

APPOINTMENT OF SUBSTITUTE TRUSTEE AND
NOTICE OF SUBSTITUTE TRUSTEE SALE

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

**APPOINTMENT OF
SUBSTITUTE TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, Michelle Jones, Angela Zavala, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE TRUSTEE'S
ADDRESS:**

c/o JACK O'BOYLE & ASSOCIATES, Mailing Address: P.O. Box 815369, Dallas, Texas 75381;
Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF SUBSTITUTE
TRUSTEE SALE:**

WHEREAS, 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.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on January 05, 2021 between the hours of 12pm-3pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

LOCATION OF SALE:

The place of the sale shall be: At the west entrance to the Lampasas County Courthouse, or the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court in LAMPASAS County, Texas or as designated by the County Commissioner.

**INSTRUMENT TO BE
FORECLOSED:**

Deed of Trust or Contract Lien dated 06/28/2002 and recorded under Volume, Page or Clerk's File No. Clerk's File no. 102718 in the real property records of Lampasas County Texas, with JEROME ENGLISH as Grantor(s) and MCAFEE MORTGAGE & INVESTMENT COMPANY as Original Mortgagee.

OBLIGATIONS SECURED:

Deed of Trust or Contract Lien executed by JEROME ENGLISH securing the payment of the indebtedness in the original principal amount of \$83,640.00 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by JEROME ENGLISH. BANKUNITED N.A. is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

**MORTGAGE SERVICING
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 property securing the above referenced loan. CARRINGTON MORTGAGE SERVICES, LLC is acting as the Mortgage Servicer for BANKUNITED N.A. who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. CARRINGTON MORTGAGE SERVICES, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

BANKUNITED N.A.
c/o CARRINGTON MORTGAGE SERVICES, LLC
1600 SOUTH DOUGLASS ROAD, SUITE 200-A
ANAHEIM, CA 92806

LEGAL DESCRIPTION OF



PROPERTY TO BE SOLD: TRACT SEVENTEEN-A (17-A), REPLAT OF LOTS 7-19, BINION CREEK ESTATES PHASE I, LAMPASAS COUNTY, TEXAS, AS PER PLAT OF RECORD IN CABINET 1, SLIDE 282-283, PLAT RECORDS OF LAMPASAS COUNTY, TEXAS, REFERENCE TO WHICH IS HEREBY MADE FOR ALL PURPOSES (the "Property")

REPORTED PROPERTY
ADDRESS: 857 COUNTY ROAD 3365, KEMPNER, TX 76539

TERMS OF SALE: The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

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 and the priority of the lien being foreclosed.

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 Mortgagee and/or Mortgage Servicer 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 priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein 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 refilled 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.

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.

Signed on the 13 day of November, 20 20

Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC

Travis H. Gray

Jack O'Boyle | SBN: 15165300

jack@jackoboyle.com

Travis H. Gray | SBN: 24044965

travis@jackoboyle.com

Chris S. Ferguson | SBN: 24069714

chris@jackoboyle.com

P.O. Box 815369

Dallas, Texas 75381

P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR MORTGAGEE AND/OR ITS MORTGAGE
SERVICER

CERTIFICATE OF POSTING

My name is Angela Zavala and my address is c/o 12300 Ford Rd, Ste. 212, Dallas, TX 75234. I declare under the penalty of perjury that on NOV 19, 2020 I filed at the office of the Lampasas County Clerk and caused to be posted at the Lampasas County courthouse (or other designated place) this notice of sale.

Signed: Angela Zavala

Declarant's Name: Angela Zavala

Date: 11/19/20

FILED
19th day of Nov 20 20
Carol Ann
COUNTY CLERK, LAMPASAS COUNTY, TEXAS
BY *[Signature]* DEPUTY

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DATE: December 10, 2020

DEED OF TRUST:

Date: March 25, 2019

Grantor: ANDRES OLALDE

Beneficiary: CREEKSIDE RANCH GROUP, LLC

Trustee: ROBERT BLACK

Substitute Trustee: ROBERT E. BLACK, JIM MILLS, SUSAN MILLS, EMILY
NORTHERN, GEORGE HAWTHORNE, ED HENDERSON,
TED WILLIAMSON, HALEY BATES and MOLLY JOHNSON
or any of them

Substitute Trustee's Address:

ROBERT E. BLACK
2499 S. Capital of Texas Hwy., #A-205
Austin, Travis County, Texas 78746
(512) 477-1964

JIM MILLS, SUSAN MILLS, EMILY NORTHERN,
GEORGE HAWTHORNE, ED HENDERSON,
TED WILLIAMSON, HALEY BATES
and MOLLY JOHNSON
P.O. Box 9932
Austin, Travis County, Texas 78766
(512) 340-0331

Recorded in: Volume 363, Page 144-150, Real Property Records, Lampasas County,
Texas

PROPERTY:

Tract 19, being 10.68 acres, more or less, in Lampasas County, Texas, being more fully
described in Deed of Trust recorded in Volume 363, Page 144-150, Real Property
Records, Lampasas County, Texas, and being additionally described on the attached
Exhibit "A".

