

# 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 potice of the active duty military service to the sender of this notice immediately. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

# INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated January 22, 2016 and recorded under Clerk's File No. 160395, in the real property records of AUSTIN County Texas, with Jimmy Vitek, single man as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Mortgage Lenders of America, LLC, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Jimmy Vitek, single man securing payment of the indebtedness in the original principal amount of \$123,717.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Jimmy Vitek. Lakeview Loan Servicing, LLC is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan. M & T Bank is acting as the Mortgage Servicer for the Mortgagee. M & T Bank, is representing the Mortgagee, whose address is: PO Box 840, Buffalo, NY 14240.

#### Legal Description:

A TRACT OF LAND CONTAINING 0.0758 ACRE, (3,304 SQUARE FEET), BEING OUT OF BLOCK "H" OF M. L. H. HARRY ADDITION TO THE TOWN OF WALLIS, AUSTIN COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 10, PAGE 126 OF THE AUSTIN COUNTY DEED RECORDS, (A.C.D.R.), SAID 0.0758 ACRE TRACT ALSO BEING THE SOUTHWESTERLY 44.05 FEET BY 75.00 FEET PORTION OF THOSE TRACTS RECORDED IN VOLUME 145, PAGE 126, VOLUME 144, PAGE 401 AND VOLUME 156, PAGE 171 ALL OF AUSTIN COUNTY DEED RECORDS (A.C.D.R.) AND AUSTIN COUNTY CLERK'S FILE NUMBER (A.C.C.F. NO.) 000619. SAID 0.0758 ACRE TRACT ALSO BEING THAT SAME TRACT RECORDED IN AUSTIN COUNTY CLERK'S FILE NUMBER (A.C.C.F. NO.) 091984, (BEARINGS ARE BASED IN A.C.C.F. NO. 000619), AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

## SALE INFORMATION

Date of Sale: 02/04/2020

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

Location of Sale: The place of the sale shall be: AUSTIN County Courthouse, Texas at the following location: In the foyer of the Austin County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

#### TERMS OF SALE

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

44-19-3208 AUSTIN



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The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "AS IS," "WHERE IS" condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the Deed of Trust.

The sale will begin at the earliest time stated above, or within three (3) hours after that time. 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.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is: Codilis & Moody, P.C. 400 N. Sam Houston Pkwy E, Suite 900A Houston, TX 77060 (281) 925-5200

Megan L.

Randle, Doug Woodard, Kristie Alvarez, Julian Perrine, Ebbie Murphy, Amy Bowman, Evan Press, Kathleen Adkins, Monica Hirvela, Renee Thomas, Reva Rouchon-Harris, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee

Exhibit

A TRACT OF LAND CONTAINEND SATS ACSE, (3.34 SQUARE FROM, NEWS OUT OF BLOCK "H" OF M. L. H. EANKY ADDITION TO THE TOWN OF WALLES, AUSTIN COUNTY, TEXAS, ACCORDING TO THE MAP OF PLAT RECORDED IN YOULING IN, PAGE 126 OF THE AUSTIN COUNTY DISD ENCORDS, (A.C.D.R.), SAD-GRYN ACRE TRACT ALSO MENG THE SOUTHEWRITHELY ALSO FRET BY THAN, BRIT, FORTION OF THOME TRACTS ENCORDED IN YEALING 144, FAGE 124, YOULING IA, FAGE 40, AND VIELING 134, FAGE 171, ALL OF AUSTIN COUNTY THEOD ENCORDS (A.C.D.R.), AND AUSTIN COUNTY CLERK'S FILE NAME TRACT ENCORDS (A.C.D.R.) AND AUSTIN COUNTY CLERK'S FILE ALSO BROWNE (A.C.D.R.) AND AUSTIN COUNTY CLERK'S FILE NAME TRACT ENCORDS (A.C.D.R.) AND AUSTIN COUNTY CLERK'S FILE NAME TRACT ENCORDS (A.C.D.R.) AND AUSTIN COUNTY CLERK'S FILE ALSO BRIND IN AND AUSTIN COUNTY CLERKS FILE NUMBER, (A.C.C.F. NO.) 604518, SAND AUSTIN COUNTY CLERK'S FILE NUMBER, (A.C.C.F. NO.) 604518, SAND AUSTIN COUNTY CLERK'S FILE NUMBER, (A.C.C.F. NO.) 604518, SAND AUSTIN COUNTY CLERK'S FILE NUMBER, (A.C.C.F. NO.) 604518, SAND AUSTIN COUNTY CLERK'S FILE NUMBER, (A.C.C.F. NO.) 604518, SAND AUSTIN COUNTY CLERK'S FILE NUMBER, (A.C.C.F. NO.) 604518, SAND AUSTIN COUNTY CLERK'S FILE NUMBER, (A.C.C.F. NO.) 604518, SAND AUSTIN COUNTY CLERK'S FILE NUMBER, (A.C.C.F. NO.) 604518, SAND AUSTIN COUNTY CLERK'S FILE NUMBER, (A.C.C.F. NO.) 604518, SAND AUSTING AND SAND IN A.C.F. NO.) (00659).

