

**FILED**  
By: *Officer [Signature]*  
2013 NOV 25 AM 2:26

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**NOTICE REGARDING MILITARY SERVICE**

*[Signature]*  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

**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.**

Whereas pursuant to that one certain Deed of Trust dated November 4, 2011, executed by Michael Smith ("Mortgagor"), Mortgagor conveyed to Tali Villafranca as Trustee all of their right, title, and interest in and to that one certain parcel of real property situated in Victoria County, Texas, and described as: Lot 6, Block 4, Blue Ridge Subdivision, more commonly known as 602 E. Polk, Victoria, Texas 77901, together with all improvements thereon and including all other property set forth in the Deed of Trust, to secure the payment of that one certain Real Estate Lien Note or Promissory Note dated November 4, 2011, in the original principal amount of \$20,000.00, executed by Mortgagor and payable to the order of Monica Anderson ("Beneficiary") and any and all other indebtedness secured by the Deed of Trust.

Whereas the Deed of Trust was recorded in Instrument No. 201202106 of the Official Records of Victoria County, Texas.

Whereas the Note and Deed of Trust are in default and the entire unpaid balance of the Note is due and payable, and Beneficiary intends to enforce the power of sale set forth in the above-referenced Note and Deed of Trust; and

Whereas the Deed of Trust grants to the Beneficiary the right to appoint a Substitute or Successor Trustee to act in the place of the Trustee previously named in the Deed of Trust without any other formality except the designation in writing of a Substitute or Successor Trustee; and

Whereas the Beneficiary has duly appointed in writing by an Appointment of Substitute Trustee dated October 21, 2013, Amanda Pierce as Substitute Trustee under the Deed of Trust; and


Whereas the Beneficiary has directed the Substitute Trustee to enforce the power of sale under the Deed of Trust for the purpose of collecting the indebtedness secured under it, after giving at least 21 consecutive days' notice and recording the Notice in the Victoria County Clerk's Office giving the time, place, and terms of the sale, and a description of the property to be sold, pursuant to the Deed of Trust and the laws of the State of Texas;

Therefore, I, Amanda Pierce, Substitute Trustee, hereby give notice, after due publication as required by the Deed of Trust and/or security instruments and the Texas Property Code, that I will, after due posting, publication, and filing of this Notice, and after having given written notice of at least 21 consecutive days prior to the date of the sale by certified mail, return receipt requested, to each debtor obligated to pay the Note and indebtedness secured by the Deed of Trust, at the last-known address of each such debtor, according to the records of Beneficiary, as required by the aforesaid Deed of Trust and the laws of the State of Texas, sell the Property at public auction between the hours of 10:00 a.m. and 1:00 p.m. on the first Tuesday in January 7, 2014 at the County Courthouse of Victoria County, Texas, which has been designated as the general area where foreclosure sales are conducted pursuant to that certain order of the Commissioner's Court, to the highest bidder or bidders for cash.

Pursuant to § 51.002 of the Texas Property Code, the foreclosure sale will begin no earlier than 10:00 a.m. and no later than three hours after that time.

The sale conducted pursuant to this Notice will be made subject to any valid and existing liens or any other title encumbrances affecting title to the property described above or to any part of the property which are proved superior to the liens and other rights of Beneficiary under the security instrument or other recorded instruments.

Notice is further given that prior to the sale, Beneficiary may appoint another person as a Substitute Trustee to conduct the sale.


Witness my hand on 11/22/13  
  
Amanda Pierce  
302 W. Forrest Street  
Victoria, Texas 77901

STATE OF TEXAS §

COUNTY OF VICTORIA §

This instrument was acknowledged before me on the 22 day of Nov, 2013, personally appeared before me Amanda Pierce.



  
Notary Public in and for the State of Texas

My Commission Expires: 12-22-14

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

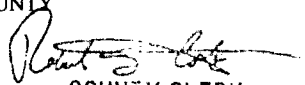
Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the 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: January 07, 2014

Time: The sale will begin at 11:00AM 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.

