

NOTICE OF SUBSTITUTE TRUSTEE'S 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 OR AUTHORIZED
AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

Matter No.: 110008-TX

Date: March 1, 2023

County where Real Property is Located: Live Oak

ORIGINAL MORTGAGOR: LARRY LINTON MILLERMON, JOINED HEREIN PRO FORMA BY HIS SPOUSE, ROSE MILLERMON
ORIGINAL MORTGAGEE: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR CERTAINTY HOME LOANS, LLC., ITS SUCCESSORS AND ASSIGNS
CURRENT MORTGAGEE: LAKEVIEW LOAN SERVICING, LLC
MORTGAGE SERVICER: LOANCARE, LLC

DEED OF TRUST DATED 11/2/2018, RECORDING INFORMATION: Recorded on 11/2/2018, as Instrument No. 226008 in Book 383 Page 623

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): TRACT A: DESCRIPTION OF 1.02 ACRES (1-02/100 ACRES), MORE OR LESS, BEING OUT OF A CALLED 2.283 ACRES DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN FROM CHARLES D. ALEXANDER AND WIFE, PATRICIA ALEXANDER TO GREGORY HENICKE AND WIFE, PAMELA HENICKE, DATED JUNE 29 , 2012, RECORDED IN VOLUME 221, PAGE 61 ET SEQUENTIA (ET SEQ.) OF THE OFFICIAL RECORDS OF LIVE OAK COUNTY, TEXAS, SAID 2.283 ACRES BEING COMPRISED MORE COMPLETELY DESCRIBED IN EXHIBIT "A"

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 4/4/2023, the foreclosure sale will be conducted in Live Oak County in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than 1:00 PM, or not later than three (3) hours after that time, by one of the Substitute Trustees who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness superior to the Deed of Trust.

LOANCARE, LLC is acting as the Mortgage Servicer for LAKEVIEW LOAN SERVICING, LLC who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. LOANCARE, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

LAKEVIEW LOAN SERVICING, LLC
c/o LOANCARE, LLC
3637 SENTARA WAY

FILED Mar 2 A.D. 20 23
LIVE OAK COUNTY, TEXAS
DONNA M. VANWAY CLERK, COUNTY COURT
BY Rebecca DEPUTY
AT 1:00 O'CLOCK pm



Matter No.: 110008-TX

VIRGINIA BEACH, VA 23452-4262

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.

WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, **I HEREBY APPOINT AND DESIGNATE SANDRA MENDOZA, ARNOLD MENDOZA, ALEXIS MENDOZA, JENNYFER SAKIEWICZ, PAUL A. HOEFKER, ROBERT L. NEGRIN** or either one of them, as Substitute Trustee, to act, either singly or jointly, under and by virtue of said Deed of Trust and hereby request said Substitute Trustees, or any one of them to sell the property in said Deed of Trust described and as provided therein. The address for the Substitute Trustee as required by Texas Property Code, Section 51.0075(e) is Aldridge Pite, LLP, 701 N. Post Oak Road, Suite 205, Houston, TX 77024, Phone: (713) 293-3618.

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.

By: 

Paul A. Hoefker, Attorney
Robert L. Negrin, Attorney
Aldridge Pite, LLP
701 N. Post Oak Road, Suite 205
Houston, TX 77024

Return to:
ALDRIDGE PITE, LLP
8880 RIO SAN DIEGO DRIVE, SUITE 725
P.O. BOX 17935
SAN DIEGO, CA 92108-0935
FAX #: 619-590-1385
866-931-0036

EXHIBIT "A"

All that certain tract or parcel of land lying and being situated in Live Oak County, Texas, and being more particularly described as follows, to-wit:

TRACT A:

DESCRIPTION OF 1.02 ACRES (1-02/100 ACRES), more or less, being out of a called 2.283 acres described in a Warranty Deed with Vendor's Lien from Charles D. Alexander and wife, Patricia Alexander to Gregory Henicke and wife, Pamela Henicke, dated June 29th, 2012, recorded in Volume 221, Page 61 et sequentia (et seq.) of the Official Records of Live Oak County, Texas, said 2.283 acres being comprised of all of a called 2 acres described in a Deed from Albert West, et alii (et al.) to R. E. Schneider, Jr., dated July 22nd, 1938, recorded in Volume 74, Page 343 et seq. of the Deed Records of Live Oak County, Texas, and all of a called 0.28 acres described in Deed from H. D. Hargreaves and wife, Carolyn S. Hargreaves to R. E. Schneider, Jr., dated September 25, 1967, recorded in Volume 211, Page 432 et seq. of the Deed Records of Live Oak County, Texas, and being within the Jose De Jesus Rodrigues (Rodriguez) Survey No. 22, Abstract No. 412, Live Oak County, Texas, said 1.02 acres having a bearing basis derived from GPS observations in the Texas State Plane Coordinate System, NAD 1983 South Central Zone, made on October 16th, 2018, with all other bearings relative thereto;