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Carrie Gregor COUNTY CLERK

2019-045

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145 CAMILLA CIRCLE BELLVILLE, TX 77418

# 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: FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

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3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated February 01, 2008 and recorded in Document CLERK'S FILE NO. 080674; AS AFFECTED BY LOAN MODIFICATION AGREEMENT CLERK'S FILE NO. 183379 real property records of AUSTIN County, Texas, with ERIC D JOHNSON AND TERESA L JOHNSON, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by ERIC D JOHNSON AND TERESA L JOHNSON, securing the payment of the indebtednesses in the original principal amount of \$184,406.00, and obligations' therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION 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. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o JPMORGAN CHASE BANK, NATIONAL ASSOCIATION 3415 VISION DRIVE COLUMBUS, OH 43219

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Page 1 of 3

2019-044

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 herby remove the original trustee and all successor substitute trustees and appoints in their steed REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, MARIEL MARROQUIN, AMY BOWMAN, CARY CORENBLUM, JOSHUA SANDERS, KRISTOPHER HOLUB, JULIAN PERRINE, EBBIE MURPHY MEGAN L. RANDLE, REBECCA BOLTON, OR AMY JURASEK 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.

Se Migan I. Randle

Israel Saucedo

# Certificate of Posting

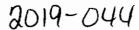
My name is \_\_\_\_\_\_, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on \_\_\_\_\_\_ I filed at the office of the AUSTIN County Clerk and caused to be posted at the AUSTIN County courthouse this notice of sale.

Declarants Name:		

Date:			

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AUSTIN

FIELD NOTES OF A SURVEY OF A 2.285 ACRE TRACT. BEING ALL OF THAT TRACT LYING AND SITUATED IN THE JOHN NICHOLS LEAGUE ABSTRACT NO. 73, AUSTIN COUNTY, TEXAS OUT OF THE SANDER ESTATES SUBDIVISION, AS FILED FOR RECORD IN VOLUME 1, PAGE 35-36, OF THE PLAT RECORDS OF AUSTIN COUNTY, TEXAS. SAID 2.285 ACRE TRACT BEING A PART OF THAT ORIGINAL LOT 34 IN THE SANDER ESTATE SUBDIVISION AND BEING A PART IF THAT SAME PROPERTY DESCRIBED IN A DEED DATED JANUARY 14, 1981, FROM SANDER ESTATES, INC., TO ELIZABETH CLOUD SHINE, RECORDED IN VOLUME 437, PAGE 542, OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS FOR WHICH REFERENCE IS MADE AND THE SAID 2.285 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT IN THE CENTERLINE OF CAMILLA CIRCLE FOR THE WEST CORNER OF THE SAID 2.285 ACRE TRACT, SAID CORNER BEING ALSO THE NORTHWEST CORNER OF LOT 35 CONVEYED TO JOHN W. MOUNTS, ET UX, FILE NUMBER 025039, AUSTIN COUNTY OFFICIAL RECORDS, A 1/2 INCH IRON ROD FOUND BEARS S 63 DEG 21' 18" E-30.0 FEET FROM SAID WEST CORNER;

