

C&M No. 44-21-0809/ FILE NOS

## NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

**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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060**

### INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated June 11, 2013 and recorded under Clerk's File No. 2013004457, in the real property records of MEDINA County Texas, with John K. Hernandez, A single man as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for State Farm Bank, F.S.B., its successors and assigns as Original Mortgagee.

Deed of Trust executed by John K. Hernandez, A single man securing payment of the indebtedness in the original principal amount of \$151,300.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by John K. Hernandez. Freedom Mortgage Corporation is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan. RoundPoint Mortgage Servicing Corporation is acting as the Mortgage Servicer for the Mortgagee. RoundPoint Mortgage Servicing Corporation, is representing the Mortgagee, whose address is: 446 Wrenplace Road, Fort Mill, SC 29715.

#### Legal Description:

**17,991 ACRES OUT OF LOT 14, BLOCK 32, SAN ANTONIO TRUST SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2, PAGE 2, PLAT RECORDS OF MEDINA COUNTY, TEXAS, AND BEING THE SAME PROPERTY CONVEYED TO GUY F. BARTOSCH AND WIFE, NARCIE S. BARTOSCH BY DEED RECORDED IN VOLUME 384, PAGE 703, OFFICIAL PUBLIC RECORDS OF MEDINA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES**

### SALE INFORMATION

**Date of Sale: 12/07/2021**

**Earliest Time Sale Will Begin: 1:00 PM**

**Location of Sale:** The place of the sale shall be: MEDINA County Courthouse, Texas at the following location: The area on the north side of the Medina County Courthouse located below the fire escape stairwell, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

### TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. 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.

The sale will begin at the earliest time stated above, or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

**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.**

WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE Troy Martin, Deborah Martin, Cassie Martin, Deanna Ray, Alexis Martin, Amy Ortiz, Marcia Chapa, Erika Aguirre, Candice Shulte, Garrett Sanders, Leo Gomez, Martha Rossington, Nancy Gomez, Ramon Perez, Shelby Martin, Stacey Sanders, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Executed on 10/19/2021.

/s/ Aaron J. Demuth SBOT No. 24111076, Attorney at Law  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Posted and filed by: Martha Rossington  
Printed Name: MARTHA ROSSINGTON

C&M No. 44-21-0809

## Exhibit "A"

17.991 acres out of Lot 14, Block 32, San Antonio Trust Subdivision, according to the plat thereof recorded in Volume 2, Page 2, Plat Records of Medina County, Texas, and being the same property conveyed to Guy F. Bartosch and wife, Narcie S. Bartosch by deed recorded in Volume 384, Page 703, Official Public Records of Medina County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch iron rod found at a fence corner on the south line of County Road 7711 for the northwest corner of Lot 14, Block 32, San Antonio Trust Subdivision and the northeast corner of Lot 13, Block 32, San Antonio Trust Subdivision, and northeast corner of Lot 4, Memory Oaks Subdivision, Volume 9, Page 76, Plat Records of Medina County, for the northwest corner of this tract;

THENCE S 85° 52' 56" E along a fence and south line of County Road 7711 569.26 feet to a 5/8 inch iron rod found near a fence corner for the northwest corner of that 2.000 acre tract described in Volume 286, Page 702, Deed Records and a middle northeast corner of this tract;

THENCE S 04° 00' 46" W along the west line of said 2.000 acre tract 253.48 feet to a 5/8 inch iron rod found about 8.7 feet east and about 1 foot north of a fence corner for the southwest corner of said 2.000 acre tract and an interior corner of this tract;

THENCE S 85° 49' 21" E along the south line of said 2.000 acre tract and more or less along a fence 338.88 feet to a 1/2 inch iron rod found about 1.5 feet northwest of a fence corner for the southeast corner of said 2.000 acre tract and an interior corner of this tract;

THENCE N 06° 19' 34" E along the east line of said 2.000 acre tract and more or less along a fence 253.64 feet to a 5/8 inch iron rod found near a fence corner on the south line of County Road 7711 for the northeast corner of said 2.000 acre tract and an interior corner of this tract;

THENCE S 85° 54' 59" E along a fence and south line of County Road 7711 a distance of 90.26 feet to a 1/2 inch iron rod found at a fence corner for the northwest corner of a 10.49 acre tract described in Volume 268, Page 285, Deed Records, and the northeast corner of this tract;

THENCE S 06° 22' 10" W along the west line of said 10.49 acre tract 762.03 feet to a 1/2 inch iron rod found on the south edge of a concrete canal structure for the southwest corner of said 10.49 acre tract and being on the south line of said Lot 14 and north line of Lot 15; being about 4.1 feet west of a fence line and 25.0 feet north of a 3/4 inch iron pipe found at a fence corner;

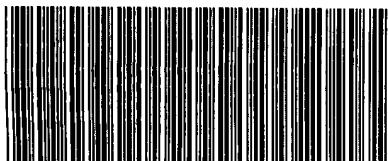
THENCE S 77° 03' 05" W along the common line to Lots 14 and 15 and more or less along the centerline of an irrigation ditch 788.89 feet to a 1/2 inch iron rod found for an angle point in said common lot line;

THENCE S 48° 01' 25" W along said common lot line and more or less along said irrigation ditch 133.83 feet to a 1/2 inch iron rod found for an angle point in said common lot line;

THENCE S 75° 59' 05" W along said common lot line and more or less along said irrigation ditch 54.50 feet to a 1/2 inch iron rod found at a fence line for the southwest corner of Lot 14, the northwest corner of Lot 15, and being on the east line of Lot 13 for the southwest corner of this tract;

THENCE N 00° 00' 51" W, for the basis of bearings per Volume 384, Page 703, along a fence and common line between Lots 13 and 14, at 115.19 feet passing a 1/2 inch iron rod found at a fence corner for the southeast corner of said Lot 4, Memory Oaks Subdivision, and continuing along said common lot line and east line of said Lot 4, and more or less along a fence for a total of 1109.56 feet to the POINT OF BEGINNING.

NOTE: The Company is prohibited from insuring the area or quantity of the land described above. Any statement in the legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.



\*VG-42-2021-35\*

Medina County  
Gina Champion  
Medina County Clerk

Instrument Number: 35

Foreclosure Posting

Recorded On: October 21, 2021 04:22 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$3.00

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

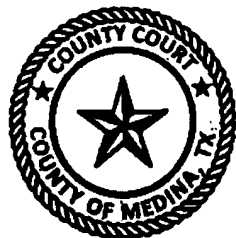
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 35  
Receipt Number: 20211021000046  
Recorded Date/Time: October 21, 2021 04:22 PM  
User: Jaylen P  
Station: cccash2

**Record and Return To:**

CUSTOMER



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