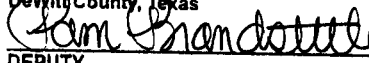


2021-013

Filed for Record

This, the 29th day of Dec. 20 21  
at 11:20 o'clock A. M

NATALIE CARSON, COUNTY CLERK OF  
DeWitt County, Texas  
  
DEPUTY

0000009309279

548 CYPRESS VALLEY ROAD  
CUERO, TX 77954

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

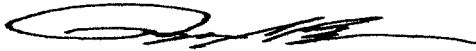
Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the 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 01, 2022  
Time: The sale will begin at 12:00 PM or not later than three hours after that time.  
Place: THE PATIO AREA IN FRONT OF THE WEST DOOR OF THE COURTHOUSE BUILDING FACING GONZALES STREET (307 N. GONZALES ST.) 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 July 15, 2016 and recorded in Document CLERK'S FILE NO. 114998 real property records of DE WITT County, Texas, with RICHARD R. RODRIGUEZ, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.
4. **Obligations Secured.** Deed of Trust or Contract Lien executed by RICHARD R. RODRIGUEZ, securing the payment of the indebtednesses in the original principal amount of \$170,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. CU MEMBERS MORTGAGE, A DIVISION OF COLONIAL SAVINGS, F.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. COLONIAL SAVINGS, F.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o COLONIAL SAVINGS, F.A.  
2626 WEST FREEWAY  
BUILDING B  
FORT WORTH, TX 76102

**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 JO WOOLSEY, BOB FRISCH, ARNOLD MENDOZA, SANDRA MENDOZA, JODI STEEN, JANICE STONER, RAMON PEREZ, AMY ORTIZ, OR AUCTION.COM 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.



Ryan Bourgeois

Certificate of Posting

My name is JANICE STONER, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on DECEMBER 29, 2021 I filed at the office of the DE WITT County Clerk and caused to be posted at the DE WITT County courthouse this notice of sale.



Declarants Name: JANICE STONER

Date: 12-29-21

0000009309279

DE WITT



BEING ALL THAT CERTAIN PARCEL OR TRACT OF LAND CONTAINING 1.60 ACRES OUT OF THE LUCIANO NAVARRO SURBEY A-41, LOCATED IN DEWITT COUNTY, TEXAS AND BEING ALL OF LOTS 57, A, B, C, AND D OF THE CYPRESS VALLEY SUBDIVISION AS SHOWN ON THE OFFICIAL PLAT OF SAID SUBDIVISION RECORDED IN VOL. 1 PAGE 13 IN THE PLAT RECORDS OF SAID COUNTY AND SAID LOTS A, B, C, & D BEING DESCRIBED IN DEED TO ALAN KOENNING ET. UX. FROM THOMAS G. LONG ET. UX. RECORDED IN VOL 375 PAGE 38 IN THE DEED RECORDS OF SAID COUNTY AND SAID LOT 57 BEING DESCRIBED IN DEED TO ALAN KOENIG FROM SYLVIA SUE TIPTON RECORDED IN VOL. 52 PAGE 843 IN THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY: SAID 1.60 ACRE IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" DIAMETER IRON ROD FOUND AT THE EASTERN CORNER OF SAID LOT 57 AND NORTH CORNER OF LOT 58 IN THE SOUTH WESTERN RIGHT OF WAY LINE OF CYPRESS VALLEY ROAD (A 30 FEET WIDE COUNTY MAINTAINED ROAD);

THENCE WITH A LINE SEPARATING LOT 57 FROM LOT 58, THE FOLLOWING:

1. S 58 DEG. 32 MIN. 44 SEC. W, 31.02 FEET TO A 5/8" DIAMETER IRON ROD FOUND;
2. S 70 DEG. 19 MIN. 53 SEC. W, 291.11 FEET TO A 5/8" DIAMETER IRON ROD FOUND AT THE NORTH CORNER OF LOT A;

THENCE WITH A LINE, SEPARATING LOTS A, B, C, D, FROM SAID LOT 58, S 44 DEG. 21 MIN. 52 SEC. E, 92.65 FEET TO A 5/8" DIAMETER IRON ROD FOUND AT THE EAST CORNER OF SAID LOT D AND NORTH CORNER OF LOT E IN SAID SUBDIVISION;

THENCE WITH A LINE, SEPARATING LOTS D FROM LOT E, S 54 DEG. 05 MIN. 36 SEC. W, AT A DISTANCE OF 292.65 FEET PASS A 5/8" DIAMETER IRON ROD SET AS A REFERENCE, CONTINUE SAME COURSE A TOTAL DISTANCE OF 352.65 FEET TO THE SOUTH CORNER OF LOT D AND WEST CORNER OF SAID LOT E, AND THE EAST GRADIENT BOUNDARY OF THE GUADALUPE RIVER;

THENCE WITH SAID BOUNDARY AND WEST LINE OF LOTS D, C, B, A AND LOT 57, THE FOLLOWING:

1. N 13 DEG. 04 MIN. 45 SEC. W, 172.76 FEET;
2. N 02 DEG. 33 MIN. 58 SEC. W, 63.78 FEET TO THE WEST CORNER OF LOT NO. 57 AND SOUTH CORNER OF LOT 56

THENCE WITH A LINE, AS FOUND MONUMENTED, SEPARATING LOT 56, THE FOLLOWING;

1. N 70 DEG. 19 MIN. 53 SEC. E, AT A DISTANCE OF 55.94 FEET PASS A 5/8" DIAMETER IRON ROD SET AS A REFERENCE, CONTINUE SAME COURSE A TOTAL DISTANCE OF 265.05 FEET TO A 5/8" DIAMETER IRON ROD FOUND;
2. N 71 DEG. 49 MIN. 11 SEC. E, 318.33 FEET TO A 5/8" DIAMETER IRON ROD FOUND AT THE NORTH CORNER OF SAID LOT 57 AND EAST CORNER OF LOT 56, IN THE SOUTHWESTERN RIGHT OF WAY LINE OF CYPRESS VALLEY ROAD;

THENCE WITH SAID RIGHT OF WAY LINE, S 18 DEG. 49 MIN. 57 SEC. E. 35.20 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.60 ACRES OF LAND, MORE OR LESS.