

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.

5965-394

NOTICE OF FORECLOSURE SALE

1 THE PROPERTY TO BE SOLD

COMMONLY KNOWN AS

4139 COUNTY ROAD 3300, PEARSALL, TEXAS 78061

LEGAL DESCRIPTION

SEE EXHIBIT A.

2 THE DEED OF TRUST TO BE FORECLOSED UPON

RECORDED IN REAL PROPERTY RECORDS OF FRIJO COUNTY

RECORDED ON JULY 12, 2007

UNDER DOCUMENT# 0119308

3 THE SALE IS SCHEDULED TO BE HELD

PLACE THE NORTH DOOR OF THE COURTHOUSE AND ITS STEPS AS THE EXACT LOCATION AT THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE

DATE MAY 3, 2022

TIME 10:00 AM - 1:00 PM

TERMS OF SALE

The sale will be conducted as a public auction to the highest bidder for cash. 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 § 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.

OBLIGATIONS SECURED

The Deed of Trust executed by WARREN MARTIN and DOROTHY GAYE MARTIN, provides that it secures the payment of the indebtedness in the original principal amount of \$255,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. SEATTLE BANK is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is the current mortgage servicer. A servicing agreement between the mortgager, whose address is 1 Mortgage Way, Mount Laurel, New Jersey, 08054, and the mortgage service exists. TEXAS PROPERTY CODE § 51.0025 authorizes the mortgage servicer to collect the debt.

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.

In accordance with Texas Property Code § 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint the following as Substitute Trustee to act under and by virtue of said Deed of Trust:

CALVIN SPEER, WENDY SPEER, MELODY SPEER, NANCY GOMEZ, LEO GOMEZ, DEBORAH MARTIN, TROY MARTIN, ALEXIS MARTIN, CASSIE MARTIN, TERRI MARTIN, SHELBY MARTIN, VICKI RODRIGUEZ, NICHOLAS S. CAMPBELL, ANNAROSE M. HARDING, SARA A. MORTON, JONATHON AUSTIN, and/or BRANCH M. SHEPPARD.

ATTORNEYS AT LAW

Branch M. Sheppard
Annarose M. Harding
Sara A. Morton
Jonathon Austin

FILED

At 9:35 o'clock A M
This 11 day of 4/2022
Aaron T. Ibarra

GALLOWAY, JOHNSON, TOMPKINS, BURR & SMITH
A PROFESSIONAL LAW CORPORATION
1301 McKinney Street, Suite 1400
Houston, Texas 77010
(713) 599-0700

BY: [Signature] DEPUTY

CERTIFICATE OF POSTING

I declare under penalty of perjury that I filed this Notice of Foreclosure Sale at the office of the County Clerk and caused it to be posted at the location directed by the County Commissioners Court.

POSTED APR 11, 2022

NAME Calvin Speer TRUSTEE

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**EXHIBIT A – LEGAL DESCRIPTION
for 4139 County Road 3300, Pearsall, Texas 78061**

FIELD NOTES OF 5.00 ACRES OF LAND IN FRIO COUNTY, TEXAS OUT OF SUBDIVISION 56 OF THE FRIO COUNTY SCHOOL LAND SURVEY 1, ABSTRACT 310 ACCORDING TO A PARTIALLY DESTROYED PLAT RECORDED 1 VOLUME F, PAGE 455, SURVEYOR'S RECORDS AND ALSO BEING OUT OF THAT CERTAIN 245 ACRE TRACT ALLOTTED TO PAUL BUTTLES BY PARTITION DEED DATED DECEMBER 5, 1956 AND RECORDED IN VOLUME 174, PAGE 3, FRIO COUNTY DEED RECORDS; SAID 5.00 ACRE TRACT IS DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN AT AN IRON PIN SET FOR THE EAST CORNER OF THIS TRACT IN THE COMMON LINE OF SAID 245 ACRE TRACT AND THE NORTHWEST LINE OF THAT CERTAIN 100 ACRE TRACT CONVEYED BY PEARSALL RANCH PARTNERSHIP TO DAVID B. MOULTON BY DEED DATED MAY 2, 1995 AND RECORDED IN VOLUME 848, PAGE 198, SAID DEED RECORDS; SAID PIN LOCATED 485.84 FEET S 44°50'31" W FROM A FENCE CORNER FOR THE EASTERLY COMMON CORNER, IN THE SOUTHWEST LINE OF GOLDFINCH ROAD, CR 3300, OF SAID 245 AND 100 ACRE TRACT;

THENCE S 44°50'31" W, WITH SAID COMMON LINE, 568.54 FEET TO A STAKE FOR THE SOUTH CORNER OF THIS TRACT FROM WHICH AN IRON PIN SET IN FENCE BEARS 2.2 FEET S 41°05" E;

THENCE WITH THE LINES OF THIS TRACT AS FOLLOWS: N 41°05'22" W 430.36 FEET TO AN IRON PIN SET FOR CORNER; N 58°09'06" E 535.81 FEET TO AN IRON PIN SET FOR CORNER; N 22°34'02" W 170.97 FEET TO AN IRON PIN SET FOR CORNER; N 66°13'11" E 25.24 FEET TO AN IRON PIN SET FOR CORNER AND S 36°05'00" E 460.34 FEET TO THE PLACE OF BEGINNING.

CERTIFICATE OF POSTING

I declare under penalty of perjury that I filed this Notice of Foreclosure Sale at the office of the County Clerk and caused it to be posted at the location directed by the County Commissioners Court.

POSTED APRIL 11, 2022

NAME _____ Calvin Spear TRUSTEE