

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: November 07, 2023

Time: The sale will begin at 1:00 PM or not later than three hours after that time.

Place: THE FRONT PORCH OF THE LIVE OAK 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 11, 2008 and recorded in Document VOLUME 111, PAGE 285; AS AFFECTED BY LOAN MODIFICATION AGREEMENT VOLUME 463, PAGE 840 real property records of LIVE OAK County, Texas, with MARIO TORRES JR, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by MARIO TORRES JR, securing the payment of the indebtednesses in the original principal amount of \$98,125.00, 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 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. 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

FILED Sept 28 A.D. 2023
LIVE OAK COUNTY, TEXAS
DONNA M. VANWAY CLERK, COUNTY COURT
BY Rebecca Munoz DEPUTY
AT 10:25 O'CLOCK am



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 hereby remove the original trustee and all successor substitute trustees and appoints in their stead SANDRA MENDOZA, ARNOLD MENDOZA, SUSAN SANDOVAL, LESLYE EVANS, ALEXIS MENDOZA, RAMON PEREZ, JOHN SISK, OR AMY ORTIZ, ALEENA LITTON, DANIEL MCQUADE, AUCTION.COM, JO WOOLSEY, BOB FRISCH, JANICE STONER, JODI STEEN, OR MARY GOLDSTON 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.

Il sb

Israel Saucedo

Certificate of Posting

My name is David W. Perez, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 09/28/2023 I filed at the office of the LIVE OAK County Clerk and caused to be posted at the LIVE OAK County courthouse this notice of sale.

[Handwritten signature of David W. Perez]

Declarants Name: David W. Perez

Date: 09/28/2023

EXHIBIT "A"

FIELD NOTES OF A 2.00 ACRE TRACT OF LAND, MORE OR LESS, BEING THAT SAME TRACT CONVEYED FROM MARIO S. TORRES AND WIFE, MARIA M. TORRES, TO DANIEL G. HERRERA AND WIFE, MARIA ELENA TORRES, BY WARRANTY DEED DATED OCTOBER 6, 1999, RECORDED IN VOLUME 562, PAGE 293 OF THE DEED RECORDS OF LIVE OAK COUNTY, TEXAS, SAME BEING ALSO PART OF TRACT NO. 5 OF THE NORTH SHORE RANCH ESTATES, AS SHOWN ON MAP RECORDED IN VOLUME 3, PAGE 26 OF THE PLAT RECORDS OF LIVE OAK, COUNTY, TEXAS;

SAID 2.00 ACRE TRACT, WHICH IS COMPRISED OF A PORTION OF THE JAMES MCGLOIN SURVEY, ASBTRACT 25, IS SITUATED IN LIVE OAK COUNTY, TEXAS, APPROXIMATELY 14 MILES SOUTHEAST OF THE TOWN OF GEORGE WEST AND IS DESCRIBED BY METES AND BOUND AS FOLLOWS:

BEGINNING AT A 1" IRON PIPE FOUND IN THE NORTHERN BOUNDARY OF NORTH SHORE ROAD, AT THE SOUTHWEST CORNER OF TRACT NO. 4 OF SAID NORTH SHORE RANCH ESTATES AND THE SOUTHEAST CORNER OF SAID TRACT NO. 5, FOR THE SOUTHEAST CORNER OF THIS TRACT, SAME BEING ALSO THE SOUTHWEST CORNER OF WEST ONE-HALF (W/2) OF SAID TRACT NO. 4 CONVEYED TO RAMIRO FLORES, JR. BY ASSUMPTION WARRANTY DEED DATED JANUARY 27, 1976, RECORDED IN VOLUME 267, PAGE 276 OF SAID DEED RECORDS:

THENCE S 76° 41' 37" W (CALLED S 78° 05' 10" W) ALONG THE SOUTH LINE OF THIS TRACT, THE SOUTH LINE OF SAID TRACT NO. 5 AND THE NORTHERN BOUNDARY OF SAID NORTH SHORE ROAD, AT 191.6 FT. PASS THE SOUTHEAST CORNER OF A 30 FT. WIDE ACCESS EASEMENT (REFERRED TO IN VOL. 562, PG. 293, D.R.), IN ALL A DISTANCE OF 221.60 FT. (CALLED 221.66 FT.) TO A POINT AT THE SOUTHEAST CORNER OF THE WEST ONE-HALF (W/2) OF SAID TRACT NO. 5 CONVEYED TO MANUAL TORRES, JR. BY WARRANTY DEED FILED AUGUST 31, 1989 AND RECORDED IN VOLUME 441, PAGE 7 OF SAID DEED RECORDS AND THE SOUTHWEST CORNER OF SAID 30 FT. WIDE ACCESS EASEMENT, FOR THE SOUTHWEST CORNER OF THIS TRACT, WHENCE A 1" IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SAID TRACT NO. 5 AND THE SOUTHEAST CORNER OF TRACT NO. 6 OF SAID NORTH SHORE RANCH ESTATES BEARS S 76° 41' 37" W, A DISTANCE OF 222.57 FT. AND FOUND 5/8" IRON ROD BEARS S 13° 32' 25" E, A DISTANCE OF 1.00 FT.;

THENCE N 13° 32' 25" W (CALLED N 11° 53' 52" W) ALONG THE WEST LINE OF THIS TRACT, THE WEST LINE OF SAID 30 FT. WIDE ACCESS EASEMENT, THE EAST LINE OF SAID W/2 OF SAID TRACT NO. 5 AND ENTERING SAID TRACT NO. 5, A DISTANCE OF 391.72 FT. (CALLED 392.65 FT.) TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF THE REMAINDER OF THE EAST ONE-HALF (E/2) OF SAID TRACT NO. 5 CONVEYED TO MARIO S. TORRES BY WARRANTY DEED DATED APRIL 6, 1989, RECORDED IN VOLUME 510, PAGE 309 OF SAID DEED RECORDS AND THE NORTHWEST CORNER OF SAID 30 FT. WIDE ACCESS EASEMENT, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE N 76° 28' 25" E (CALLED N 78° 05' 10" E) ALONG THE NORTH LINE OF THIS TRACT, THE NORTH LINE OF SAID 30 FT. WIDE ACCESS EASEMENT AND THE SOUTH LINE OF THE REMAINDER OF SAID E/2 OF TRACT NO. 5, AT 30 FT. PASS THE NORTHEAST CORNER OF SAID 30 FT. WIDE ACCESS EASEMENT, IN ALL A DISTANCE OF 222.02 FT. (CALLED 221.66 FT.) TO A 1/2" IRON ROD FOUND IN A FENCE IN THE EAST LINE OF SAID TRACT NO. 5 AND AT THE SOUTHEAST CORNER OF THE REMAINDER OF SAID E/2 OF TRACT NO. 5, FOR THE NORTHEAST CORNER OF THIS TRACT, SAME BEING ALSO A POINT IN THE WEST LINE OF SAID TRACT NO. 4;

THENCE S 13° 28' 43" E (CALLED S 11° 53' 52" E) WITH SAID FENCE ALONG THE EAST LINE OF THIS TRACT AND THE COMMON LINE OF SAID TRACTS NO. 4 & 5, A DISTANCE OF 392.57 FT. (CALLED 392.65 FT.) TO THE POINT OF BEGINNING, CONTAINING 2.00 ACRES, MORE OR LESS.