January 5, 2021

NOTE SECURED BY DEED OF TRUST:

Date: March 25, 2019

Original Principal Amount: \$70,214.00

Holder: CREEKSIDE RANCH GROUP, LLC

DATE OF SALE OF PROPERTY (first Tuesday of month, between 10:00 a.m. and 4:00 p.m.): 5th day of January, 2021.

PLACE OF SALE OF PROPERTY (including county):

County Courthouse of Lampasas County, Lampasas, Texas, at area designated by County Commissioners for said sales.

The earliest time at which a sale will occur is 10:00 a.m., provided the sale must begin at such time or not later than three hours after that time.

Because of default in performance of the obligations of the Deed of Trust, Substitute 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.

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 services to the sender of this notice immediately.



JIM MILLS, SUSAN MILLS, EMILY
NORTHERN, GEORGE HAWTHORNE,
ED HENDERSON, TED WILLIAMSON,
HALEY BATES and MOLLY JOHNSON
P.O. Box 9932
Austin, Travis County, Texas 78766
(512) 340-0331

10.68 ACRES – TRACT 19

BEING 10.68 acres of land out of the Joseph W. Proctor Survey, Abstract No. 1124, Lampasas County, Texas, also known as Tract 19 of Adamsville 400 Subdivision, an unrecorded subdivision in Lampasas County, Texas and being a part of that tract described as 399.01 acres, in a Warranty Deed with Vendor's Lien granted to Creekside Ranch Group, LLC, dated July 18, 2018 and recorded in Volume 545, Page 46 of Deed Records of Lampasas County, Texas and described by metes and bounds as follows:

BEGINNING at a 1/2" iron pin with yellow plastic cap stamped "CCC 4835" set in the approximate center of County Road 3930 as occupied for the northwest corner of this tract, a 1/2" iron pin with yellow plastic cap stamped "CCC 4835" found for the northwest corner of said Creekside Ranch Group, LLC bears N 88°19'54" W 2394.57 feet;

THENCE: along the north line of this tract with the approximate center of said county road as occupied in the following courses and distances:

1. 128.67 feet along a curve to the left ($\Delta = 9^\circ 12' 54''$, radius = 800.00 feet, long chord bears N 48°38'28" E 128.53 feet) to a 1/2" iron pin with yellow plastic cap stamped "CCC 4835" set,
2. and N 44°02'01" E 139.25 feet to a 1/2" iron pin with yellow plastic cap stamped "CCC 4835" set for the northeast corner of this tract, an uncapped 5/8" iron pin found at an old fence corner for the northeast corner of said Creekside Ranch Group, LLC tract bears N 16°55'33" E 2276.47 feet;

THENCE: along the east line of this tract in the following courses and distances:

1. S 41°23'36" E 17.56 feet to a 1/2" iron pin with yellow plastic cap stamped "CCC 4835" set in the south line of a proposed 35.00 feet wide easement centered on the approximate center of said county road,
2. and S 40°30'26" E 1270.23 feet to a 1/2" iron pin with yellow plastic cap stamped "CCC 4835" set in the north line of that tract described in a Warranty Deed with Vendor's Lien granted to Martin M. Demel, dated October 27, 2016 and recorded in Volume 524, Page 580 of said deed records as occupied and fenced, and the most easterly south line of said Creekside Ranch Group, LLC tract, as occupied and fenced, for the southeast corner of this tract;

THENCE: along the most easterly south line of said Creekside Ranch Group, LLC tract and this tract with the north line of said Demel tract, as occupied and fenced, in the following courses and distances:

1. S 43°15'50" W 208.98 feet to a 1/2" iron pin with yellow plastic cap stamped "CCC 4835" set,
2. S 43°35'00" W 234.52 feet to a 1/2" iron pin with yellow plastic cap stamped "CCC 4835" set at a pipe gate post on the east side of an existing gate,
3. and S 45°35'27" W 10.63 feet across said gate to a 1/2" iron pin with yellow plastic cap stamped "CCC 4835" set at a pipe gate post on the west side of said gate for the southwest corner of this tract;

THENCE: into said Creekside Ranch Group, LLC tract along the west line of this tract in the following courses and distances:

1. N 32°33'38" W 1315.42 feet to a 1/2" iron pin with yellow plastic cap stamped "CCC 4835" set in the south line of said 35.00 feet wide easement,
2. and N 32°45'43" W 17.54 feet to the Point of Beginning.

Bearings based on Texas State Plane Coordinate System, Central Zone NAD 83.

FILED
14th day of Dec 20 20
Connie [Signature]
COUNTY CLERK, LAMPASAS COUNTY, TEXAS
BY _____ DEPUTY