

20-052

08/07/2020 12:17:58 PM Total Pages: 4 Fee: 5.00
Debbie Hollan, County Clerk - Waller County, TX



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WALLER County

Deed of Trust Dated: April 30, 2009

Amount: \$116,000.00

Grantor(s): THOMAS R BRENT

Original Mortgagee: AMERICAN CAPITAL HOME LOANS LLC, A TEXAS LLC

Current Mortgagee: PODIUM MORTGAGE CAPITAL

Mortgagee Servicer and Address: c/o FLAGSTAR BANK, FSB, 5151 Corporate Drive, Troy, MI 48098

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

Recording Information: Document No. 903116 and corrected under Correction Instrument as to a Recorded Original Instrument recorded under Document No. 2005761

Legal Description: LOT 1, 2, 3, 4, AND 5, BLOCK 483, OF THE TOWN OF HEMPSTEAD, IN WALLER COUNTY, TEXAS; ACCORDING TO THE MAP AND OR PLAT THEREOF, RECORDED IN VOLUME 106, PAGE 311, OF THE DEED RECORDS OF WALLER COUNTY, TEXAS.

Date of Sale: October 6, 2020 between the hours of 1:00 PM and 4:00 PM.

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the WALLER County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

AMY BOWMAN OR REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, JULIAN PERRINE, KINNEY LESTER, MEGAN RANDLE, CARY CORENBLUM, MARIEL MARROQUIN, KRISTOPHER HOLUB, JIM DOLENZ, PAULETTE MCCRARY, JOSHUA SANDERS OR EBBIE MURPHY have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust. The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. 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.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

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.



Anthony Adam Garcia, ATTORNEY AT LAW
HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, Suite 2800
Houston, Texas 77002
Reference: 2020-000294



c/o Auction.com, LLC
1 Mauchly
Irvine, California 92618

AFFIDAVIT OF POSTING/FILING NOTICE OF SALE
STATE OF TEXAS

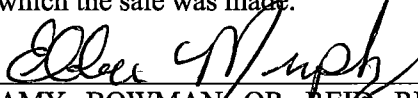
COUNTY OF WALLER

The undersigned, having knowledge of the matters hereinafter set forth, after being duly sworn, deposes and states under oath, as follows:

On behalf of the holder of the indebtedness secured by a Deed of Trust, dated April 30, 2009, executed by THOMAS R. BRENT, SR., AN UNMARRIED PERSON to CHRIS PEIRSON, Trustee(s) and recorded in the office of the County Clerk in Document No. 903116 and corrected under Correction Instrument as to a Recorded Original Instrument recorded under Document No. 2005761, WALLER County, Texas; at least twenty-one (21) days preceding the date of the sale made by Substitute Trustee on October 6, 2020 between the hours of 1:00 PM and 4:00 PM;

(i) Written notice of the proposed sale, designating the County in which the property securing the above Deed of Trust will be sold, was posted (Notice of Sale) at the courthouse door of each County in which the property securing the above Deed of Trust is located, or as otherwise designated by the County Commissioners; and

(ii) A copy of said Notice of Sale was filed in the office of the County Clerk of the County in which the sale was made.

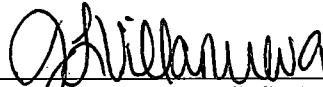


AMY BOWMAN OR REED RUPLE, KATHLEEN ADKINS, EVAN PRESS, JULIAN PERRINE, KINNEY LESTER, MEGAN RANDLE, CARY CORENBLUM, MARIEL MARROQUIN, KRISTOPHER HOLUB, JIM DOLENZ, PAULETTE MCCRARY, JOSHUA SANDERS OR EBBIE MURPHY
Substitute Trustee

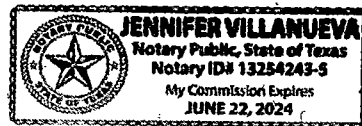
STATE OF TEXAS

COUNTY OF WALLER

This instrument was acknowledged before me on this 7th day of August, 2020, by Ebbie Murphy.



NOTARY PUBLIC, STATE OF TEXAS
My Commission expires: June 22, 2024



FILED AND RECORDED

Instrument Number: 20-052

Filing and Recording Date: 08/07/2020 12:17:58 PM Pages: 4 Recording Fee: \$5.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



Debbie Hollan

Debbie Hollan, County Clerk
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Donna Jackson, Deputy

Returned To: