a certain called 21.63 acre tract (Tract Two) described in instrument recorded in Volume 736, Page 716, Real Records, Wise County, Texas;

THENCE North 89 degrees 58'55" East with the South line of said 21.63 acre tract a distance of 499.46 feet to a 3/8" iron rod found for the Northeast corner of said 7.096 acre tract and the Northwest corner of a certain called 7.01 acre tract (Tract One) described in instrument recorded in Volume 736, Page 716, Real Records, Wise County, Texas;

THENCE South 00 degrees 02'10" West a distance of 460.47 feet to a 1/2" iron rod found for the most Northerly Southeast corner of said 7.096 acre tract and the Northeast corner of a certain called 3.00 acre tract described in instrument recorded in Volume 2399, Page 550, Official Public Records, Wise County, Texas;

THENCE South 89 degrees 41'18" West a distance of 312.96 feet to a 1/2" iron rod found for an ell corner of said 7.096 acre tract and the Northwest corner of said 3.00 acre tract;

THENCE South 00 degrees 00'37" West a distance of 417.30 feet to a 1/2" iron rod found in the North line of said Cundiff Crafton Road for the most Southerly Southeast corner of said 7.096 acre tract and the Southwest corner of said 3.00 acre tract;

THENCE South 89 degrees 55' 26" West with the North line of said road a distance of 186.14 feet to the POINT OF BEGINNING and containing 7.08 acres of land.

POSTED  
AT 2:26 o'clock P M

JAN 13 2020

SHERRY LEMON, COUNTY CLERK  
WISE COUNTY, TEXAS  
By Vicky Gaona DEPUTY  
Vicky Gaona

NOTICE OF TRUSTEE'S SALE

Date: January 13, 2020

DEED OF TRUST

Date: November 16, 1998

Grantor: Cindy Evans  
Grantor's Address:

200 Brighton Oaks Dr  
Boyd, Texas 76023

Beneficiary: Cacharel Companies Inc

Trustee: Ron G. Crabtree

Substitute Trustee: Jessica Copeland

Recording Information: Deed Records of Wise County, Texas

Property: Being a tract of land, lot 1 Brighton Oaks Addition, an addition in Wise County, Texas

NOTE

Date: November 16, 1998

Amount: Twenty-Two Thousand, Four Hundred Dollars and 00/100  
(\$22,400.00)

Debtor: Cindy Evans

Holder: Cacharel Companies Inc.

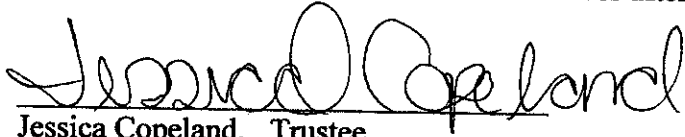
Date of Sale of Property (first Tuesday of month): **February 4, 2020**

Earliest time of Sale of Property: **10:00 AM**

**Place of Sale of Property: the door of the first floor in the southeast corner of the**

**Wise County Courthouse, located at 101 ½ North Trinity**

Because of default in performance of the obligations of the Deed of Trust, Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified to satisfy the debt secured by the Deed of Trust. The sale will begin at the earliest time stated above or within three hours after that time.



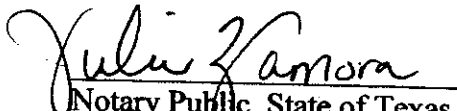
Jessica Copeland, Trustee  
112 NW 24<sup>th</sup> Street Suite 407, Ft. Worth, TX 76164  
817-625-9975

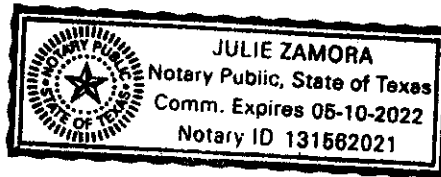
**ACKNOWLEDGEMENT**

STATE OF TEXAS

COUNTY OF TARRANT

This instrument was acknowledged before me on the 13<sup>th</sup> day of January 2020., by Jessica Copeland, Substitute Trustee.

  
Notary Public, State of Texas  
Notary's name (printed)  
Notary's commission expires:



RETURN TO:  
Cacharel Companies, I  
112 NW 24<sup>th</sup> Street Suite 407.  
Ft. Worth, Texas 76164

**NOTICE OF NONJUDICIAL FORECLOSURE SALE**

THE UNDERSIGNED INTENDS TO CONDUCT A NONJUDICIAL FORECLOSURE SALE OF PROPERTY SITUATED IN WISE COUNTY, TEXAS. THE DETAILS OF THE SALE ARE SET OUT HEREIN BELOW.

