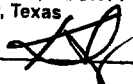


2019-32

Filed for Record

This, the 12 day of December 20 19
at 1:00 o'clock P M

8874 US Hwy 183 N, Cuero, TX 77954

NATALIE CARSON, COUNTY CLERK OF
DeWitt County, Texas
DEPUTY 

19-019476

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: 01/07/2020
Time: Between 12pm – 3pm and beginning not earlier than 12pm – 3pm or not later than three hours thereafter.
Place: The area designated by the Commissioners Court of DeWitt County, pursuant to §51.002 of the Texas Property Code as amended: if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

2. Terms of Sale. Highest bidder for cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated 05/16/2014 and recorded in the real property records of DeWitt County, TX and is recorded under Clerk's File/Instrument Number, 103425 with David A. Wishert and Kristen B. Wishert (grantor(s)) and Wells Fargo Bank, N.A. mortgagee to which reference is herein made for all purposes.

4. Obligations Secured. Deed of Trust or Contract Lien executed by David A. Wishert and Kristen B. Wishert, securing the payment of the indebtedness in the original amount of \$304,000.00, 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. BEING AN 37.44 ACRE TRACT OF LAND SITUATED IN THE JOHN MCCOY SURVEY, ABSTRACT 30, DEWITT COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN CALLED 8.96 ACRE TRACT OF LAND, STYLED SECOND TRACT, DESCRIBED IN A DEED, DATED AUGUST 21, 2003, FROM JONATHON DANIEL FRELS AND MATTHEW WILLIAM FRELS, EXECUTORS TO JONATHON DANIELS FRELS AND MATTHEW WILLIAM FRELS, RECORDED IN VOLUME 132, PAGE 394 OF THE OFFICIAL PUBLIC RECORDS OF DEWITT COUNTY, TEXAS, ALSO BEING A PORTION OF THAT CERTAIN CALLED 32 ACRE TRACT OF LAND, STYLED FIFTH TRACT, DESCRIBED IN A DEED, DATED AUGUST 21, 2003, FROM JONATHON DANIEL FRELS AND MATTHEW WILLIAM FRELS, EXECUTORS TO JONATHON DANIEL FRELS AND MATTHEW WILLIAM FRELS, RECORDED IN VOLUME 132, PAGE 394 OF THE OFFICIAL PUBLIC RECORDS OF DEWITT COUNTY, TEXAS, SAID 37.44 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN EXISTING 5/8 INCH STEEL ROD AT THE NORTHEAST CORNER OF SAID CALLED 8.96 ACRE TRACT, AND AT THE NORTHEAST CORNER OF A CALLED 4.00 ACRE TRACT OF LAND DESCRIBED TO DUSTIN A. KENNE AND SPOUSE, KERRY L. KENNE, RECORDED IN VOLUME 448, PAGE 798 OF THE OFFICIAL RECORDS OF SAID COUNTY, AND THE SOUTHEAST CORNER OF A CALLED 33.83 ACRE TRACT OF LAND DESCRIBED TO ROBERT W. BARTH, EL UX, RECORDED IN VOLUME 112, PAGE 460 OF THE OFFICIAL RECORDS OF SAID COUNTY, AND BEING IN THE WEST RIGHT-OF -WAY LINE OF U.S. HIGHWAY 183;



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THENCE, LEAVING THE WEST RIGHT-OF-WAY LINE, AND WITH THE NORTH LINE OF SAID CALLED 4.00 ACRE TRACT AND THE SOUTH LINE OF SAID CALLED 33.83 ACRE TRACT, SOUTH 78 DEGREES 05 MINUTES 37 SECONDS WEST, FOR A DISTANCE OF 392.22 FEET TO AN EXISTING 5/8 INCH STEEL ROD WITH YELLOW CAP, STAMPED URBAN SURVEYING INC., AT THE NORTHWEST CORNER OF SAID CALLED 4.00 ACRE TRACT AND IN THE SOUTH LINE OF SAID CALLED 33.83 ACRE TRACT, AND IN THE NORTH LINE OF SAID CALLED 8.96 ACRE TRACT, AND AT A NORTHEAST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE WITH THE WEST LINE OF SAID CALLED 4.00 ACRE TRACT AND INTO SAID CALLED 8.96 ACRE TRACT, SOUTH 02 DEGREES 25 MINUTES 34 SECONDS WEST, AT A DISTANCE OF 373.43 FEET PASSING THE SOUTH LINE OF SAID CALLED 8.96 ACRE AND THE NORTH LINE OF SAID CALLED 32 ACRE TRACT, CONTAINING FOR AN OVERALL DISTANCE OF 411.90 FEET TO AN EXISTING 5/8 INCH STEEL ROD WITH YELLOW CAP, STAMPED URBAN SURVEYING INC., AT THE SOUTHWEST CORNER OF SAID CALLED 4.00 ACRE TRACT, AND BEING AN INSIDE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE WITH THE SOUTH LINE OF SAID CALLED 4.00 ACRE TRACT AND INTO SAID CALLED 32 ACRE TRACT, SOUTH 88 DEGREES 09 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 380.03 FEET TO AN EXISTING FENCE CORNER POST IN THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 183, AND THE SOUTHEAST CORNER OF SAID CALLED 4.00 ACRE TRACT AND BEING THE EASTERLY NORTHEAST, CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE WITH THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 183, AND THE NOW EAST LINE OF SAID CALLED 32 ACRE TRACT, SOUTH 02 DEGREES 25 MINUTES 34 SECONDS WEST, FOR A DISTANCE OF 420.67 FEET TO A 5/8 INCH STEEL ROD SET WITH YELLOW CAP, STAMPED URBAN SURVEYING INC., IN THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 183, AND AT THE NORTHEAST CORNER OF A CALLED 0.75 ACRE TRACT OF LAND, STYLED TRACT THREE, DESCRIBED TO ALFREDO M. PEREZ, ET UX, RECORDED IN VOLUME 232, PAGE 612 OF THE OFFICIAL RECORDS OF SAID COUNTY, AND BEING THE EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, LEAVING THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 183, AND WITH THE NORTH LINE OF SAID CALLED 0.75 ACRE TRACT, AND AN INTERIOR LINE OF SAID CALLED 32 ACRE TRACT, SOUTH 89 DEGREES 58 MINUTES 49 SECONDS WEST, FOR A DISTANCE OF 250.74 FEET, TO A 5/8 INCH STEEL ROD SET WITH YELLOW CAP, STAMPED URBAN SURVEYING INC., AT THE NORTHWEST CORNER OF SAID CALLED 0.75 ACRE TRACT AND BEING AN INSIDE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE WEST LINE OF SAID 0.75 ACRE TRACT, AND AN INTERIOR LINE OF SAID CALLED 32 ACRE TRACT SOUTH 00 DEGREES 15 MINUTES 39 SECONDS EAST, FOR A DISTANCE OF 191.63 FEET TO A 5/8 INCH STEEL ROD SET WITH YELLOW CAP, STAMPED URBAN SURVEYING INC., AT THE SOUTHWEST CORNER OF A CALLED 0.40 ACRE TRACT OF LAND, STYLED TRACT ONE, DESCRIBED ALFREDO M. PEREZ, ET UX, RECORDED IN VOLUME 232, PAGE 612 OF THE OFFICIAL RECORDS OF SAID COUNTY, AND BEING IN THE NORTH LINE CALLED 1.27 ACRE TRACT OF LAND DESCRIBED TO EDMOND PETER HUFFMASTER, RECORDED IN VOLUME 68, PAGE 798 OF THE OFFICIAL RECORDS OF SAID COUNTY, AND IN THE SOUTH LINE OF SAID CALLED 32 ACRE TRACT, AND BEING THE SOUTHERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE NORTH LINE OF SAID 1.27 ACRE TRACT, AND WITH THE NORTH LINE OF A CALLED 14.06 ACRE TRACT OF LAND, STYLED TRACT THREE, DESCRIBED TO JUDY BLACKWELL,

