

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: **March 28, 2007**
Grantor(s): **Juan Manuel Cortez and Yolanda G. Cortez**
Original Mortgagee: **Jim Walter Homes, Inc.**
Original Principal: **\$108,898.00**
Recording Information: **Instrument Number 89675**
Property County: **Atascosa**

Property: **FIELD NOTES FOR 2.000 ACRES OF LAND OUT OF TRACT 85, GARDEN MEADOW ESTATES SUBDIVISION, ATASCOSA COUNTY, TEXAS, ACCORDING TO MAP OR PLAT IN SHEET 66-B IN THE PLAT RECORDS OF ATASCOSA COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUND AS FOLLOWS**
BEGINNING at a 1/2 inch steel pin in a fence corner, on the west margin of Garden Drive and being the southeast corner of Tract 85 and also being the southeast corner of this tract;
THENCE with the fence line along the south line of Tract 85 1 South 89 deg. 23' . 25" West for 649. 00 feet to a 1/2 inch steel pin, being the southwest corner of this tract;
THENCE with the west line of this tract, North 01 deg. 25' 17" north 01 deg. 25' 17" East for 270.76 feet to a 1/2 inch steel pin, being the Northwest corner of this tract;
THENCE with the north line of this tract for the following calls;
1) South 86 deg. 58' 44" East for 225.85 feet to a 1/2 inch steel pin;
2) South 16 deg. 05' 50" East for 204.49 feet to a 1/2 inch steel pin;
3) South 87 deg. 32' 53" East for 359.91 feet to a 1/2 inch steel Pin on the west margin of: Garden Drive and on east line of Tract 85;
THENCE with the west margin of Garden Drive along the east line of tract 85, South 00 deg. 36' 46 " East for 40.00 feet to the POINT OF BEGINNING;
Property Address: **855 Garden Drive**
Poteet, TX 78065

Filed For Record
Day of Jan 20 21
at 9:29 o'clock A M
By DANE GONZALES
County Clerk, Atascosa County
Rita Castaneda
Deputy

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: **The Bank of New York Mellon, as Indenture Trustee, for Mid-State Capital Corporation 2010-1 Trust**

Mortgage Servicer: **Shellpoint Mortgage Servicing**
Mortgage Servicer **55 Beattie Place, Suite 100 MS 561**
Address: **Greenville, SC 29601**

SALE INFORMATION:

Date of Sale: **February 2, 2021**
Time of Sale: **12:00 pm or within three hours thereafter.**
Place of Sale: **The west porch of the Courthouse entrance: New location passed 7/14/2003 effective 8/15/2003 being the west porch of the Courthouse or, if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.**
Substitute Trustee: **Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Vicki Rodriguez, Ramon Perez, Erika Aguirre, Candice Shulte, Garrett Sanders, Beatrice Sanchez, Stacey Sanders, Amy Ortiz, or Cheyenne Zokaie, any to act**
Substitute Trustee Address: **5501 East LBJ Frwy, Ste. 925 Dallas, TX 75240**

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 are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Vicki Rodriguez, Ramon Perez, Erika Aguirre, Candice Shulte, Garrett Sanders, Beatrice Sanchez, Stacey Sanders, Amy Ortiz or Cheyenne Zokaie, any to act, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; 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 is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
2. Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Vicki Rodriguez, Ramon Perez, Erika Aguirre, Candice Shulte, Garrett Sanders, Beatrice Sanchez, Stacey Sanders, Amy Ortiz or Cheyenne Zokaie, 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 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 imposed by the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the 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 sold "AS-IS", purchaser's 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 interest 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.
5. 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, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.

Padgett Law Group
6267 Old Water Oak Road
Suite 203
Tallahassee, FL 33213
(850) 422-2520

JSM

WITNESS MY HAND this 11 day of January, ²⁰²¹~~2020~~.

Troy Martin

Troy Martin, Cassie Martin, Terri Martin, Shelby
Martin, or Cheyenne Zokaie