

VG-42-2022-22-000083

**Medina County
Gina Champion
Medina County Clerk**

Instrument Number: 22-000083

Foreclosure Posting

Recorded On: September 12, 2022 02:40 PM

Number of Pages: 6

" 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: 22-000083
Receipt Number: 20220912000038
Recorded Date/Time: September 12, 2022 02:40 PM
User: Santiago E
Station: CCMARRIAGE1

Record and Return To:

VETTERS DICK



**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 FORECLOSURE SALE

Notice is hereby given of a public non-judicial foreclosure sale.

1. Property To Be Sold. The property to be sold is described as follows:

All property (real, personal or otherwise) described in the deed of trust (as hereinafter defined as the "Deed of Trust"), together with the rights, appurtenances and improvements thereto, including, but not limited to, the real property described on Exhibit A attached hereto and made a part hereof. In the event any property encumbered by the Deed of Trust has been released by Lender (or its predecessor in interest, as applicable), then said released property shall be excluded from the property sold at foreclosure.

2. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: Tuesday, October 4, 2022

Time: The sale shall begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale shall be completed by no later than 1:00 p.m.

Place: The sale will take place at the Medina County Courthouse at the place designated by the Medina County Commissioner's Court.

The Deed of Trust permits the Lender (as hereinafter defined) to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code and/or Texas Business and Commerce Code. Such reposting or refiling may be after the date originally scheduled for this sale.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Lender to have the bid credited up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. Type of Sale. The sale is a non-judicial foreclosure sale being conducted pursuant to the power of sale granted by that certain Deed of Trust (the "Deed of Trust") recorded under Instrument No. 2016004846 in the Real Property Records of Medina County, Texas, and executed by Patrick J. Tuttle and Susan E. Sorrell aka Susan Tuttle (whether one or more, the "Grantor"), for the benefit of 21st Mortgage Corporation ("Lender"), covering the property described above.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Indebtedness") including but not limited to the unpaid principal and interest owing on: that certain Consumer Loan Note, Security Agreement and Disclosure Statement (the "Note") dated on or about July 22, 2016, executed by the Grantor and payable to the order of Lender, and all renewals, modifications and extensions of the Note. Lender is the current owner and/or holder of the Note and the Indebtedness and is the beneficiary under the Deed of Trust.


Questions concerning the sale may be directed to the undersigned or to the Lender:


21st Mortgage Corporation
620 Market Street One Center Square
Knoxville, TN 37902
Phone: 800-955-0021
Fax: 866-231-4851

6. Default and Request To Act. Default has occurred under the Deed of Trust, and Lender has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale Lender may appoint another person as substitute trustee to conduct the sale.

7. Armed Forces Notice. 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.

DATED: September 7, 2022.


Richard A. McKinney, Substitute Trustee
Higier Allen & Lautin, P.C.
The Tower at Cityplace
2711 N. Haskell Ave., Suite 2400
Dallas, Texas 75204
Telephone: (972) 716-1888
Fax: (972) 716-1899


DICK VETTERS

*****PLEASE FAX ALL COMMUNICATIONS REGARDING THIS MATTER TO THE
SUBSTITUTE TRUSTEE AT 972-716-1899 (FAX), NOTE THE SUBSTITUTE
TRUSTEE'S NAME ON YOUR COVER SHEET AND CONTACT THE SUBSTITUTE
TRUSTEE AT 972-716-1888 (PHONE) TO CONFIRM RECEIPT. PLEASE ASSUME
YOUR FAX HAS NOT BEEN RECEIVED UNTIL YOU VERBALLY CONFIRM
RECEIPT THEREOF WITH OUR OFFICE. THANKS IN ADVANCE FOR YOUR
COOPERATION.*****

EXHIBIT A

PROPERTY DESCRIPTION

[FOLLOWS THIS COVER PAGE]

Hay & Associates Surveying Co.

GPS & Conventional

Firm # 10193959

(830) 426-8553

STATE OF TEXAS
COUNTY OF MEDINA

Field Notes of a 2.00 acre tract out of an 11.45 acre tract, Volume 786, Page 384 Official Public Records of Medina County, Texas and out of Parcel # 3, Lot 1, Block 2, SAN ANTONIO TRUST SUBDIVISION OF LANDS, Volume 2, Page 2, Medina County, Texas.

BEGINNING at a 1/2" iron pin found in the west line of F.M. 463 (80' wide), for the southeast corner of a 1.00 acre tract File # 2016000369 Official Public Records of Medina County, Texas, the northeast corner of the 11.45 acre tract, and the northeast corner of the subject tract, a 1/2" iron pin found for the northeast corner of the 1.00 acre tract bears N 00°20'37" E 202.50 feet.

THENCE S 00°37'35" W, with the west line of F.M. 463, 208.70 feet to a 5/8" iron pin set in the east line of the 11.45 acre tract, for the southeast corner of the subject tract, a 1/2" iron pin found in the east line of the 11.45 acre tract bears S 00°37'37" W 312.43 feet.

THENCE N 89°43'42" W 417.28 feet to a 5/8" iron pin set for the southwest corner of the subject tract.

THENCE N 00°37'36" E 208.70 feet to a 5/8" iron pin set in the south line of a 4.45 acre tract, Volume 470, Page 238 Official Public Records of Medina County, Texas, in the north line of the 11.45 acre tract, and for the northwest corner of the subject tract, a 1/2" iron pin found for the northwest corner of the 11.45 acre tract bears N 89°43'42" W 312.18 feet.

THENCE S 89°43'42" E, with the north line of the 11.45 acre tract; at 202.17 feet pass a 1/2" iron pin found for the southeast corner of the 4.45 acre tract and the southwest corner of the 1.00 acre tract, continuing for a total of 417.28 feet to the POINT OF BEGINNING. Surveyed on the ground March 31, 2016, for Pat and Susan Tuttle.

Bearings shown herein are based on WGS 84 from GPS observations.

I hereby certify that the foregoing field note description and accompanying plat were prepared from an actual survey performed on the ground by me and to the best of my knowledge and belief it is true and correct.



 Timothy G. Hay, R.P.S.S. No. 388221

 271 CR 408 TIMOTHY G. HAY

 Hondo, Texas 78861

 (830) 426-8553

 Job: 1620