FILED  
Belinda Spivey, Secy.  
2013 NOV 25 PM 4:15  
  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated January 20, 2006 and recorded in Document CLERK'S FILE NO. 200601017; AS AFFECTED BY CLERK'S FILE NO. 201201408 real property records of VICTORIA County, Texas, with ELIZABETH PEREZ, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.

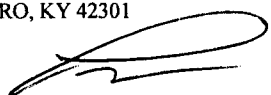
4. **Obligations Secured.** Deed of Trust or Contract Lien executed by ELIZABETH PEREZ, securing the payment of the indebtednesses in the original principal amount of \$80,239.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. U.S. 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 as follows:

LOT TWENTY NINE (29), BLOCK ONE (1), SUNNYSIDE SUBDIVISION, SECTION 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 01, PAGE 73, OF THE PLAT RECORDS OF VICTORIA COUNTY, TEXAS.

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. U.S. BANK NATIONAL ASSOCIATION, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o U.S. BANK NATIONAL ASSOCIATION  
4801 FREDERICA ST  
OWENSBORO, KY 42301



J. WOOLSEY, J. STEEN V. HAMMONDS, OR W. LAREW  
Substitute Trustee  
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
15000 Surveyor Boulevard, Suite 100  
Addison, Texas 75001



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: January 07, 2014

Time: The sale will begin at 11:00AM 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.

FILED  
Belinda Sepulveda, Deputy  
2013 NOV 25 PM 4:16

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated July 30, 2007 and recorded in Document CLERK'S FILE NO. 200710060 real property records of VICTORIA County, Texas, with DARIN LAWSON AND ASHLEY N LAWSON, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.

County Clerk  
VICTORIA COUNTY, TEXAS

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by DARIN LAWSON AND ASHLEY N LAWSON, securing the payment of the indebtednesses in the original principal amount of \$63,498.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. MIDFIRST BANK 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 as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

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. MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK  
999 N.W. GRAND BLVD STE 110  
OKLAHOMA CITY, OK 73118-6077

J. WOOLSEY, J. STEEN V. HAMMONDS, OR W. LAREW  
Substitute Trustee  
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
15000 Surveyor Boulevard, Suite 100  
Addison, Texas 75001



**EXHIBIT "A"**

## TRACT I:

FIELD NOTE DESCRIPTION OF A 0.7728 ACRE TRACT OF LAND BEING IN THE JUAN RENE SURVEY, A-102 IN VICTORIA COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN 0.773 ACRE TRACT CONVEYED TO DAVID E. CRABILL (200704819) AND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" STEEL ROD FOUND AT THE NORTH CORNER OF THIS TRACT IN THE SOUTHEAST RIGHT-OF-WAY LINE OF ENCINO DRIVE AND ALSO BEING THE WEST CORNER OF THE SHIRLEY WEAVER SCHULTZ TRACT (1131-87 & 199905774);

THENCE, ALONG THE COMMON LINE OF THIS AND SAID SCHULTZ TRACTS, S 35 DEG 43' 59" E, 176.55 FEET TO A 5/8" STEEL ROD FOUND FOR THEIR COMMON CORNER (D.C. = S 35 DEG 46' 20" E, 176.61');

THENCE, ALONG SAID SOUTHEAST LINE OF THIS TRACT, S 53 DEG 55' 45" W, 186.64 FEET TO A 5/8" STEEL ROD FOUND FOR THE SOUTH CORNER OF THIS DESCRIPTION, SAME BEING THE EAST CORNER OF THE HERSCHEL MCDONALD TRACT (200402374) (D.C. = S 53 DEG 54' 18" W, 186.76');

THENCE, ALONG THE COMMON LINE OF THIS AND SAID MCDONALD TRACTS, N 36 DEG. 18' 37" W, 182.45 FEET TO A 5/8" STEEL ROD FOUND FOR THEIR COMMON CORNER IN THE SOUTHEAST RIGHT-OF-WAY LINE OF ENCINO DRIVE (D.C. = N 36 DEG. 17' 33" W, 182.60'); (D.C. = 188.48' BASE BEARING) TO THE PLACE OF BEGINNING; CONTAINING WITHIN THESE METES AND BOUNDS 0.7728 ACRES OF LAND WHICH IS DESIGNATED AS TRACT 6 ON THE UNRECORDED PLAT OF OAK VILLAGE NORTH PREPARED BY ANDREW SPEAKERMAN ON 10 APRIL 1979.