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**Property to be sold.** The property to be sold is located in Wise County, Texas and is further described as follows:

as set out in Exhibit "A" attached hereto.

("Property").

**Instrument to be foreclosed.** The instrument to be foreclosed is a deed of trust recorded in Wise County, Texas and further described as follows:

Date: May 7, 2007

Filing Date: May 11, 2007

Grantor: Andrew Warnock  
298 County Road 1787  
Chico, Texas 76431  
Wise County.

Elisha M. Nava  
298 County Road 1787  
Chico, Texas 76431  
Wise County.

Trustee: Bruce Bynum  
101 W. Tarrant  
Bowie, Texas 76230  
Montague County

Original beneficiary: Legend Bank, N.A.  
101 W. Tarrant  
Bowie, Texas 76230  
Wise County

Recording information: Vol. 1812, Page 575 of the Official Public Records of Wise County, Texas.

Modifications: Modification of Deed of Trust dated June 1, 2015,  
Recorded in Instrument Number 201505859 of the Official  
Public Records of Wise County, Texas.

**POSTED**  
AT 1:53 o'clock P M

JAN 13 2020

SHERRY LEMON, COUNTY CLERK  
WISE COUNTY, TEXAS  
By  DEPUTY

Sarah Enochs

The ("Deed of Trust"),

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

Date of Sale: February 4, 2020

Time of Sale: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be completed by no later than 4:00 P.M.

Place: Wise County Courthouse  
101 Trinity Street  
Decatur, Texas 76234  
Wise County, Texas

The sale will occur at the southeast porch of the courthouse, or in the area designated by the Commissioner's Court pursuant to Section 51.002 of the Texas Property Code.

The Deed of Trust permits the beneficiary 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.

**Terms of Sale.** The terms of the sale are described below:

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the beneficiary thereunder to have the bid credited to the note(s) 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 cash on the day the property is sold.

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

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.

Pursuant to the deed of trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to 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.

**Type of Sale.** The sale is a nonjudicial deed of trust foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust.

**Obligations Secured.** The obligations secured by the Deed of Trust, include without limitation the following:

<b>Note Description</b>	<b>Date</b>	<b>Original Amount</b>	<b>Borrower(s)</b>
16212640	May 7, 2007	\$71,800.00	Andrew Warnock

("Note"), all renewals and extensions of the Note and any all present and future indebtedness of the Borrower(s) to the beneficiary of the Deed of Trust Collectively, the ("Obligations")

**Holder of Obligations and Beneficiary of Deed of Trust.** The current beneficiary of the Deed of Trust ("Current Beneficiary") and the holder of the obligations secured by The Deed of Trust is:

Name: Legend Bank, N.A.

Mailing address: 101 W. Tarrant  
Bowie, Texas 76230  
Wise County

**Appointment of Substitute Trustee.** As authorized by the Deed of Trust and the Texas Property Code, the Current Beneficiary, has appointed the following to serve as Substitute Trustee under the Deed of Trust:

Name: Matthew D. Anderson, D. Todd Davenport, Anthony W. Bates and/or Peyton Cannedy

Mailing address: 3711 Maplewood Ave., Suite 200  
Wichita Falls, Texas 76308  
Wichita County

Notice is given that before the sale the Current Beneficiary may appoint another person to serve as substitute trustee to conduct the sale.

**Default and Request to Act.** Default has occurred under the Deed of Trust, and the Beneficiary has instructed the undersigned to offer the Property for sale toward the satisfaction of the Obligations.

**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.**

**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.**



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Brandon Hill, Special Assets Manager, VP  
Legend Bank  
101 W. Tarrant  
Bowie, Texas 76230  
Montague County  
Telephone 940-720-7566

**EXHIBIT "A"**

**BEING** all that certain lot, tract or parcel of land in the G.W. Cash Survey, Abstract Number 166, Wise County, Texas and being a part of a certain called 80 acre tract of land described in Deed recorded in Volume 315, Page 81, Deed Records, Wise County, Texas the subject tract being more particularly described as follows:

**BEGINNING** at a ½ inch capped iron rod (stamped RPLS 5479) set for corner, in the West line of

said 80 acre tract of land and said Cash Survey, and the East line of the Allen D. Burris Survey, Abstract Number 55, Wise County, Texas, from which the Southwest corner of said 80 acre tract of land bears

South a distance of 295.110 feet said iron rod lying West of a gravel road under apparent public use posted as County Road Number 1787;

