

[RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:]

Carrington Foreclosure Services, LLC
P.O. Box 3309
Anaheim, California 92803
For Sale Information: (888) 313-1969
For Reinstatement Requests: 1-866-874-5860
Pay Off Requests: 1-800-561-4567

20-00005 NOTTS
01/30/2020 07:55:57 AM Total Pages: 4 Fee: 3.00
Gina Champion, County Clerk - Medina County, TX


TS#: 20-24215

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on 2/16/2010, STACIE ERXLEBEN JOINED HEREIN PRO FORMA BY HER HUSBAND, JOSEPH ERXLEBEN, as Grantor/Borrower, executed and delivered that certain Deed of Trust, in favor of ALLAN B. POLUNSKY, as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR PRIMELENDING, A PLAINSCAPITAL COMPANY, as Beneficiary which deed of trust secures the payment of that certain promissory note of even date therewith in the original amount of \$69,492.00, payable to the order of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR PRIMELENDING, A PLAINSCAPITAL COMPANY, which Deed of Trust is Recorded on 2/25/2010 as Volume 2010001269, Book 777, Page 107, in Medina County, Texas, Deed of Trust covers all of the real property, personal property, and fixtures described therein, including , but not limited to, all the following described property, rights and interests (the "Property"), to-wit;

See attached exhibit "A" attached hereto and made a part hereof

Commonly known as: 501 DAVIS AVE, DEVINE, TX 78016

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 **Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin or Vicki Rodriguez** 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 Carrington Mortgage Services, LLC whose address is 1600 Douglass Road, Suite 200 A, Anaheim, CA 92806 is acting as the mortgage servicer for **BankUnited N.A.**, which is the mortgagee of the Note and Deed of Trust or mortgage and 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. Carrington Mortgage Services, LLC is authorized to represent the mortgagee by virtue of a written servicing agreement with the mortgagee. Pursuant to that agreement and Texas Property Code Section 51.0025, Carrington Mortgage Services, LLC is authorized to administer the foreclosure referenced herein.



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NOW, THEREFORE, NOTICE IS HEREBY GIVEN, that on **4/7/2020 at 1:00 PM**, or no later than three (3) hours after such time, in **Medina County, Texas**, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place 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: **THE NORTH SIDE OF THE MEDINA COUNTY COURTHOUSE LOCATED BELOW THE FIRE ESCAPE STAIRWELL**

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, conveyance of the Property shall be made without any representations or warranties whatsoever, express or implied.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's Attorney.

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.

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.

WITNESS, my hand this 1/29/2020



By: Substitute Trustee(s)

Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin or Vicki Rodriguez

C/O Carrington Foreclosure Services, LLC
P.O. Box 3309
Anaheim, California 92803

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Doc# 2610001269
Vol. 777 Page 116
02/25/2010 3:39PM

EXHIBIT "A"

ALL THAT 0.310 ACRE (13,500 SQUARE FEET) BEING ALL OF LOT 9 AND THE EAST ONE HALF OF LOT 10, BLOCK 2, NEW CITY BLOCK 106 WINDY KNOLL ADDITION CITY OF DEVINE, MEDINA COUNTY, TEXAS, AS RECORDED IN VOLUME 378, PAGE 33 DEED RECORDS AND ALSO IN VOLUME 1, PAGE 52, DEED AND PLAT RECORDS OF MEDINA COUNTY TEXAS, AND MORE PARTICULARLY DESCRIBED AS

FOLLOWS:

BEGINNING: at an iron pin found at the intersection of the south right-of-way of Davis Street (60 right-of-way) and the west right-of-way of Shaver Street (50. right-of-way) also being the northeast corner of

Lot 9,

THENCE: S 03° 45' 00" W. a distance, of 150.00 feet to a fence post for the southeast corner of Lot 9

and of this tract;

THENCE: departing the west right-of-way of Shaver Street (50. right-of-way), N 86° 15. 00. W, a distance

of 90. 00 feet to a fence post for the southwest corner of this tract;

THENCE: N 03° 45. 00. E. a distance of 150.00 feet to a found 1/2. iron pin for the northwest corner of

this tract and along the south right-of-way of Davis Street (60. right-of-way);

THENCE: along the south right-of-way of Davis Street (60. right-of-way). S 86° 15' 00" E. distance of

90.00 feet to the POINT OF BEGINNING and containing 0.310 acres of land.

NOTE: Company does not represent that the above described acreage and/or square footage calculations are correct

Any provision here which restricts the sale, rental or use of the described real property because of color or race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF MEDINA
hereby certify that the instrument FILED in number sequence and stamped hereon by me and was duly RECORDED in the Official Records of Medina County Texas on 02/25/2010
COUNTY CLERK
MEDINA COUNTY, TEXAS



Alisa J. Wiermethe

FILED AND RECORDED

Instrument Number: 20-00005

Filing and Recording Date: 01/30/2020 07:55:57 AM Pages: 4 Recording Fee: \$3.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the PUBLIC RECORDS of Medina County, Texas.



Gina Champion

Gina Champion, County Clerk
Medina County, Texas

Filed By Kaci Lutz Deputy