## TRACT II:

AN EASEMENT OUTLINED AS FOLLOWS:

GRANTEE SHALL HAVE THE FREE AND UNINTERRUPTED USE, LIBERTY, PRIVILEGE AND EASEMENT OF PASSING IN AND ALONG SAID EASEMENT TOGETHER WITH FREE INGRESS, AND EGRESS AND REGRESS ALONG, OVER AND ACROSS SAID EASEMENT AS SHALL BE NECESSARY OR CONVENIENT, IN COMMON WITH THE GRANTORS HERE-IN, THEIR HEIRS AND ASSIGNS, AND SUCH WAY AND EASEMENT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEING 0.966 ACRE OF LAND SITUATED IN THE JUAN RENE AND SON'S SURVEY, ABSTRACT 102 IN VICTORIA COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN 6.203 ACRE TRACT OF LAND DESCRIBED AS TRACT TWO IN THAT CERTAIN DEED TO BOBBY M. TAYLOR AND WEYMAN E. HARDING, JR. FROM ROYCE A. TAYLOR DATED MAY 23, 1979 AND RECORDED IN VOLUME 1018, PAGE 514 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS SAID 0.966 ACRE TRACT BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD IN THE SOUTHWEST LINE OF WINDING WAY DRIVE, SAME BEING THE NORTHEAST LINE OF THE SAID 6.203 ACRE TRACT, SAID IRON ROD BEARS S. 36 DEG 12' E., A DISTANCE OF 158.90 FEET FROM THE MOST NORTHERN CORNER OF THE SAID 6.203 ACRE TRACT, SAID IRON ROD ALSO BEING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED 60 FOOT ROADWAY EASEMENT;

THENCE, S. 36 DEG 12' E., A DISTANCE OF 60.04 FEET ALONG THE SOUTHWEST LINE OF WINDING WAY DRIVE SAME BEING THE NORTHEAST LINE OF THE SAID 6.203 ACRE TRACT TO AN IRON ROD MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED 60 FOOT ROADWAY EASEMENT;

THENCE, S. 55 DEG. 42' 43" W., A DISTANCE OF 578.39 FEET ALONG THE SOUTHEAST LINE OF THE SAID 60 FOOT ROADWAY EASEMENT TO AN IRON ROD SET IN THE SOUTHEAST LINE OF A CUL-DE-SAC HAVING A 50 FOOT RADIUS, SAID IRON ROD ALSO BEING A CORNER OF THE HEREIN DESCRIBED 60 FOOT ROADWAY EASEMENT;

THENCE, WITH THE RIGHT-OF-WAY LINE OF THE CUL-DE-SAC WHICH IS ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 286 DEG 15' 37" A RADIUS OF 50.00 FEET AND AN ARC DISTANCE OF 249.81 FEET TO AN IRON ROD SET FOR A CORNER OF THE HEREIN DESCRIBED 60 FOOT ROADWAY EASEMENT;

THENCE, N. 55 DEG. 42' 43" E., A DISTANCE OF 576.39 FEET ALONG THE NORTH WEST LINE OF THE 60 FOOT ROADWAY EASEMENT TO THE PLACE OF BEGINNING, CONTAINING WITHIN THESE METES AND BOUNDS 0.966 ACRE OF LAND.



NOS20130010600813

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, 2014

Time: The sale will begin at 11:00AM 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.

FILED  
Delia S. ...  
2013 NOV 25 PM 4:16

  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated June 13, 2011 and recorded in Document CLERK'S FILE NO. 201106160 real property records of VICTORIA County, Texas, with SYDNEY M. YUSKO AND JOHN A. YUSKO, grantor(s) and WELLS FARGO BANK, N.A., mortgagee.