**THENCE** North with the West line of said 80 acre tract of land and said Cash Survey, and the East line of said Burris Survey a distance of 208.710 feet to a ½ inch capped iron rod (stamped RPLS 5479) set for corner, from which a capped iron rod found for the Southwest corner of a called 2.00 acre tract of land described in the deed recorded in Volume 1151, Page 533, Official Public Records, Wise County, Texas bears North 324.90 feet;

**THENCE** South 88 degrees 10 minutes 23 seconds East crossing said gravel road passing at a distance

of 47.20 feet a 3 inch metal post on the East side of said Road, continuing on said course along or near a fence most of the way a total distance of 417.550 feet to a ½ inch capped iron rod (stamped RPLS 5479) set for corner;

**THENCE** South a distance of 208.710 feet to a ½ inch capped iron rod (stamped RPLS 5479) set for corner;

**THENCE** North 88 degrees 10 minutes 23 seconds West crossing said gravel road a distance

of 417.550 feet to the POINT OF BEGINNING and enclosing 2.00 acres of land more or less.

**PLEASE RETURN TO:**  
**Equity Title of Texas, LLC**  
1705 S. FM 51, Ste. 102  
Decatur, TX 76234

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# NOTICE OF SUBSTITUTE TRUSTEE SALE

**Deed of Trust Date:**  
6/17/2013

**Grantor(s)/Mortgagor(s):**  
MARTIN MARTINEZ, JR. AND SPOUSE,  
GLORIA MARTINEZ AND MARTIN H.  
MARTINEZ, SR. AND SPOUSE, NARCEDALIA  
MARTINEZ

**Original Beneficiary/Mortgagee:**  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE  
FOR CITIBANK, N.A., ITS SUCCESSORS AND  
ASSIGNS

**Current Beneficiary/Mortgagee:**  
Nationstar Mortgage LLC d/b/a Mr. Cooper

**Recorded in:**  
**Volume:** N/A  
**Page:** N/A  
**Instrument No:** 201322636

**Property County:**  
WISE

**Mortgage Servicer:**  
Nationstar Mortgage LLC d/b/a Mr. Cooper is  
representing the Current Beneficiary/Mortgagee under a  
servicing agreement with the Current  
Beneficiary/Mortgagee.

**Mortgage Servicer's Address:**  
8950 Cypress Waters Blvd.,  
Coppell, TX 75019

**Legal Description:** BEING LOT 53-C, BLOCK 53 OF REED'S ADDITION, AN ADDITION TO THE CITY OF BRIDGEPORT, WISE COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET B, SLIDE 130, PLAT RECORDS, WISE COUNTY, TEXAS.

**Date of Sale:** 2/4/2020

**Earliest Time Sale Will Begin:** 1:00PM

**Place of Sale of Property:** Wise County Courthouse, 101 N. Trinity Street, Decatur, TX 76234 OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**Notice Pursuant to Tex. Prop. Code § 51.002(i):**

Assert and protect your rights as member of the armed forces of the United States. If you or your spouse are serving on active military duty, including active military duty as a member of the Texas National 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.


**MH File Number:** TX-19-75734-POS  
**Loan Type:** Conventional Residential



Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Irene Lindsay, Patrick Zwiers, Dana Kamin, Lisa Bruno, Ronda Tyler, Angie Uselton, Kristopher Holub, Guy Wiggs, Denise Boerner, Brenda Wiggs, Donna Stockman, David Stockman, Tim Lewis, Kathy Arrington or Michelle Schwartz or Thuy Frazier or Cindy Mendoza or Catherine Allen-Rea or Cole Patton, Substitute Trustee  
MCCARTHY & HOLTHIUS, LLP  
1255 WEST 15TH STREET, SUITE 1060  
PLANO, TX 75075

**POSTED**  
AT 4:18 o'clock P M

JAN 09 2020

SHERRY LEMON, COUNTY CLERK  
WISE COUNTY, TEXAS  
By  DEPUTY  
Vicky Gaona

**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: February 04, 2020

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

Place: THE DOOR OF THE FIRST FLOOR IN THE SOUTHEAST CORNER OF THE WISE 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 November 16, 2005 and recorded in Document VOLUME 1621, PAGE 195 real property records of WISE County, Texas, with JAMES W. PETERS, JR. AND ROBYN PETERS, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by JAMES W. PETERS, JR. AND ROBYN PETERS, securing the payment of the indebtednesses in the original principal amount of \$156,750.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. SPECIALIZED LOAN SERVICING 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. SPECIALIZED LOAN SERVICING LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o SPECIALIZED LOAN SERVICING LLC  
8742 LUCENT BLVD., SUITE 300  
HIGHLANDS RANCH, CO 80129

