2018-00000539
OPR Vol: 1686 P: 231
01/12/2018 02:35:41 PM Pages: 4 TRDEED
Brent Zitterkopf-County Clerk,Howard County, TX

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

1408 STADIUM AVE
BIG SPRING, TX 79720
00000007170186

SUBSTITUTE TRUSTEE'S DEED

GRANTOR(S):
SARWEST CAPITAL LLC,

ORIGINAL MORTGAGEE:
VISIO FINANCIAL SERVICES INC

CURRENT MORTGAGEE:
VFS XANTHOS, LLC

MORTGAGE SERVICER:
CLEARSPRING LOAN SERVICES, INC.

DEED OF TRUST DATE: December 16, 2016
DATE OF SALE OF PROPERTY: January 2, 2018

TIME OF SALE: 2:53 AM/PM

PLACE OF SALE OF PROPERTY:
THE NORTH FRONT DOOR OF THE HOWARD COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS

GRANTEE/BUYER:
VFS XANTHOS, LLC

GRANTEE/BUYER'S MAILING ADDRESS:
C/O CLEARSPRING LOAN SERVICES, INC.
18451 N. DALLAS PARKWAY
SUITE 100
DALLAS, TX 75287

RECORDED IN:
CLERK'S FILE NO. 2017-00000027

AMOUNT OF SALE: $ 40,000.00

PROPERTY COUNTY/LEGAL DESCRIPTION: HOWARD

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

Grantor conveyed the property to Trustee in trust to secure payment of the Note. Mortgagee, through the Mortgage Servicer, declared that Grantor defaulted in performing the obligations of the Deed of Trust. Current Mortgagee of the Note, through the Mortgage Servicer, accordingly has appointed Substitute Trustee and requested Substitute Trustee to enforce the trust.

Notices stating the time, place and terms of sale of the property were mailed, posted and filed, as required by law. Substitute Trustee sold the property to Buyer, who was the highest bidder at the public auction, for amount of sale in the manner prescribed by law. The subject sale was conducted no earlier than 1:00PM as set forth in the Notice of Substitute Trustee's Sale and was concluded within three (3)hours of such time. All matters, duties and obligations of Mortgagee were lawfully performed.

Substitute Trustee, subject to any matters of record, and for amount of sale paid by buyer as consideration, grants, sells and conveys to Buyer, Buyer's heirs, executors, administrators, successors or assigns forever, the property together with all rights and appurtenances belonging to Grantor. Substitute Trustee hereby sells the above referenced property AS IS without any expressed or implied warranties, except as to warranties of title, and hereby conveys the property to the purchaser at the purchaser's own risk, pursuant to the terms of Texas Property Code §§ 51.002 and 51.009.

WITNESS MY HAND, this 1/8/18.

Chelsea Brooks
Substitute Trustee

STATE OF TEXAS
COUNTY OF LUBBOCK

Before me, the undersigned Notary Public, on this day personally appeared **Chelsea Brooks** as Substitute Trustee, known to me or proved to me through a valid State driver's license or other official identification described as _____, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 1-8-18.

My Commission Expires:
Aug 2021

Notary Public for the State of TEXAS
Stephany Shannon Sanders
Printed Name of Notary Public

STEPHANY SHANNON SANDERS
Notary Public, State of Texas
Comm. Expires 08-31-2020
Notary ID 129088084

RETURN TO:
Barrett Daffin Frappier
Turner & Engel, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

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EXHIBIT "A"

BEING LOT SEVEN (7), BLOCK THREE (3), PINER HEIGHTS, AN ADDITION TO THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF OF RECORD IN ENVELOPE 83/B, PLAT RECORDS OF HOWARD COUNTY, TEXAS.

RETURN TO:
Barrett Daffin Frappier
Turner & Engel, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

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STATEMENT OF FACTS

1408 STADIUM AVE
BIG SPRING, TX 79720

BDFTE No: 00000007170186

BEFORE ME, the undersigned authority on this day personally appeared Annette Barker, known to me, who upon oath administered by me deposed and stated:

1. I am a representative of the law firm BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP in connection with the administration of foreclosure of that certain Deed of Trust or Security Instrument ("Deed of Trust") dated December 16, 2016, recorded in CLERK'S FILE NO. 2017-00000027, Real Property Records, HOWARD County, TEXAS, executed by SARWEST CAPITAL LLC, ("Grantor").

2. I am making this affidavit based upon certain records maintained within the firm's files in the regular course of its business, which may include images of notices, certified mail forms, the signed Substitute Trustee's Deed, title searches, and other documents and records obtained and maintained in the usual course of business. Together with my general knowledge of mortgage servicer practices for referring foreclosure matters to the firm, the statements and information shown in these records form the basis for the following statements made in this affidavit, which to the best of my knowledge and belief are true.

3. CLEARSPRING LOAN SERVICES, INC. is the Mortgage Servicer for the Lender or its Nominee concerning the debt evidenced by the Deed of Trust.

4. The Mortgagee, through the Mortgage Servicer declared that the Grantor defaulted in performing the obligations of the Deed of Trust and lawfully performed service of a proper notice of default and other obligations and duties of the Mortgage Servicer.

5. All notices of acceleration were served on each debtor obligated on the debt according to records obtained from the Mortgage Servicer by certified mail at the last known address of each such debtor in accordance with law. Based upon these records, each mortgagor was alive at the time of the foreclosure sale or if deceased, title was restored to the debt owner through a court judgment, or an underwriter's approval letter obtained, or the statute of limitations to file a probate action has passed and no probate action was filed.

6. At the instructions and on behalf of the Mortgage Servicer, Notices stating the time, place and terms of sale of the property were mailed, posted and filed in accordance with law. Notices were served on each debtor obligated on the debt according to records obtained from the Mortgage Servicer by certified mail at the last known address of each such debtor at least twenty one (21) days before the date of the sale.

7. Through my work at the firm, I know that the firm follows a regular process in foreclosure matters to ascertain a Grantor's military service status for purposes of the Federal Service Member's Civil Relief Act and state law. I am familiar with this regular process, which involves submitting Grantors' names and identifying information obtained from the Mortgage Servicer or commercially available records searches to the Federal Defense Manpower Data Center ("DMDC") through that agency's official internet search site (the "DMDC" Site). Based upon my review of search returns obtained and maintained in the firm's files and loan records provided by the Mortage Servicer, no Grantor is reported as on active duty military service or is reported as having concluded active duty military service within the preceding year or qualifies for foreclosure protection under the Federal Service Member's Civil Relief Act and state law.

Annette Barker

STATE OF TEXAS }
COUNTY OF DALLAS }

Annette Barker

Given under my hand and seal of office this 10 day of January, 2018.

Notary Seal:

Notary Public for the State of Texas

KASSANDRA J. ORDONEZ
ID # 130044628
Notary Public, State of Texas
My Commission Expires
12/05/2018

AFFIDAVIT - 83

RETURN TO:
BARRETT DAFFIN FRAPPIER
TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

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STATE OF TEXAS
COUNTY OF HOWARD
I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the Volume and Page stamped here on of the Named Records of Howard County, as stamped hereon by me.

Brent Zitterkopf, County Clerk

Recorded By: Naomi Diaz Deputy

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

Record and Return To: BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 BELT LINE ROAD
SUITE 100
ADDISON, TX 75001