

23-00311

523 DALLAS ST, PLEASANTON, TX 78064

FILED FOR RECORD

2023 FEB 23 PM 12:51

**NOTICE OF FORECLOSURE SALE AND
APPOINTMENT OF SUBSTITUTE TRUSTEE**

ATASCOSA COUNTY CLERK

BY Re DEPUTY

Property:

The Property to be sold is described as follows:

SEE ATTACHED EXHIBIT "A"

Security Instrument:

Deed of Trust dated May 18, 2020 and recorded on May 22, 2020 at Instrument Number 204699 in the real property records of ATASCOSA County, Texas, which contains a power of sale.

Sale Information:

April 4, 2023, at 12:00 PM, or not later than three hours thereafter, at the west porch to the Atascosa County Courthouse, or as designated by the County Commissioners Court.

Terms of Sale:

Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured:

The Deed of Trust executed by JUSTIN A. KESTELOOT AND DANIELLE JULIE KESTELOOT secures the repayment of a Note dated May 18, 2020 in the amount of \$170,749.00. LAKEVIEW LOAN SERVICING, LLC, whose address is c/o LoanCare, LLC, 3637 Sentara Way, Virginia Beach, VA 23452, is the current mortgagee of the Deed of Trust and Note and LoanCare, LLC is the current mortgage servicer for the mortgage. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee:

In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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.

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.



4775051

Sally Sherman

De Cubas, Lewis & Schwartz, P.C.
Sally Sherman, Attorney at Law
1999 N University Drive, Suite 204
Coral Springs, FL 33071

Jay Martin

Substitute Trustee(s): Froy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Vicki Rodriguez, Ramon Perez, Erika Aguirre, Candice Shulte, Garrett Sanders, Beatriz Sanchez, Stacey Sanders, Amy Ortiz, Terri Martin, Elizabeth Anderson, Bob Frisch, Wayne Daughtrey, Martha Rossington, Reyn Rossington, Jennyfer Sakiewicz, Daniel McQuade, Marcela Cantu, Vanna Ho and Xome employees included but not limited to those listed herein.

c/o De Cubas, Lewis & Schwartz, P.C.
1999 N University Drive, Suite 204
Coral Springs, FL 33071

Certificate of Posting

I, *Jay Martin*, declare under penalty of perjury that on the 23 day of February, 2023, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of ATASCOSA County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

EXHIBIT "A"

BEING A 0.22 ACRE TRACT OF LAND BEING ALL OF LOTS 25, 26, 27, 28, 29 AND THE EAST 3 FEET OF LOT 30, BLOCK 3-A, NORTH PLEASANTON ADDITION, CITY OF PLEASANTON, ATASCOSA COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN SHEET 47-B, NEW PLAT CABINET, PLAT RECORDS OF ATASCOSA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FROM A 1/2" IRON ROD FOUND IN THE NORTH RIGHT-OF-WAY LINE OF DALLAS STREET (30-FOOT-WIDE RIGHT-OF-WAY) FOR THE SOUTHWEST CORNER OF LOT 22 OF SAID BLOCK 3-A;

THENCE, S 89°28'00" W (THE BEARING BASIS), WITH THE NORTH RIGHT-OF-WAY LINE OF DALLAS STREET, A DISTANCE OF 51.17 FEET (50.00 FEET PER PLAT), TO A 1/2" IRON ROD SET FOR THE SOUTHEAST CORNER OF SAID LOT 25, SAME BEING THE SOUTHEAST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

THENCE, S 89°28'00" W, CONTINUING WITH THE NORTH RIGHT-OF-WAY LINE OF DALLAS STREET, A DISTANCE OF 128.40 FEET TO A 1/2" IRON ROD SET IN THE SOUTH LINE OF SAID LOT 30 FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT, FROM WHICH A 1/2" IRON ROD FOUND FOR REFERENCE IN THE NORTH RIGHT-OF-WAY LINE OF DALLAS STREET BEARS S 89°28'00" W, A DISTANCE OF 97.38 FEET;

THENCE, N 00°32'00" W (N 00°32'00" W, 75.00 FEET PER PLAT), LEAVING THE NORTH RIGHT-OF-WAY LINE OF DALLAS STREET, OVER AND ACROSS SAID LOT 30, A DISTANCE OF 74.28 FEET TO A 1/2" IRON ROD SET IN THE SOUTH LINE OF LOT 11 OF SAID BLOCK 3-A FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE, N 89°28'00" E (N 89°28'00" E, PER PLAT), WITH THE SOUTH LINES OF LOTS 11 THROUGH 16 OF SAID BLOCK 3-A, A DISTANCE OF 128.40 FEET TO A 1/2" IRON ROD SET FOR THE NORTHEAST CORNER OF SAID LOT 25, SAME BEING THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE, S 00°32'00" E (S 00°32'00" E, 75.00 FEET), WITH THE EAST LIEN OF SAID LOT 25, A DISTANCE OF 74.28 FEET TO THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT, CONTAINING 0.22 OF ONE ACRE (9538 SQUARE FEET) OF LAND, MORE OF LESS WITHIN THESE METES AND BOUNDS.