



VG-42-2022-22-000076

**Medina County
Gina Champion
Medina County Clerk**

Instrument Number: 22-000076

Foreclosure Posting

Recorded On: August 25, 2022 08:53 AM

Number of Pages: 3

" Examined and Charged as Follows: "

Total Recording: \$3.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 22-000076
Receipt Number: 20220825000004
Recorded Date/Time: August 25, 2022 08:53 AM
User: Santiago E
Station: CCMARRIAGE1

Record and Return To:

MARTIN TROY



**STATE OF TEXAS
Medina County**

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Medina County, Texas

Gina Champion
Medina County Clerk
Medina County, TX

NOTICE OF ACCELERATION AND NOTICE OF 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.

DEED OF TRUST INFORMATION:

Date: 10/13/2020
Grantor(s): CRUZ VELA, A SINGLE MAN
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR AMCAP MORTGAGE, LTD, DBA GOLD FINANCIAL SERVICES, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$135,500.00
Recording Information: Instrument 2020009651
Property County: Medina
Property: (See Attached Exhibit "A")
Reported Address: 410 SOUTH JAMISON DRIVE, DEVINE, TX 78016

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: NewRez LLC d/b/a Shellpoint Mortgage Servicing
Mortgage Servicer: Shellpoint Mortgage Servicing
Current Beneficiary: NewRez LLC d/b/a Shellpoint Mortgage Servicing
Mortgage Servicer Address: 55 Beattie Place, Suite 110, Greenville, SC 29601

SALE INFORMATION:

Date of Sale: Tuesday, the 1st day of November, 2022
Time of Sale: 1:00PM or within three hours thereafter.
Place of Sale: THE AREA ON THE EAST SIDE OF THE MEDINA COUNTY COURTHOUSE ANNEX, 1300 AVENUE M, HONDO, TX 78861, NEAR THE FRONT ENTRANCE, in Medina County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Medina County Commissioner's Court, at the area most recently designated by the Medina County Commissioner's Court.

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez or Martha Rossington, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez or Martha Rossington, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.

4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Substitute Trustee(s): Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez or Martha Rossington, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am *Dany Martin* whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on 8-25-22 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Medina County Clerk and caused it to be posted at the location directed by the Medina County Commissioners Court.

By: *Dany Martin*

Exhibit "A"

A FIELD NOTE DESCRIPTION OF A 0.217 OF AN ACRE TRACT OF LAND SITUATED IN THE CITY OF DEVINE, MEDINA COUNTY, TEXAS BEING ALL OF LOT 5 AND PART OF LOT 4, BLOCK 3, N. C. B. 153 OF THE HATTOX ADDITION ACCORDING TO PLAT RECORDED IN VOLUME 43, PAGE 643 OF THE DEED RECORDS OF MEDINA COUNTY, TEXAS ALSO BEING THE SAME TRACT OF LAND CALLED 0.218 OF AN ACRE AND DESCRIBED IN DEED RECORDED IN VOLUME 341, PAGE 49 OF THE OFFICIAL PUBLIC RECORDS OF MEDINA COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (NOTE: ALL IRON PINS SET ARE 1/2" REBAR WITH PINK PLASTIC CAP STAMPED "RKB 5409", BASIS OF BEARING IS WGS 84)

BEGINNING AT AN IRON PIN FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND SAID LOT 5, AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CURTIS AVENUE AND THE WEST RIGHT OF WAY LINE OF JAMISON DRIVE;

THENCE N 85 DEGREES 49' 26" W 131.65 FEET ALONG THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT AND SAID LOT 5 AND THE NORTH RIGHT OF WAY LINE OF SAID CURTIS AVENUE TO AN IRON PIN FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN DECRIBED TRACT, IN THE EAST LINE OF A 16' ALLEY;

THENCE N 03 DEGREES 50' 26" E, 71.43 FEET ALONG THE WEST LINE OF THE HEREIN DESCRIBED TRACT AND THE EAST LINE OF SAID ALLEY TO AN IRON PIN FOUND FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE SOUTHWEST CORNER OF 0.2273 ACRE TRACT OF LAND DESCRIBED IN DEED RECORDED IN VOLUME 377, PAGE 78 OF THE OFFICIAL PUBLIC RECORDS OF MEDINA COUNTY TEXAS;

THENCE S 85 DEGREES 59' 38" E 132.26 FEET ALONG THE NORTH LINE OF THE HEREIN DESCRIBED TRACT AND THE SOUTH LINE OF SAID 0.2273 ACRE TRACT TO AN IRON PIN FOUND FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND THE SOUTHEAST CORNER OF SAID 0.2273 ACRE TRACT, IN THE WEST RIGHT OF WAY LINE OF AFORESAID JAMISON DRIVE;

THENCE S 04 DEGREES 19' 24" W, 71.82 FEET ALONG THE EAST LINE OF THE HEREIN DESCRIBED TRACT AND SAID LOTS 4 AND 5 AND THE WEST NGHT OF WAY LINE OF SAID JAMISON DRIVE TO THE PLACE OF