**POSTED**  
AT 4:18 o'clock P M

JAN 09 2020

SHERRY LEMON, COUNTY CLERK  
WISE COUNTY, TEXAS

By Vicky Gaona DEPUTY  
Vicky Gaona

A



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 RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, IRENE LINDSAY, PATRICK ZWIERS, DANA KAMIN, LISA BRUNO, RONDA TYLER, ANGIE USELTON, KRISTOPHER HOLUB, DONNA STOCKMAN, BRENDA WIGGS, DENISE BOERNER, GUY WIGGS, DAVID STOCKMAN, MICHELLE SCHWARTZ, OR TIM LEWIS 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 WISE County Clerk and caused to be posted at the WISE County courthouse this notice of sale.

\_\_\_\_\_

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

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

20100169814123

WISE



DESCRIPTION FOR A 13.00 ACRE TRACT OF LAND OUT OF THE JOSE MARIA MORA SURVEY, ABSTRACT NO. 541, WISE COUNTY, TEXAS, SAID TRACT BEING A PORTION OF VOLUME 233, PAGE 263, D.R.W.C.T.;

COMMENCING AT A 1" PIPE FOUND, SAID PIPE BEING BY DEED CALL EAST, 1665.40 VARAS FROM THE SOUTHWEST CORNER OF SAID MORA SURVEY, THENCE EAST 1423.40 FEET, THENCE N 00 DEG. 15' 52" E, 995.32 FEET TO A 1/2" IRON SET FOR THE POINT OF BEGINNING;

THENCE S 89 DEG. 30' 07" W, 348.25 FEET TO A 1/2" IRON SET;

THENCE N 00 DEG. 15' 52" E, AT 1601.20 FEET PASSING A 1/2" REF. IRON SET AND CONTINUING IN ALL 1626.20 FEET TO A POINT IN THE APPROXIMATE CENTER OF COUNTY ROAD NO. 3598;

THENCE N 89 DEG. 30' 07" E, WITH THE APPROXIMATE CENTER OF SAID COUNTY ROAD NO. 3598, 348.25 FEET TO A 60D NAIL FOUND, SAID NAIL BEING FOR THE NORTHWEST CORNER OF VOLUME 381, PAGE 403, R.R.W.C.T.;

THENCE S 00 DEG. 15' 52" W, WITH THE WEST LINE OF SAID VOLUME 381, PAGE 403, 1626.20 FEET TO THE POINT OF BEGINNING AND CONTAINING 13.00 ACRES OF LAND, MORE OR LESS.

POSTED

AT 10:23 o'clock AM M

Notice of Foreclosure Sale

JAN 06 2020

January 3, 2020

SHERRY LEMON, COUNTY CLERK  
WISE COUNTY, TEXAS  
By Michele Fennell DEPUTY

Deed of Trust (the "Deed of Trust"):

Dated: July 31, 2018

Grantor: Jason Ray Wilkins  
1568 CR 4764  
Boyd, Texas 76023  
Wise County.

Trustee: Jay Bearden  
101 W. Tarrant  
Bowie, Texas 76230  
Montague County

Lender: Legend Bank, N.A.

Recorded in: Instrument No. 201809176 of the real property records of Wise County, Texas

Legal Description: See Exhibit "A" attached

Secures:

Note Description	Date	Original Amount	Borrower(s)
801806120	July 31, 2018	\$247,445.00	Jason Ray Wilkins

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Substitute Trustee: Matthew D. Anderson, T. Todd Davenport, Anthony W. Bates or Peyton W. Cannedy

Substitute Trustee's Address:

3711 Maplewood  
Wichita Falls, Texas 76308

Foreclosure Sale:

Date: February 4, 2020

Time: The sale of the Property will be held between the hours of 10:00 a.m.

{SGPLLC File: 00789731.DOCX}



and 4:00 p.m. local time; **the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three hours thereafter,**

Place: Southeast porch of courthouse, 101 North Trinity St., Decatur, Texas 76234, or in the area designated by the Commissioner's Court pursuant to Section 51.002 of the Texas Property Code.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Legend Bank, N.A.'s bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Legend Bank, N.A., the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Legend Bank, N.A. passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Legend Bank, N.A. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold **"AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.** Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further

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conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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

**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.**



Brandon Hill

Vice President, Legend Bank, N.A.