THENCE N 26 DEG 55' 59" E A DISTANCE OF 121.80 FEET (CALLED N 23 DEG 38' 45" E- 121.83) WITH THE CENTERLINE OF CAMILLA CIRCLE, THE NORTHWEST LINE OF THE SAID 2.285 ACRE TRACT TO A POINT IN THE CENTERLINE OF CAMILLA CIRCLE FOR THE NORTHWEST CORNER OF THE SAID 2.285 ACRE TRACT, SAID CORNER BEING ALSO THE SOUTHWEST CORNER OF A 2.713 ACRE TRACT (WHICH IS ALSO A PART OF ORIGINAL LOT 34) CONVEYED TO CHARLES L. IRION, ET UX, FILE NUMBER 970437, AUSTIN COUNTY OFFICIAL RECORDS, A 1/2 INCH IRON ROD FOUND (CALLED FOR IN FILE NUMBER 970437) BEARS N 84 DEG 17 05" E-35.64 FEET FROM SAID NORTHWEST CORNER;

THENCE N 84 DEG 17' 05" E A DISTANCE OF 311.75 FEET (CALLED N 83 DEG 57' 42" E-311.90') WITH THE NORTH LINE OF THE SAID 2.285 ACRE TRACT, THE SOUTH LINE OF THE SAID 2.713 ACRE TRACT TO A 1/2 INCH IRON ROD FOUND (CALLED FOR IN FILE NUMBER 97437) FOR CORNER;

THENCE S 58 DEG 02' 39" E A DISTANCE OF 136.35 FEET (CALLED S 58 DEG 17' 28" E-136.34') WITHTHE NORTH LINE OF THE SAID 2.285 ACRE TRACT, THE SOUTH LINE OF THE SAID 2.713 ACRE TRACT TO A 1/2 INCH IRON ROD FOUND (CALLED FOR IN FILE NUMBER 970437) FOR THE NORTHEAST CORNER OF THE SAID 2.285 ACRE TRACT, SAID CORNER BEING ALSO IN THE ORIGINAL SOUTHEAST LINE OF LOT 34, AND BEING ALSO IN THE NORTHWEST LINE OF LOT 33, CONVEYED TO DONALD B KLOBER, ET UX, FILE NUMBER 95745, VOLUME 723, PAGE 105, AUSTIN COUNTY OFFICIAL RECORDS;

THENCE S 16 DEG 08' 43" W A DISTANCE OF 280.84 FEET (CALLED S 15 DEG 47' 50" W - 282.49') WITH THE SOUTHEAST LINE OF THE SAID 2.285 ACRE TRACT, THE NORTHWEST LINE OF THE SAID LOT 33 TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE SAID 2.285 ACRE TRACT, SAID CORNER BEING ALSO THE NORTHEAST CORNER OF LOT 35;

THENCE N 63 DEG 21' 18" W A DISTANCE OF 450.89 FEET (CALLED N 63 DEG 21' 18" W- 451.35') GENERALLY WITH THE PRESENT FENCE LINE, THE SOUTHWEST LINE OF THE SAID 2.285 ACRE TRACT, THE NORTHEAST LINE OF LOT 35 TO THE PLACE OF BEGINNING, CONTAINING ACRE OF LAND, MORE OR LESS, AS SURVEYED BY LEONARD W. FRANK, COUNTY SURVEYOR OF COLORADO COUNTY, TEXAS AND REGISTERED PROFESSIONAL LAND SURVEYOR, REGISTRATION NO 1669.