BEGINNING at a 5/8 inch iron rod found leaning on or near the northwest right-of-way of Houston Street, being the apparent south corner of a called 0.83 acres described in a Deed from Charlie R. Copeland and wife, Rosie S. Copeland to George West Independent School District, dated December 27th, 1977, recorded in Volume 287, Page 276 et seq. of the Deed Records of Live Oak County, Texas, and in another Deed, dated January 4th, 1978, recorded in Volume 287, Page 404 et seq. of the Deed Records of Live Oak County, Texas, being at or near the east corner of said 0.28 acres, being the east corner of said 2.283 acres, for the east corner and **POINT OF BEGINNING** of this tract;

THENCE South 53° 50' 38" West, (South 54° 00' 48" West), with the northwest right-of-way of Houston Street, along or near the southeast boundary of said 0.28 acres and said 2 acres, with the southeast boundary of said 2.283 acres, a distance of **234.29 feet**, (234.10 feet), to a "+" (called plus mark) and punch mark found in concrete for the apparent east corner of a called 4.00 acres described in a Warranty Deed from Eva Coker Tullis and husband, Luther Tullis to George West Independent School District, dated March 27th, 2000, recorded in Volume 568, Page 196 et seq. of the Deed Records of Live Oak County, Texas, being at or near the south corner of a called strip of land 18 ft. wide and 515 ft. long, drainage easement, described in an Easement from R. E. Schneider, Jr. and wife, Ray Schneider to the City of George West, dated August 19th, 1957, recorded in Volume 176, Page 149 et seq. of the Deed Records of Live Oak County, Texas, being on or near the northwest right-of-way of Houston Street, being at or near the south corner of said 2 acres, being the south corner of said 2.283 acres, for the south corner of this tract;

THENCE North 36° 06' 48" West, (North 36° 01' 00" West), along or near the northeast boundary of said 4.00 acres, along or near the southwest boundary of said 2 acres and said 18 ft. wide drainage easement, with the southwest boundary of said 2.283 acres, a distance of **190.16 feet** to a ½ inch iron rod with plastic cap stamped "LITTLE 6163" set on or near the northeast boundary of said 4.00 acres, being on or near the southwest boundary of said 2 acres and said 18 ft. wide drainage easement, being on the southwest boundary of said 2.283 acres, being the south corner of a 1.26 acre tract also surveyed this day, for the west corner of this tract;

THENCE North 53° 51' 55" East, crossing and passing through said 18 ft. wide drainage easement, said 2.283 acres and said 2 acres, with the southeast boundary of said 1.26 acre tract also surveyed this day, at 75.36 feet pass the beginning point for the centerline of a 10.00 (ten) ft. wide sewer easement also surveyed this day, and continuing along same course, at 169.22 feet pass a ½" iron rod with plastic cap stamped "LITTLE 6163" set for the east corner of said 1.26 acre tract also surveyed this day, being at or near the south corner of a called 1.89 acres described in a Deed from Edna Morrill Schley, et al. to George West Independent School District, dated August 11th, 1962, recorded in Volume 192, Page 443 et seq. of the Deed Records of Live Oak County, Texas, being on or near the northeast boundary of said 2 acres, being at or near the west corner of said 0.28 acres, being an interior angle corner of said 2.283 acres, and continuing along same course, passing through a chain link

EXHIBIT "A"
(Continued)

fence, for a total distance of **234.20 feet** to a 5/8 inch iron rod with plastic cap stamped "RPLS 4030" found on or near the southeast boundary of said 1.89 acres, being at or near the west corner of said 0.83 acres, being at or near the north corner of said 0.28 acres, being the easterly north corner of said 2.283 acres, for the north corner of this tract;

THENCE South 36° 08' 19" East, (South 36° 01' 00" East), along or near the southwest boundary of said 0.83 acres, along or near the northeast boundary of said 0.28 acres, with a northeast boundary of said 2.283 acres, running laterally and on the northeast side of a chain link fence, a distance of **190.07 feet**, (190.17 feet), to the **POINT OF BEGINNING**; said described tract containing 1.02 acres (1-02/100 acres), more or less.