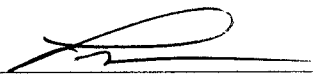
4. **Obligations Secured.** Deed of Trust or Contract Lien executed by SYDNEY M. YUSKO AND JOHN A. YUSKO, securing the payment of the indebtednesses in the original principal amount of \$82,357.00, and obligations therein described including but not limited to the promissory note and all modifications, 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 as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

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

  
\_\_\_\_\_  
J. WOOLSEY, J. STEEN V. HAMMONDS, OR W. LAREW  
Substitute Trustee  
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
15000 Surveyor Boulevard, Suite 100  
Addison, Texas 75001



**EXHIBIT "A"**

BEING 1.07 ACRES OF LAND SITUATED IN THE S. A. & M. G. R. R. COMPANY CURVEY NUMBER 3, ABSTRACT 314 IN VICTORIA COUNTY, TEXAS, AND BEING A PART OF THAT CERTAIN 145.00 ACRE TRACT OF LAND CONVEYED TO W.O. LOVE BY BEN F. MCCORMICK BY DEED DATED NOVEMBER 1, 1978 AND RECORDED IN VOLUME 998, PAGE 742 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, SAID 1.07 ACRES OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN EXISTING IRON ROD AT THE MOST NORTHERN CORNER OF THE SAID W. O. LOVE 145.00 ACRE TRACT OF LAND, THENCE, S 45 DEG 00' 00" W., A DISTANCE OF 397.67 FEET ALONG THE NORTHWEST LINE OF THE SAID W. O. LOVE 145.00 ACRE TRACT OF LAND, SAME BEING THE SOUTHEAST LINE OF A COUNTY ROAD, LOCALLY KNOWN AS KOHUTEK ROAD TO AN EXISTING IRON ROD AT THE MOST WESTERN CORNER OF A 60.00 FOOT WIDE STRIP OF LAND SET ASIDE FOR ROAD RIGHT-OF-WAY, SAID ROAD LOCALLY KNOWN AS MCCORMICK ROAD, THENCE, S. 45 DEG 00' 00" E., A DISTANCE OR 1093.12 FEET ALONG THE SOUTHWEST RIGHT-OF-WAY LINE OF MCCORMICK ROAD TO AN ANGLE POINT IN SAID RIGHT-OF-WAY LINE, THENCE, S. 26 DEG 30' 51" E., A DISTANCE OF 28.34 FEET ALONG THE SOUTHWEST RIGHT-OF-WAY LINE OF MCCORMICK ROAD TO AN IRON ROD SET FOR THE PLACE OF BEGINNING, SAID PLACE OF BEGINNING ALSO BEING THE MOST NORTHERN CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S. 26 DEG 30' 51" E., A DISTANCE OF 161.96 FEET TO AN IRON ROD SET FOR THE MOST EASTERN CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S. 45 DEG 00' 00" W., A DISTANCE OF 277.33 FEET TO AN IRON ROD SET AT THE INTERIOR CORNER OF THE SAID W. O. LOVE 145.00 ACRE TRACT OF LAND, SAID IRON ROD ALSO BEING THE MOST SOUTHERN CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N. 45 DEG 00' 00" W., A DISTANCE OF 153.60 FEET ALONG A SOUTHWEST LINE OF THE SAID W. O. LOVE 145.00 ACRE TRACT OF LAND, TO AN IRON ROD SET FOR THE MOST WESTERN CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N. 45 DEG 00' 00" E., A DISTANCE OF 328.68 FEET TO THE PLACE OF BEGINNING, CONTAINING WITHIN THESE METES AND BOUNDS 1.07 ACRES OF LAND. U T I L I T Y E A S E M E N T THE ABOVE DESCRIBED TRACT OF LAND IS SUBJECT TO A UTILITY EASEMENT 20.00 FEET IN WIDTH ALONG AND ADJACENT TO ITS SOUTHWEST LINE AND A UTILITY EASEMENT 10.00 FEET IN WIDTH ALONG AND ADJACENT TO ITS SOUTHEAST LINE.



