

005

JAN 13 2020

AT 1:15 O'CLOCK P.M.

CARLA KERN

County Clerk, Mitchell 00000008751109

By Deputy

742 EAST 9TH STREET  
COLORADO CITY, TX 79512

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 10:00 AM or not later than three hours after that time.

Place: 1ST FLOOR LOBBY AT EAST DOORS, MITCHELL COUNTY COURTHOUSE (IF COURTHOUSE IS CLOSED, SALE ON FRONT STEPS) 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 April 21, 2008 and recorded in Document VOLUME 742, PAGE 637; AS AFFECTED BY LOAN MODIFICATION AGREEMENT IN VOLUME 843, PAGE 1173 real property records of MITCHELL County, Texas, with FELIPE MARTINEZ, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by FELIPE MARTINEZ, securing the payment of the indebtednesses in the original principal amount of \$75,416.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WELLS FARGO BANK, 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. WELLS FARGO BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o WELLS FARGO BANK, N.A.  
3476 STATEVIEW BLVD  
FORT MILL, SC 29715



NTSS0000008751109

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 TERRY BROWDER, LAURA BROWDER, MARSHA MONROE, JONATHAN SCHENDEL, RAMIRO CUEVAS, CHARLES GREEN, OR KRISTIE ALVAREZ 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 MITCHELL County Clerk and caused to be posted at the MITCHELL County courthouse this notice of sale.

\_\_\_\_\_

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

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

**EXHIBIT "A"**

BEING THAT PART LYING EAST OF THE WEST 110 FEET OF TRACT 1 OF THE MATTIE MERRELL SUBDIVISION OF FRACTIONAL BLOCK 104 OF THE TOWN OF COLORADO CITY, MITCHELL COUNTY, TEXAS, AS SAID TRACT 1 IS SHOWN IN A CERTAIN DEED FROM MATTIE MERRELL TO MRS. ROSALIE LESLIE RECORDED IN VOL. 62, PAGE 600 OF THE DEED RECORDS OF MITCHELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 1/2" IRON ROD FOUND IN THE SOUTH LINE OF TRACT 1, A DISTANCE OF 110 FEET FROM THE SOUTHWEST CORNER OF SAID TRACT 1, AND SAID BEGINNING CORNER BEING THE SOUTHWEST CORNER OF THIS TRACT AND IN THE NORTH LINE OF NINTH STREET;

THENCE NORTH 140.28 FEET (CALL 140.00 FEET), PARALLEL WITH THE WEST LINE OF SAID TRACT 1 AND ALONG AND WITH A CONCRETE BLOCK WELL TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF THIS TRACT IN THE SOUTH LINE OF AN ALLEY AND SAID CORNER BEING 110 FEET EAST OF THE WEST LINE OF TRACT 1;

THENCE S. 89 DEG. 48' 56" E. (CALL EAST) 81.06 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF THIS TRACT IN THE EAST LINE OF SAID TRACT 1 AND IN THE WEST LINE OF AUSTIN STREET;

THENCE S. 17 DEG. 03' 00" E. 146.44 FEET ALONG THE EAST LINE OF SAID TRACT 1 AND THE WEST LINE OF SAID AUSTIN STREET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THIS TRACT AND SAID TRACT 1 AND BEING IN THE NORTH LINE OF SAID NINTH STREET;

THENCE WEST 124.00 FEET ALONG AND WITH THE SOUTH LINE OF SAID TRACT 1 AND NORTH LINE OF NINTH STREET TO THE PLACE OF BEGINNING.