

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Pete Florez, Florence Rosas, Zachary Florez, Orlando Rosas, Bobby Brown, Jack Burns II, Kristopher Holub, Frederick Britton, Pamela Thomas, Dylan Ruiz, Charlotte Bryan, Jay Jacobs, Tim Lewis, Vanessa McHaney
c/o Malcolm Cisneros/Trustee Corps
17100 Gillette Avenue
Irvine, CA 92614
(949) 252-8300

TS No TX07000046-20-1

APN 28802

TO No 200037184-TX-RWI

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on August 4, 2016, JASON A POLK, A MARRIED MAN as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of LAUREL A. MEYER as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, as nominee for FAIRWAY INDEPENDENT MORTGAGE CORPORATION, its successors and assigns, as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$179,685.00, payable to the order of Lakeview Loan Servicing, LLC as current Beneficiary, which Deed of Trust recorded on August 8, 2016 as Document No. 00001457 in Book OR 00320, on Page 00455 in Falls County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

APN 28802

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **Pete Florez, Florence Rosas, Zachary Florez, Orlando Rosas, Bobby Brown, Jack Burns II, Kristopher Holub, Frederick Britton, Pamela Thomas, Dylan Ruiz, Charlotte Bryan, Jay Jacobs, Tim Lewis, Vanessa McHaney** or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and **Lakeview Loan Servicing, LLC**, the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust.

FILED 2:40 PM

FEB 28 2020

LINDA WATKINS
CO. CLK. FALLS CO.

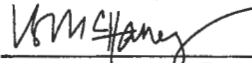
NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, May 5, 2020 at 11:00 AM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Falls County, Texas, at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a Deed of Trust or other contract lien as follows: **Falls County Courthouse, 125 Bridge Street, Marlin, TX 76661, or in the area designated by the Commissioner's Court.**

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and Lakeview Loan Servicing, LLC's election to proceed against and sell both the real property and any personal property described in said Deed of Trust in accordance with and Lakeview Loan Servicing, LLC's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

NOTICE IS FURTHER GIVEN, that except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition, without any expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 26 day of February, 2020.



By: Pete Florez, Florence Rosas, Zachary Florez, Orlando Rosas, Bobby Brown, Jack Burns II, Kristopher Holub, Frederick Britton, Pamela Thomas, Dylan Ruiz, Charlotte Bryan, Jay Jacobs, Tim Lewis, Vanessa McHaney
Substitute Trustee(s)

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.

**SALE INFORMATION CAN BE OBTAINED ONLINE AT www.Auction.com
FOR AUTOMATED SALES INFORMATION PLEASE CALL: Auction.com at 800.280.2832**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300
THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

To the extent your original obligation was discharged or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

EXHIBIT A

Being **19.43 Acres**, more or less, of the Thomas J. Chambers Survey, Abstract No. 12 and the Jose Antonio Manchaca Survey, Abstract No. 33, conflicting surveys, and being part of a 44.31 Acre tract of land described in a deed to Rodney Testerman and wife, Linda Testerman as recorded in Volume 178, Page 561 of the Official Records of Falls County, Texas;

BEGINNING at a ½ inch iron pin, set, at an inner ell corner of said 44.31 Acre tract and at an outer ell corner of a tract of land called 97.27 Acres and being described as all of a 107.16 Acre tract, Save and Except 9.89 Acres, in a deed to Joshua E. Drews and wife, Lisa S. Drews as recorded in Volume 291, Page 836 of said official records;

THENCE, S 50° 30' 29" E, with a common line of said 44.31 Acre tract and said 97.27 Acre tract, **29.93 Feet**, to a ½ inch iron pin, set, at an outer ell corner hereof, from whence a 4 inch pipe fence corner post, found at the Easternmost corner of said 44.31 Acre tract and at an inner ell corner of said 97.27 Acre tract, Brs. S 50° 30' 29" E, 989.94 Feet;

THENCE, S 39° 29' 31" W, with a Southeasterly line hereof, crossing said 44.31 Acre tract, **880.03 Feet**, to the Southernmost corner hereof, in the Southwest line of said 44.31 Acre tract and in the Northeast line of a 0.288 Acre tract described in a deed to the State of Texas in Volume 232, Page 207 of the Deed Records of Falls County, Texas, and also being on the Northeast R-O-W line of Texas F. M. Highway No. 2117, from whence a ½ inch iron pin, set, Brs. S 39° 29' 31" W, 0.48 Feet;

THENCE, with the common line of said 44.31 Acre tract, said 0.288 Acre tract and said highway R-O-W line, as follows: around a curve in a clockwise direction having an arc distance of **305.38 Feet**, a radius of 5689.58 Feet, and a chord of N 42° 38' 41" W, 305.34 Feet, to the end of said curve; and **N 41° 06' 26" W, 9.04 Feet**, to a ½ inch iron pin, set, at the Westernmost corner hereof, from whence a 60d nail, found, at the Westernmost corner of said 44.31 Acre tract and at the intersection of the Northeast line of said highway with the Southeast fence line of Falls County Road No. 101, Brs. N 41° 05' 47" W, 22.17 Feet;

THENCE, N 23° 19' 34" E, with the Northwest line hereof, crossing said 44.31 Acre tract, **1481.47 Feet**, to a ½ inch iron pin, set, in the Southwest line of a 3.57 Acre tract described in a deed to Randell Short and wife, Deborah Short as recorded in Volume 226, Page 647 of said official records, from whence a ½ inch iron pin, found, at the Westernmost corner of said 3.57 Acre tract and in the Northwest line of said 44.31 Acre tract and also being in the Southeast fence line of said county road, Brs. N 40° 25' 17" W, 22.30 Feet;

THENCE, S 40° 25' 17" E, with the Southwest line of said 3.57 Acre tract, **270.04 Feet**, to a ½ inch iron pin, found, at the Southernmost corner of said 3.57 Acre tract;

THENCE, N 45° 08' 50" E, with the Southeast line of said 3.57 Acre tract, **398.71 Feet**, to a 60d nail, found, at the Easternmost corner of said 3.57 Acre tract and in a Northeast line of said 44.31 Acre tract and also being in a Southwest line of a 107.16 Acre tract described as TRACT 1 in a deed to the Tyler Bartlett Jackson Trust as recorded in Volume 131, Page 560 of said official records;

THENCE, S 36° 58' 45" E, with a Northeast line of said 44.31 Acre tract, **279.76 Feet**, to a ½ inch iron pin, set, at a common fence corner of said 44.31 Acre tract and said 97.27 Acre tract;

THENCE, S 8° 05' 44" W, with an Easterly line of said 44.31 Acre tract and a Westerly line of said 97.27 Acre tract, **295.22 Feet**, to a ½ inch iron pin, set, at the base of a dead Hackberry Tree for fence corner, being another common corner of said 44.31 Acre tract and said 97.27 Acre tract;

THENCE, S 42° 55' 07" W, with a Southeasterly line of said 44.31 Acre tract and a Northwesterly line of said 97.27 Acre tract, **619.27 Feet**, to the **PLACE OF BEGINNING**.