NOS20130169804898

FILE No. 8481

County Clerk, Victoria County, Texas  
HOME EQUITY POSTING WITH ORDER ATTACHED

170 ROCKY CREEK DRIVE  
VICTORIA, TX 77905

20100187434664

**NOTICE OF SUBSTITUTE TRUSTEE SALE**  
(See TEX. CONST. art. XVI, § 50a(6) Order attached)

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: January 07, 2014

Time: The sale will begin at 11:00AM 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 August 24, 2007 and recorded in Document CLERK'S FILE NO. 200711766 real property records of VICTORIA County, Texas, with MARVIN E. HOELTER AND CHERYL HOELTER, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

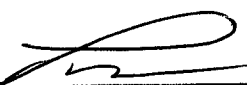
4. **Obligations Secured.** Deed of Trust or Contract Lien executed by MARVIN E. HOELTER AND CHERYL HOELTER, securing the payment of the indebtednesses in the original principal amount of \$135,200.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. CHASE HOME FINANCE, LLC is the current mortgagee of the note and Deed of Trust or Contract Lien.

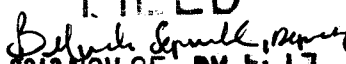
5. **Property to Be Sold.** The property to be sold is described as follows:


SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

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

  
\_\_\_\_\_  
J. WOOLSEY, J. STEEN V. HAMMONDS, OR W. LAREW  
Substitute Trustee  
c/o  
15000 Surveyor Boulevard, Suite 100  
Addison, Texas 75001

FILED  
  
2013 NOV 25 PM 4:17

  
COUNTY CLERK  
VICTORIA COUNTY, TEXAS

Active Duty Notifications: Special Loans Unit /CHASE Home Lending Attn: SCRA/2210 Enterprise Drive / Florence,  
SC 29501 /Fax: 843 413 5433/scra.military.orders@chase.com