EXHIBIT "A"

Surface estate only and subject to all rights, privileges and immunities relating to interest not constituting part of the surface to the following described property:

Description for a 5.50 acre tract of land situated in Section 23, of the M.E.P. & P. R.R. Co. Survey, Abstract No. 616, Wise County, Texas, said tract all of that certain tract of land described in deed to Ray Wilkins and Doris Wilkins, recorded in Volume 84, Page 868, Real Records of Wise County, Texas, and a portion of that certain tract of land described in deed to Ray Wilkins and Doris Wilkins, recorded in Volume 84, Page 873, Real Records of Wise County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a capped iron set in the West line of County Road No. 4764, said iron being for the Southeast corner of said Volume 84, Page 868 and for the Northeast corner of said Volume 84, Page 873;

THENCE S 89°18'50" W, with the common line of said Volume 84, Page 868 and said Volume 84, Page 873, 220.24 feet to a capped iron set;

THENCE S 05°41'03" E, 119.90 feet to a 2" metal fence post;

THENCE S 86°41'17" W, 175.90 feet to a capped iron set;

THENCE N 05°41'03" W, 127.99 feet to a capped iron set in the common line of said Volume 84, Page 868 and said Volume 84, Page 873;

THENCE S 89°18'50" W, with the common line of said Volume 84, Page 868 and said Volume 84, Page 873, 269.01 feet to a capped iron set at the Southwest corner of said Volume 84, Page 868 and the Northwest corner of said Volume 84, Page 873 and being in the East line of that certain tract of land described in deed to Steven R. Olsen and Karen Olsen, recorded in Volume 2394, Page 690, Official Public Records, Wise County, Texas;

THENCE N 00°36'39" W, with the common line of said Volume 84, Page 868 and said Volume 2394, Page 690, 306.60 feet to a 1/2" iron found at the Northwest corner of said Volume 84, Page 868 and the Northeast corner of said Volume 2394, Page 690 and being in the South line of that certain tract of land described in deed to Laverna Jean Barnard, recorded in Volume 1276, Page 214, Official Public Records, Wise County, Texas;

THENCE N 85°46'21" E, with the common line of said Volume 84, Page 868 and said Volume 1276, Page 214, 667.00 feet to a 2" metal fence post in the West line of said County Road No. 4764, said post being for the Northeast corner of said Volume 84, Page 868 and the Southeast corner of said Volume 1276, Page 214;

THENCE S 00°36'39" E, with the West line of said County Road No. 4764, 347.80 feet to the POINT OF BEGINNING and containing 5.50 acres of land.

The Company is prohibited from insuring the area or quantity of land described herein. Therefore, the Company does not represent that the acreage or square footage calculations are correct. References to quantity are for informational purposes only.

POSTED  
AT 2:31 o'clock P M

DEC 19 2019

**COPY**  
WKC/tp/duncan/perkins/foreclosure/noticeofsale  
12/18/19

SHERY LEMON, COUNTY CLERK  
WISE COUNTY TEXAS

### Notice of Foreclosure Sale

By Sarah Enoch DEPUTY

Sarah Enoch

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

Lot 2, Block 2 of OAKLAND HEIGHTS, being an addition to the City of Bridgeport, Wise County, Texas, according to the Plat thereof, recorded in Cabinet A, Slide 68, Plat Records of Wise County, Texas.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust recorded in Instrument No. 201612333, Official Records, Wise County, Texas.

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

Date: February 4, 2020

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be completed by no later than 1:00 p.m.

Place: The sale will be held at the southeast porch (or corner) of the Wise County Courthouse, Decatur, Texas.

The deed of trust permits the beneficiary 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.

4. *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 beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

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.

Pursuant to the deed of trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to 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.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Buster Perkins and wife, Shanna Perkins.

The real property and personal property, if any, encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

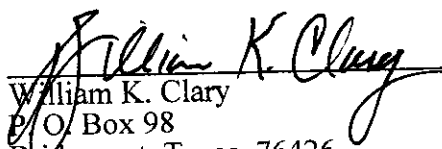
6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note executed by Buster Perkins and wife, Shanna Perkins. David Wayne Duncan and wife, Sharon Kaye Duncan, is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, David Wayne Duncan and wife, Sharon Kaye Duncan, at PO Box 98, Bridgeport, Texas 76426.

7. *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 sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

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

Dated: December 19, 2019

  
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William K. Clary  
P.O. Box 98  
Bridgeport, Texas 76426  
Telephone (940) 683-6722  
Telecopier (940) 683-4029