TRACT B: SEWER EASEMENT

CENTERLINE DESCRIPTION OF A 10.00 (TEN) FEET (FT.) WIDE SEWER EASEMENT, crossing and passing through a called 2.283 acres described in a Warranty Deed with Vendor's Lien from Charles D. Alexander and wife, Patricia Alexander to Gregory Henicke and wife, Pamela Henicke, dated June 29th, 2012, recorded in Volume 221, Page 61 et sequentia (et seq.) of the Official Records of Live Oak County, Texas, said 2.283 acres being comprised of all of a called 2 acres described in a Deed from Albert West, et alii (et al.) to R. E. Schneider, Jr., dated July 22nd, 1938, recorded in Volume 74, Page 343 et seq. of the Deed Records of Live Oak County, Texas, and all of a called 0.28 acres described in Deed from H. D. Hargreaves and wife, Carolyn S. Hargreaves to R. E. Schneider, Jr., dated September 25, 1967, recorded in Volume 211, Page 432 et seq. of the Deed Records of Live Oak County, Texas, and being within the Jose De Jesus Rodrigues (Rodriguez) Survey No. 22, Abstract No. 412, Live Oak County, Texas, said 10.00 ft. wide sewer easement having a bearing basis derived from GPS observations in the Texas State Plane Coordinate System, NAD 1983 South Central Zone, made on October 16th, 2018, with all other bearings relative thereto;

COMMENCING at a ½ inch iron rod with plastic cap stamped "LITTLE 6163" set on or near the northeast boundary of a called 4.00 acres described in a Warranty Deed from Eva Coker Tullis and husband, Luther Tullis to George West Independent School District, dated March 27th, 2000, recorded in Volume 568, Page 196 et seq. of the Deed Records of Live Oak County, Texas, being on or near the southwest boundary of said 2 acres, being on the southwest boundary of said 2.283 acres, being the west corner of a 1.02 acre tract also surveyed this day, being the south corner of a 1.26 acre tract also surveyed this day; from **WHENCE** a "+" (called plus mark) and a punch mark in concrete found for the south corner of said 2.283 acres, being at or near the south corner of said 2 acres, bears South 36° 06' 48" East, (North 36° 01' 00" West), a distance of 190.16 feet;

THENCE North 53° 51' 55" East, crossing and passing through said 2.283 acres and said 2 acres, with the northwest boundary of said 1.02 acre tract also surveyed this day, with the southeast boundary of said 1.26 acre tract also surveyed this day, a distance of **75.36 feet** to a point for the **POINT OF BEGINNING** of the centerline of this 10.00 ft. wide sewer easement; from **WHENCE** a ½ inch iron rod with plastic cap stamped "LITTLE 6163" set on the northwest boundary of said 1.02 acre tract also surveyed this day, being the east corner of said 1.26 acre tract also surveyed this day, being an interior angle corner of said 2.283 acres, bears North 53° 51' 55" East, a distance of 93.86 feet;

THENCE with the centerline of this easement, said easement being 5.00 (five) feet on each side of this centerline description, crossing and passing through said 2.283 acres, said 2 acres and said 1.26 acre tract also surveyed this day, following a line of PVC septic cleanouts, the tops of which are protruding a couple feet above ground level, the following five (5) calls:

1. **North 30° 42' 14" West**, a distance of **35.54 feet** to a PVC cleanout, for an angle point of this easement;
2. **North 32° 06' 19" West**, a distance of **103.82 feet** to a PVC cleanout, for an angle point of this easement;
3. **North 62° 33' 50" West**, a distance of **88.01 feet** to a PVC cleanout, for an angle point of this easement;
4. **North 54° 56' 42" West**, a distance of **71.63 feet** to a PVC cleanout, for an angle point of this easement;

EXHIBIT "A"
(Continued)

5. **North 30° 50' 17" West**, a distance of **39.53 feet** to a point and a PVC cleanout on or near the southeast boundary of a 15 ft. wide alley, said alley being part of the Sunset Addition to the City of George West, as per plat recorded in Volume 2, Page 49 of the Plat Records of Live Oak County, Texas, being on or near the northwest boundary of said 2 acres, being on the northwest boundary of said 2.283 acres and said 1.26 acre tract also surveyed this day, for the **TERMINATION POINT** of the centerline of this easement; from **WHENCE** a ½ inch iron rod with plastic cap stamped "LITTLE 6163" set at or near the west corner of said 2 acres, being the west corner of said 2.283 acres and said 1.26 acre tract also surveyed this day, bears South 53° 52' 06" West, (North 53° 59' 00" East), a distance of 27.28 feet.