NOS20100187434664





BEING 10.27 ACRES OF LAND SITUATED IN THE EBEN HABEN SURVEY, ABSTRACT 58, VICTORIA COUNTY, TEXAS, SAID 10.27 ACRES OF LAND BEING ALL OF THOSE THREE TRACT CONVEYED TO JAMES PIERCE AND WIFE, GRACE CHRISTINE PIERCE BY THE FOLLOWING CONVEYANCE, A 1.50 ACRE AND A 2.00 ACRE TRACT BY DEED DATED JUNE 27, 1974, AND RECORDED IN VOLUME 850, PAGE 190 ET SEQ, AND THAT 6.77 ACRE TRACT OF LAND BY DEED DATED JUNE 11, 1973 AND RECORDED IN VOLUME 822, PAGE 663 ET SEQ, BOTH DEEDS OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, SAID 10.27 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN EXISTING 5/8 INCH IRON ROD IN THE SOUTHWEST LINE OF THAT 14.35 ACRE TRACT OF LAND CONVEYED TO K.R. NICHOLS AND WIFE, ONNIE NICHOLS BY DEED RECORDED IN VOLUME 1320, PAGE 538 ET SEQ OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, SAID IRON ROD BEARS S 31 DEG. 27' 00" E, A DISTANCE OF 846.97 FEET FROM AN EXISTING CONCRETE MONUMENT IN THE SOUTHEAST RIGHT-OF-WAY LINE OF REINECKE ROAD, SAID MONUMENT BEING THE MOST WESTERN CORNER OF THE SAID NICHOLS TRACT OF LAND, SAME BEING THE INTERSECTION OF THE NORTHEAST LINE OF A 60 FOOT WIDE ROADWAY EASEMENT (KNOWN AS ROCKY CREEK DRIVE) AND THE SAID SOUTH RIGHT-OF-WAY LINE OF REINECKE ROAD, SAID IRON ROD BEING THE MOST NORTHERN CORNER OF THE SAID PIERCE 2.00 ACRE TRACT OF LAND, SAME BEING THE MOST EASTERN CORNER OF THAT 6.65 ACRES OF LAND CONVEYED TO RONALD L. HENDERSON, ET UX BY DEED RECORDED IN VOLUME 1088, PAGE 685 ET SEQ OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, SAID IRON ROD AND PLACE OF BEGINNING ALSO BEING THE MOST NORTHERN CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 31 DEG. 27' 00" E (BASE BEARING SHOWN IN PIERCE DEED), A DISTANCE OF 139.02 FEET ALONG THE SAID NORTHEAST LINE OF THE PIERCE 2.00 ACRE TRACT OF LAND TO AN EXISTING 5/8 INCH IRON ROD AT THE MOST NORTHERN COMMON CORNER OF THE SAID PIERCE 20.0 ACRE TRACT AND SAID PIERCE 6.77 ACRE TRACT, AND THENCE CONTINUING S 31 DEG 27' 00" E, A DISTANCE OF 577.19 FEET ALONG THE NORTHEAST LINE OF SAID PIERCE 6.77 ACRE TRACT, SAME BEING THE SOUTHWEST LINE OF THE NICHOLS 14.35 ACRE TRACT FOR A TOTAL DISTANCE OF 716.22 FEET TO AN EXISTING CONCRETE MONUMENT IN THE NORTHWEST LINE OF THAT 175.55 ACRE TRACT OF LAND CONVEYED TO DAVID A GISLER ET AL BY GIFT DEED RECORDED IN VOLUME 1473, PAGE 479 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, SAID MONUMENT BEING THE MOST EASTERN CORNER OF THE SAID PIERCE 6.77 ACRE TRACT, SAME BEING THE MOST SOUTHERN CORNER OF THE SAID NICHOLS 14.35 ACRE TRACT, SAID MONUMENT ALSO BEING THE MOST EASTERN CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 58 DEG 34' 00" W, A DISTANCE OF 503.0 FEET ALONG THE SOUTHEAST LINE OF THE SAID PIERCE 6.77 ACRE TRACT, SAME BEING THE SAID NORTHWEST LINE OF THE DAVID A GISLER ET AL TRACT OF LAND TO THE MOST WESTERN CORNER OF THE SAID DAVID A GISLER ET AL TRACT, SAME BEING THE MOST SOUTHERN CORNER OF THE PIERCE 6.77 ACRE TRACT AND THE MOST EASTERN CORNER OF THE SAID PIERCE 1.50 ACRE TRACT, SAME ALSO BEING A CORNER OF THE 15.72 ACRE TRACT OF LAND CONVEYED TO FRANK BOLDT BY DEED RECORDED IN VOLUME 901, PAGE 221 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS AND THENCE CONTINUING S 58 DEG 34' 00" W, A DISTANCE OF 111.98 FEET FOR A TOTAL DISTANCE OF 614.98 FEET TO AN EXISTING CORNER POST, SAID POST BEING THE MOST SOUTHERN CORNER OF THE SAID PIERCE 1.50 ACRE TRACT, SAME BEING AN INTERIOR CORNER OF THE SAID BOLDT TRACT OF LAND, SAID POST ALSO BEING THE MOST SOUTHERN CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 31 DEG 27' 00" W, A DISTANCE OF 738.23 FEET ALONG THE SOUTHWEST LINES OF THE SAID PIERCE 1.5 ACRE AND THE SAID PIERCE 2.00 ACRE TRACTS, SAME BEING THE NORTHEAST LINE OF THE BOLDT TRACT OF LAND AND THE NORTHEAST LINE OF THAT 5.00 ACRE TRACT OF LAND CONVEYED TO DANIEL BLACKWELL, JR ET UX BY DEED RECORDED IN VOLUME 974, PAGE 654 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, TO AN EXISTING 5/8 INCH IRON ROD, SAID IRON ROD BEING THE MOST WESTERN CORNER OF THE SAID PIERCE 2.00 ACRE TRACT, SAME BEING THE MOST SOUTHERN CORNER OF THE HENDERSON TRACT, SAID IRON ROD ALSO BEING THE MOST WESTERN CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 60 DEG 37' 00" E, A DISTANCE OF 615.38 FEET ALONG THE NORTHWEST LINE OF THE SAID PIERCE 2.00 ACRE TRACT, SAME BEING THE SOUTHEAST LINE OF THE SAID HENDERSON TRACT TO THE PLACE OF

BEGINNING, CONTAINING WITHIN THESE METES AND BOUNDS 10.27 ACRES OF LAND.

