

21-012

04/09/2021 12:28:05 PM Total Pages: 3 Fee: 5.00
Debbie Hollan, County Clerk - Waller County, TX



C&M No. 44-20-0148/ 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 July 05, 2007 and recorded under Vol. 1052, Page 365, or Clerk's File No. 706025, in the real property records of WALLER County Texas, with Ana D. Alfaro, a married woman, Santos Alfaro as Grantor(s) and Mortgage Electronic Registration Systems, Inc. as Nominee for Banco Popular, N.A., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Ana D. Alfaro, a married woman, Santos Alfaro securing payment of the indebtedness in the original principal amount of \$130,089.30 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 Ana D. Alfaro. Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust 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. Selene Finance LP is acting as the Mortgage Servicer for the Mortgagee. Selene Finance LP, is representing the Mortgagee, whose address is: 9990 Richmond Avenue, Suite 400S, Houston, TX 77042-4546.

Legal Description:

BEING AN 11.028 ACRE TRACT OF LAND OUT OF A CALLED 143.037 ACRE TRACT OF LAND LOCATED IN THE S. LIKEN SURVEY, ABSTRACT 303 (THE H&T.C. R.R. SURVEY SECTION 24) DESCRIBED IN DEED RECORDED IN VOLUME 414, PAGE 174 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS.

COMMENCING AT A 5/8 INCH IRON ROD SET IN THE NORTH RIGHT-OF-WAY LINE OF MIKESKA ROD AND THE EAST RIGHT-OF-WAY LINE OF ADAMS FLAT ROAD;

THENCE NORTH 05 DEG. 19 MIN. 30 SEC. WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ADAMS FLAT ROAD, A DISTANCE OF 720.48 FEET TO A 5/8 INCH IRON ROD SET FOR THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE NORTH 05 DEG. 19 MIN. 30 SEC. WEST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ADAMS FLAT ROAD, A DISTANCE OF 328.82 FEET TO A 5/8 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE NORTH 89 DEG. 54 MIN. 26 SEC. EAST, A DISTANCE OF 1482.50 FEET TO A 5/8 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE SOUTH 00 DEG. 03 MIN. 47 SEC. WEST, A DISTANCE OF 327.45 FEET TO A 5/8 INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE NORTH 89 DEG. 54 MIN 26 SEC. WEST, A DISTANCE OF 1451.62 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.028 ACRES OF LAND, MORE OR LESS.

44-20-0148
WALLER



4730875

SALE INFORMATION

Date of Sale: 05/04/2021

Earliest Time Sale Will Begin: 1:00 PM

Location of Sale: The place of the sale shall be: **WALLER** County Courthouse, Texas at the following location: In the foyer at the south entrance to the Waller County Courthouse, 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** Megan L. Randle, Ebbie Murphy, Amy Jurasek, Deborah Jurasek, Rebecca Bolton, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ServiceLink Agency Sales And Posting, 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 04/05/2021.

/s/ Lisa Collins SBOT No. 24115338, 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: Ebbie Murphy
Printed Name: Ebbie Murphy

C&M No. 44-20-0148

FILED AND RECORDED

Instrument Number: 21-012

Filing and Recording Date: 04/09/2021 12:28:05 PM Pages: 3 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.

Jenifer Deutrich, Deputy

Returned To: