

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 March 31, 2011 and recorded under Vol. 1215, Page 386, or Clerk's File No. 2011-00001507, in the real property records of HOWARD County Texas, with Frances Y Rice and husband, Brant L. Rice as Grantor(s) and Mortgage Electronic Registration Systems, Inc. as Nominee for FirstCapital Bank of Texas, N.A., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Frances Y Rice and husband, Brant L. Rice securing payment of the indebtedness in the original principal amount of \$102,590.00 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 Frances Y Rice. Lakeview Loan Servicing, LLC 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. LoanCare, LLC is acting as the Mortgage Servicer for the Mortgagee. LoanCare, LLC, is representing the Mortgagee, whose address is: 3637 Sentara Way, Virginia Beach, VA 23452.

Legal Description:

BEING ALL OF LOT NO. FIVE (5), IN BLOCK NO. FIFTEEN (15), COLLEGE PARK ESTATES, A SUBDIVISION OF THE CITY OF BIG SPRINGS, HOWARD COUNTY, TEXAS, ACCORDING TO CORRECTED PLAT OF LOTS 8 & 9 OF BLOCK 19 AND LOTS 1 THRU 7, OF BLOCK 15, OF RECORD IN ENVELOPE 29/B, PLAT RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HOWARD COUNTY, TEXAS.

SALE INFORMATION

Date of Sale: 02/04/2020

Earliest Time Sale Will Begin: 10:00 AM

Location of Sale: The place of the sale shall be: HOWARD County Courthouse, Texas at the following location: On the north steps of the Howard 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 Shelley Nail, Donna Trout, Johnie Eads, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ServiceLink Agency Sales And Posting, as Substitute Trustee.

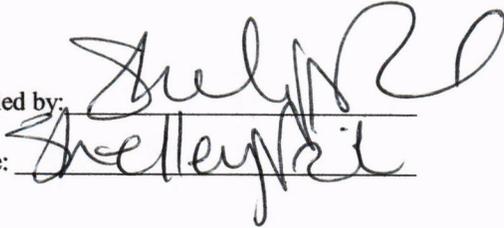
The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:
Codilis & Moody, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Executed on 12/05/2019.

/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:

Printed Name:



C&M No. 44-19-2864

BY DEPUTY 
BRENN ZITLER
COUNTY CLERK HOWARD COUNTY
2019 DEC 12 PM 1:28
~~FILED~~
Posted

19-04126
3804 CALVIN ST, BIG SPRING, TX 79720

NOTICE OF FORECLOSURE SALE

- Property: The Property to be sold is described as follows:
- Being all of Lot No. Three (3), in Block No. Three (3), DOUGLASS ADDITION to the City of Big Spring, Howard County, Texas, according to proper plat filed of record in Envelope 35/A, Plat Records in the office of the county clerk of Howard County, Texas.
- Security Instrument: Deed of Trust dated June 8, 2017 and recorded on June 13, 2017 at Instrument Number 2017-00006419 in the real property records of HOWARD County, Texas, which contains a power of sale.
- Sale Information: February 4, 2020, at 10:00 AM, or not later than three hours thereafter, at the north steps of the Howard 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 JARED CALVILLO AND YAJAIRA PENA secures the repayment of a Note dated June 8, 2017 in the amount of \$98,090.00. FREEDOM MORTGAGE CORPORATION, whose address is c/o Freedom Mortgage Corporation, 907 Pleasant Valley Avenue, Suite 3, Mt. Laurel, NJ 08054, is the current mortgagee of the Deed of Trust and Note and Freedom Mortgage Corporation is the current mortgage servicer for the mortgagee. 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.

Jonathan Andring

Miller, Watson & George, P.C.
Dustin C. George, Attorney at Law
Tracey Midkiff, Attorney at Law
Jonathan Andring, Attorney at Law
5550 Granite Parkway, Suite 245
Plano, Texas 75024

Shelley Nail

Substitute Trustee(s): Shelley Nail, Kristina McCrary,
Donna Trout, Cassie Martin, Charles Green, Kristie
Alvarez, Kristopher Holub, Ramiro Cuevas, Patrick
Zwiers, Shawn Schiller, Vanessa McHaney, Johnie
Eads
c/o Miller, Watson & George, P.C.
5550 Granite Parkway, Suite 245
Plano, Texas 75024

Certificate of Posting

I, *Shelley Nail*, declare under penalty of perjury that on the *12* day of *NOV*, 20*19*, filed and posted this Notice of Foreclosure Sale in accordance with the requirements of HOWARD County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

BY DEPUTY *Candy Noman*
COUNTY CLERK HOWARD COUNTY

2019 DEC 12 PM 1:28

~~FILED~~ *Posted*