ROADWAY EASEMENT

IN ADDITION TO THE ABOVE DESCRIBED 10.27 ACRE TRACT OF LAND THAT 60 FOOT WIDE ROADWAY EASEMENT TRACT II CONVEYED TO JAMES PIERCE AND WIFE, GRACE CHRISTINE PIERCE, GRANTING FREE INGRESS AND EGRESS TO SAID 6.77 ACRE TRACT OF LAND FROM REINECKE ROAD BY DEED RECORDED IN VOLUME 822, PAGE 663 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS IS HEREBY ALSO GRANTED.

Cause Number 13-6-74929-A

FILED

13 OCT 15 PM 3:52

In re: Order for Foreclosure  
Concerning

IN THE DISTRICT COURT OF

*Cathy Street*  
DISTRICT CLERK  
VICTORIA COUNTY, TEXAS

170 ROCKY CREEK DRIVE,  
VICTORIA, TX 77905  
Under Tex. R. Civ. Proc. 736

VICTORIA COUNTY, TEXAS

24th JUDICIAL DISTRICT

**DEFAULT HOME EQUITY FORECLOSURE ORDER**

On this date the court considered JPMorgan Chase Bank, National Association, Successor by Merger to Chase Home Finance, LLC, or their successors or assigns (hereinafter "Petitioner"), Tex. R. Civ. P. 736 home equity foreclosure Application. The court has determined that it has jurisdiction over the subject matter and the parties in this proceeding. After reviewing the Motion for Default Order, the pleadings, the affidavits and the arguments of counsel, the court finds:

1. The Respondent(s) and their last known address (Tex. Prop. Code § 51.0001(2)) are as follows:

**MARVIN E. HOELTER**  
170 ROCKY CREEK DRIVE, VICTORIA, TX 77905

**CHERYL HOELTER**  
170 ROCKY CREEK DRIVE, VICTORIA, TX 77905

2. The commonly known street address of the property encumbered by the lien sought to be foreclosed is 170 Rocky Creek Drive, Victoria, TX 77905 (the "Property"). The Property legal description is:

BEING 10.27 ACRES OF LAND SITUATED IN THE EBEN HABEN SURVEY, ABSTRACT 58, VICTORIA COUNTY, TEXAS, SAID 10.27 ACRES OF LAND BEING ALL OF THOSE THREE TRACT CONVEYED TO JAMES PIERCE AND WIFE, GRACE CHRISTINE PIERCE BY THE FOLLOWING CONVEYANCE, A 1.50 ACRE AND A 2.00 ACRE TRACT BY DEED DATED JUNE 27, 1974, AND RECORDED IN VOLUME 850, PAGE 190 ET SEQ, AND THAT 6.77 ACRE TRACT OF LAND BY DEED DATED JUNE 11, 1973 AND RECORDED IN VOLUME 822, PAGE 663 ET SEQ, BOTH DEEDS OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, SAID 10.27 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN EXISTING 5/8 INCH IRON ROD IN THE SOUTHWEST LINE OF THAT 14.35 ACRE TRACT OF LAND CONVEYED TO K.R. NICHOLS AND WIFE, ONNIE NICHOLS BY DEED RECORDED IN VOLUME 1320, PAGE 538 ET SEQ OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, SAID IRON ROD BEARS S 31 DEG. 27' 00" E, A DISTANCE OF 846.97 FEET FROM AN EXISTING CONCRETE MONUMENT IN THE SOUTHEAST RIGHT-OF-WAY LINE OF REINECKE ROAD, SAID MONUMENT BEING THE MOST WESTERN CORNER OF THE SAID NICHOLS TRACT OF LAND, SAME BEING THE INTERSECTION OF THE NORTHEAST LINE OF A 60 FOOT WIDE ROADWAY EASEMENT (KNOWN AS ROCKY CREEK DRIVE) AND THE SAID SOUTH RIGHT-OF-WAY LINE OF REINECKE ROAD, SAID IRON ROD BEING THE MOST NORTHERN CORNER OF THE SAID PIERCE 2.00 ACRE TRACT OF LAND, SAME BEING THE MOST EASTERN CORNER OF THAT 6.55 ACRES OF LAND CONVEYED TO RONALD L. HENDERSON, ET UX BY DEED RECORDED IN VOLUME 1088, PAGE 685 ET SEQ OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, SAID IRON ROD AND PLACE OF BEGINNING ALSO BEING THE MOST NORTHERN CORNER OF THE HEREIN DESCRIBED TRACT;

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**DESCRIBED TRACT;**

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**ROADWAY EASEMENT**

**IN ADDITION TO THE ABOVE DESCRIBED 10.27 ACRE TRACT OF LAND THAT 60 FOOT WIDE ROADWAY EASEMENT TRACT II CONVEYED TO JAMES PIERCE AND WIFE, GRACE CHRISTINE PIERCE, GRANTING FREE INGRESS AND EGRESS TO SAID 6.77 ACRE TRACT OF LAND FROM REINECKE ROAD BY DEED RECORDED IN VOLUME 822, PAGE 663 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS IS HEREBY ALSO GRANTED.**

3. The Debt exists and is secured by a lien created under TEX. CONST. ART. XVI, § 50(a)(6), for a home equity loan.
4. Petitioner is the mortgage servicer and assignee of the Deed of Trust. Marvin E. Hoelter (hereafter "Obligor" whether one or more) executed the promissory note dated August 24, 2007 in the original principal amount of \$135,200.00. Obligor is the party obligated to pay the loan agreement, contract, or lien sought to be foreclosed.
5. Cheryl Hoelter (hereafter "Mortgagor(s)"), are not makers or assumers of the underlying Debt. Mortgagor(s) and Obligors executed a security instrument ("Deed of Trust"), which is recorded in the Victoria County Real Property Records at CLERK'S FILE NO. 200711766.
6. Respondent failed to make payments in accordance with terms of the loan agreement, contract or deed of trust and is in default under the terms of those agreements.

7. As of the date the application was filed, Obligor failed to remit the installment payment due for March 1, 2010 and the installments that have become due after that date. As of April 22, 2013, there are at least 38 unpaid scheduled payments. The amount required to cure the default before May 16, 2013 is \$51,536.56. The amount required to pay off the loan in full before May 16, 2013 is \$182,788.57. This amount does not include attorneys' fees, late charges, interest, fees, costs, escrow advances or other lawful charges paid after May 16, 2013, all of which will continue to accrue according to the terms of the Note and Deed of Trust.

8. The requisite notices to cure the default and accelerate the maturity of the Debt have been mailed to each person as required under applicable law and the loan agreement, contract, or lien sought to be foreclosed and the opportunity to cure has expired.

9. Before the application was filed, any other action required under applicable law and the loan agreement, contract, or lien sought to be foreclosed was performed.

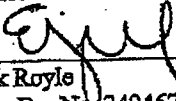
10. The court further finds that the Application complies with Tex. R. Civ. P. 735 and 736; that in accordance with Tex. R. Civ. P. 736.7(c) a copy of the required Return of Service has been on file with the Clerk of the Court for at least ten (10) days. Petitioner has established the basis for foreclosure; that Petitioner has appointed J. Woolsey, J. Steen V. Hammonds, Or W. Larew or their successor, as the substitute trustee to conduct the foreclosure contemplated by this proceeding; and that Petitioner may proceed with foreclosure of the secured Property according to the terms of the security instrument, Tex. Prop. Code § 51.002 and applicable law in accordance with Tex. R. Civ. P. 736.9.

IT IS THEREFORE ORDERED that the Petitioner may proceed with a foreclosure sale under the terms of the security instrument, Tex. Prop. Code § 51.002 and applicable law with respect to the secured Property made the subject of this proceeding.

SIGNED this 15 day of October, 2013

151 Jackson St. Mann  
JUDGE PRESIDING

APPROVED AS TO FORM AND SUBSTANCE:

  
\_\_\_\_\_  
Clark Royle  
Texas Bar No. 24046763  
Tom Misteli  
Texas Bar No. 24058774  
Anthony Scott Vincent  
Texas Bar No. 24058241  
Elizabeth McDonald  
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ATTORNEYS FOR APPLICANT