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Carrie Gregor COUNTY CLERK AUSTIN COUNTY, TEXAS

2019-044

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### NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

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

#### 1. Date, Time, and Place of Sale.

- Date: February 04, 2020
- Time: The sale will begin at 1:00 PM or not later than three hours after that time.
- Place: FOYER OF THE AUSTIN 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 April 02, 2018 and recorded in Document CLERK'S FILE NO. 181312 real property records of AUSTIN County, Texas, with RONALD FLETCHER AND PAMELA FLETCHER, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS"), AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by RONALD FLETCHER AND PAMELA FLETCHER, securing the payment of the indebtednesses in the original principal amount of \$135,327.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. QUICKEN LOANS INC. 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. QUICKEN LOANS INC., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o QUICKEN LOANS INC. 635 WOODWARD AVE. DETROIT, MI 48226

2019-043



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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 herby remove the original trustee and all successor substitute trustees and appoints in their steed REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, MARIEL MARROQUIN, AMY BOWMAN, CARY CORENBLUM, JOSHUA SANDERS, KRISTOPHER HOLUB, JULIAN PERRINE, EBBIE MURPHY MEGAN L. RANDLE, REBECCA BOLTON, OR AMY JURASEK 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.

Megan LRandle

Dustin Dreher

## **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 AUSTIN County Clerk and caused to be posted at the AUSTIN County courthouse this notice of sale.

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

Date:

2019-043

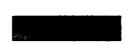
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AUSTIN

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LOT 2, BLOCK 1, LAKEVIEW SUBDIVISION IN AUSTIN COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGE 131, PLAT RECORDS OF AUSTIN COUNTY, TEXAS.

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Carrie Gregor COUNTY CLERK AUSTIN COUNTY, TEXAS

2019-043

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## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on the 9<sup>th</sup> day of March, 2015, Maribel Rojas Perez (the "Grantor"), executed a Deed of Trust conveying to John P. Bolen, Trustee, the Property hereinafter described, to secure Texas Funding Corporation in payment of the indebtedness therein described, said Deed of Trust was duly recorded in the Official Public Records of Real Property of Austin County, Texas; and

WHEREAS, Texas Funding Corporation is the owner and holder of the Note secured by the Deed of Trust and has appointed the undersigned as Substitute Trustee under the Deed of Trust in the manner authorized by the Deed of Trust; and

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

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, the 4<sup>th</sup> day of February, 2020, between the hours of 1:00 P.M. and 4:00 P.M., 1 will sell the Property to the highest bidder for cash, inside the foyer of the Austin County Courthouse, where the Commissioners Court has designated such sales to take place. The courthouse is located at 1 East Main Street, Beliville, Texas 77418.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Grantor to warrant title to the property under the terms of the Deed of Trust, conveyance of the property shall be made "AS IS" "WHERE IS" without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the property.

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 send of this notice immediately.

Said Property is described as follows:

- I. SEE ATTACHED EXHIBIT "A"
- 2. ALL INTEREST OF GRANTOR IN AND TO THE IMPROVEMENTS NOW OR HEREAFTER ERECTED ON THE PROPERTY AS MORE SPECIFICALLY SET FORTH IN THE ABOVE REFERENCED DEED OF TRUST.

Witness my hand this the <u>13</u> day of January, 2020.

Address of Substitute Trustee:

Texas Funding Corporation

Return to:

P.O. Box 19562 Houston, TX 77224 By: Megu Z. Pull Megan 1. Conclu, Substitute Trustee

Foreclosure Services, LLC 8101 Boat Club Road, Suite 320 \_\_\_\_\_ Fort Worth, Texas 76179

2020-001

EXHIBIT "A"

1.00 acre of Land, more or less, Situated in Austin County, Texas in the San Felipe De Austin Town Tract, A-5, Austin Town Tract, A-5, and Being Blook Thirty-Three of the Sealy Subdivision, (filed for record in the office of the County Clerk of Austin County, Texas, in Volume Y, Page 318 of the Deed Records) 1.00 aore tract described in Deed Dated November 8, 1991, from Citizens State Bank, Sealy, Texas, et al, to David Luk and Phone Bounsawat, filed for record in the office of the County Clerk of Austin County, Texas, in Volume 650, Page 478 of the Official Records.

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