

NOTICE OF FORECLOSURE 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. **Property to Be Sold.** The property to be sold is described as follows: SEE EXHIBIT "A"
- 2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 01/20/2017 and recorded in Document 116257 real property records of Dewitt County, Texas.
- 3. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:
 Date: 02/05/2019
 Time: 12:00 PM
 Place: Dewitt County Courthouse, Texas, at the following location: THE PATIO AREA IN FRONT OF THE WEST DOOR OF THE COURTHOUSE BUILDING, FACING GONZALES STREET, (BUILDING LOCATED AT 307 N. GONZALES ST.) or as designated by the County Commissioners Court.
- 4. **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part 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 express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.
- 5. **Obligations Secured.** The Deed of Trust executed by TERESA L. NIETO AND HENRY NIETO, provides that it secures the payment of the indebtedness in the original principal amount of \$155,521.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. PACIFIC UNION FINANCIAL, LLC. is the current mortgagee of the note and deed of trust and PACIFIC UNION FINANCIAL, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is PACIFIC UNION FINANCIAL, LLC. c/o PACIFIC UNION FINANCIAL, LLC, 1601 LBJ Freeway, Suite 500, Farmers Branch, TX 75234 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. **Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint JO WOOLSEY, BOB FRISCH, ARNOLD MENDOZA, SANDRA MENDOZA, VICKI HAMMONDS, JODI STEEN, JAMIE STEEN, BARBARA SANDOVAL, MARTHA BOETA, RAYMOND PEREZ, GARRETT SANDERS, MEGAN YASSI, AMY ORTIZ OR MARYNA DANIELIAN, Substitute Trustee to act under and by virtue of said Deed of Trust.

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.

Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
Lori Liane Long, Attorney at Law
Chelsea Schneider, Attorney at Law
Ester Gonzales, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254

JO WOOLSEY, BOB FRISCH, ARNOLD MENDOZA, SANDRA MENDOZA, VICKI HAMMONDS, JODI STEEN, JAMIE STEEN, BARBARA SANDOVAL, MARTHA BOETA, RAYMOND PEREZ, GARRETT SANDERS, MEGAN YASSI, AMY ORTIZ OR MARYNA DANIELIAN
c/o AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

Certificate of Posting

I am _____ whose address is c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on _____ I filed this Notice of Foreclosure Sale at the office of the Dewitt County Clerk and caused it to be posted at the location directed by the Dewitt County Commissioners Court.

Filed for Record
This, the 10 day of Jan 2019
at 2:45 o'clock P M

NATALIE CARSON, COUNTY CLERK OF
DeWitt County, Texas

DEPUTY

BEING all that certain parcel or tract of land containing 0.39 acres out of the J. A. Valdez y Gonzales Survey, A-47, located near the City of Cuero in DeWitt County, Texas, and being a part of that called 16.0 acre tract described in deed to Bobby R. Pompa, et ux, from Davis Contractors L.T.D., recorded in Volume 112, Page 510 in the Official Public Records of said County: said 0.39 acre tract is more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch diameter iron rod capped and marked 1975 set at the southwest corner of this tract and southeast corner of a 0.195 acre tract heretofore surveyed in the south line of said 16.0 acre tract and north right of way line of Cheatham Road (a 45 feet more or less feet wide County maintained road) located South 88 deg. 48'24" East, 231.34 feet from the lower southwest corner of said 16.0 acre tract and located northerly 45 more or less feet from an interior City of Cuero Corporation line;

THENCE with a line separating this tract from said 0.295 acre tract, North 00 deg. 50'26" West, 128.95 feet to a 5/8 inch diameter iron rod capped and marked 1975 set at the northwest corner of this tract and northeast corner of said 0.195 acre tract;

THENCE South 88 deg. 58'24" east, 132.0 feet to a 5/8 inch diameter iron rod capped and marked 1975 set at the northeast corner of this tract;

THENCE South 00 deg. 50'26" East, 128.95 feet to a 5/8 inch diameter iron rod capped and marked 1975 set at the southeast corner of this tract in the north right of way line of Cheatham Road;

THENCE with said right of way line North 88 deg. 58'24" West, 132.0 feet to the PLACE OF BEGINNING, CONTAINING 0.39 acres of land.

EXHIBIT "A"

116257

Filed for Record
This, the 23 day of Jan 20 17
at 3:00 o'clock P M
NATALIE CARSON, COUNTY CLERK OF
DeWitt County, Texas
DEPUTY
Stewart Title - Hold

STATE OF TEXAS - COUNTY OF DEWITT
I hereby certify that this instrument was filed on the date
and at the time affixed hereon by me and was duly
recorded in the volume and page of the Official Public
Records of DeWitt County, Texas. Vol. 583
Date Recorded: JAN 24 2017 Page 386-403



NATALIE CARSON, County Clerk
DeWitt County, Texas

By: 
Deputy Clerk