RECORDED IN VOLUME 149, PAGE 620 OF THE OFFICIAL RECORDS OF SAID COUNTY, AND WITH THE SOUTH LINE OF SAID CALLED 32 ACRE TRACT, NORTH 85 DEGREES 15 MINUTES 39 SECONDS WEST, AT A DISTANCE OF 92.87 FEET PASSING AN EXISTING 5/8 INCH STEEL ROD AT THE NORTHEAST CORNER OF SAID 1.27 ACRE TRACT AND A NORTHWEST CORNER OF AND IN THE SOUTH LINE OF SAID CALLED 32 ACRE TRACT AND IN THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT, CONTAINING FOR AN OVERALL DISTANCE OF 2115.20 FEET TO AN EXISTING 5/8 INCH STEEL ROD AT AN INTERIOR CORNER OF SAID CALLED 14.06 ACRE TRACT AND AT THE SOUTHWEST CORNER OF SAID CALLED 32 ACRE TRACT AND BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH AN EAST LINE OF SAID 14.06 ACRE TRACT AND THE WEST LINE OF SAID CALLED 32 ACRE TRACT, NORTH 04 DEGREES 44 MINUTES 21 SECONDS EAST, FOR A DISTANCE OF 445.80 FEET TO A 5/8 INCH STEEL ROD SET WITH YELLOW CAP, STAMPED URBAN SURVEYING INC., AT A NORTHEAST CORNER OF SAID CALLED 14.06 ACRE TRACT, AND AT THE NORTHWEST CORNER OF SAID CALLED 32 ACRE TRACT AND BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE SOUTH LINE OF THE SAID CALLED 33.83 ACRE TRACT, NORTH 78 DEGREES 05 MINUTES 37 SECONDS EAST, AT A DISTANCE OF 825.96 FEET PASSING A NORTHWEST CORNER OF SAID CALLED 32 ACRE TRACT AND THE SOUTHWEST CORNER OF THE SAID CALLED 8.96 ACRE TRACT, CONTINUING, FOR AN OVERALL DISTANCES OF 2019.87 FEET TO THE POINT OF BEGINNING CONTAINING, WITHIN THESE METES AND BOUNDS 37.44 ACRES OF LAND MORE OR LESS.

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 §51.002, 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:

Wells Fargo Home Mortgage
3476 Stateview Blvd.
Fort Mill, SC 29715

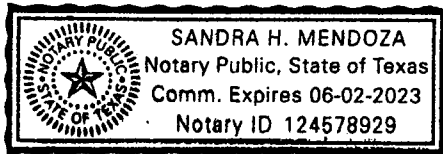


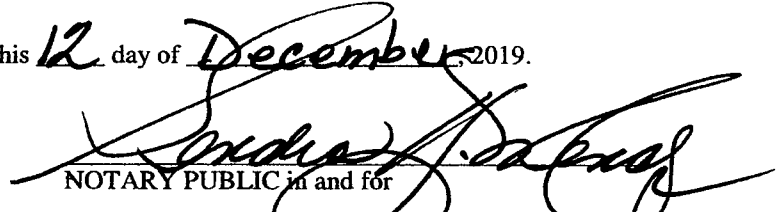
SUBSTITUTE TRUSTEE
~~Arnold Mendoza~~, Alexis Mendoza, ~~Susana Sandoval~~,
~~Elizabeth Anderson~~
1320 Greenway Drive, Suite 300
Irving, TX 75038

STATE OF TEXAS
COUNTY OF NUECES

Before me, the undersigned authority, on this day personally appeared Alexis Mendoza, as Substitute Trustee, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and who acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

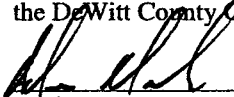
GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12 day of December, 2019.




NOTARY PUBLIC in and for
NUECES COUNTY
My commission expires: 6.2.23
Print Name of Notary:
Sandra H. Mendoza

CERTIFICATE OF POSTING

My name is Alexis Mendoza, and my address is 1320 Greenway Drive, Suite 300, Irving, TX 75038. I declare under penalty of perjury that on 12.12.19 I filed at the office of the DeWitt County Clerk and caused to be posted at the DeWitt County courthouse this notice of sale.


Declarants Name: Alexis Mendoza
Date: 12.12.19