

C&S No. 44-16-3184 / Home Equity / No
Capital One, N.A.

NOTICE OF TRUSTEE'S SALE

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 & Stawiariski, PC, 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

Date of Security Instrument: September 24, 2008

Grantor(s): T J Berry AKA T J Berry, Jr, a single man

Original Trustee: Nathan Russell

Original Mortgagee: Capital One, National Association

Recording Information: Clerk's File No. 2008011901, in the Official Public Records of **SHELBY County**, Texas.

Current Mortgagee: Capital One, N.A.

Mortgage Servicer: Capital One, N.A., whose address is C/O P.O. Box 21887, Eagan, MN 55121 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.

Legal Description:

TRACT ONE: BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN SHELBY COUNTY, TEXAS BEING A PART OF THE S.O. PENNINGTON SURVEY A-555, AND BEING A PART OF THE S. E. LAMBERT HOMEPLACE ABOUT 1 MILE S. OF JOAQUIN, TEXAS AND ON THE EAST SIDE OF HWY. NO.7 AND BEING THE LAND DESCRIBED IN THE WARRANTY DEED FROM S. E. LAMBERT TO J. N. WATSON, DATED MARCH 1, 1950, RECORDED IN VOL 291, PAGE 357, DEED RECORDS, SHELBY COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

Date of Sale: 10/03/2017 Earliest Time Sale Will Begin: 1:00 PM

APPOINTMENT OF SUBSTITUTE TRUSTEE

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, the undersigned hereby APPOINTS AND DESIGNATES Sheryl LaMont as Substitute Trustee, Robert LaMont as Successor Substitute Trustee, David Sims as Successor Substitute Trustee, Harriett Fletcher as Successor Substitute Trustee, Allan Johnston as Successor Substitute Trustee, Sharon St. Pierre as Successor Substitute Trustee, Ronnie Hubbard as Successor Substitute Trustee, or Thomas Delaney as Successor Substitute Trustee or Lisa Cockrell as Successor Substitute Trustee

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 Mortgagee, the Mortgagee or the Mortgagee's attorney.

FILED FOR RECORD
SHELBY COUNTY, TEXAS
SEP 11 AM 11 48
KATHERINE L. FOUNTAIN
COUNTY CLERK
M. J. Berry
DEPUTY



Place of Sale of Property: The foreclosure sale will be conducted in the area designated by the SHELBY County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where the 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.

Executed on this the 7th day of September, 2017.

For Information:

"Servicelink Default Abstract Solutions
1320 Greenway Drive, Suite 300
Irving, TX 75038

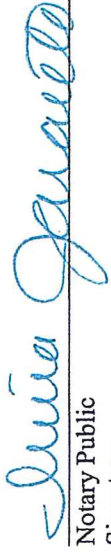


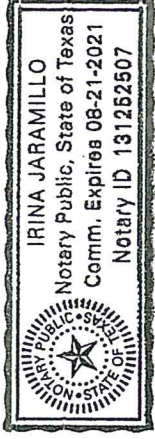
Sarah S. Cox, Attorney at Law
Codilis & Stawiariski, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

STATE OF TEXAS
COUNTY OF HARRIS

Before me, the undersigned Notary Public, on this day personally appeared Sarah S. Cox as Attorney for the Mortgagee and/or Mortgage Servicer known to me or proved to me through a valid State driver's license or other official identification described as Personal Knowledge, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand seal of office on this the 7th day of September, 2017.


Notary Public
Signature



Posted and filed by: 

Printed Name: 

C&S No. 44-16-3184 / Home Equity / No
Capital One, N.A.

After recording, return to:
Servicelink, ASAP
1320 Greenway Drive, Suite 300
Irving, TX 75038
4632812

TRACT ONE, BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN SHELBY COUNTY, TEXAS, BEING A PART OF THE S. O. PENNINGTON SURVEY A-556, AND BEING A PART OF THE S. E. LAMBERT HOMEPAGE ABOUT 1 MILE S. OF JOAQUIN, TEXAS AND ON THE EAST SIDE OF HWY. NO. 7 AND BEING THE LAND DESCRIBED IN THE WARRANTY DEED FROM S. E. LAMBERT TO J. N. WATSON, DATED MARCH 1, 1950, RECORDED IN VOL. 291, PAGE 357, DEED RECORDS, SHELBY COUNTY, TEXAS AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT: BEGINNING AT A STAKE IN ROAD, DITCH AT LEVI COGSWELL N. E. CORNER; THENCE N. 86 DEG. W. WITH THE LEVI COGSWELL'S N. B. L., 308 FEET TO STAKE ON HIGHWAY, BEING LEVI COGSWELL'S N. W. CORNER; THENCE N. 30 DEG. E. 228 FEET UP THE EAST SIDE OF HIGHWAY NO. 7 TO CORNER, A 6 INCH PINE; THENCE S. 86 DEG. E. NINETY FEET TO CORNER, A 4 INCH SWEET GUM ON ROAD BANK; THENCE SOUTH 30 E. 240 FEET TO THE PLACE OF BEGINNING, CONTAINING ONE ACRE OF LAND, MORE OR LESS. TRACT TWO, BEING 0.3679 ACRES OF LAND LYING AND SITUATED IN THE S. OF PENNINGTON SURVEY A-556, SHELBY COUNTY, TEXAS AND BEING THE LAND DESCRIBED IN THE WARRANTY DEED FROM ARLINE FRENCH TO BONNIE W. BROWN, DATED AUGUST 20, 1950, RECORDED IN VOL. 710, PAGE 701, DEED RECORDS, SHELBY COUNTY, TEXAS AND BEING FURTHER DESCRIBED AS FOLLOWS: BEGINNING IN A PUBLIC ROAD AT THE SOUTHEAST CORNER OF A 1 ACRE TRACT CONVEYED BY S. E. LAMBERT TO J. N. WATSON MARCH 10, 1950, RECORDED IN VOLUME 291, PAGE 357 IN THE WEST LINE OF THE E. L. LOWE TRACT DESCRIBED IN VOLUME 74, PAGE 14, ALL REFERENCES MADE TO THE DEED RECORDS OF SHELBY COUNTY, TEXAS; THENCE S 29 DEG 26 MIN 00 SEC E GENERALLY WITH THE SAID ROAD AND ALONG THE WEST LINE OF THE SAID LOWE TRACT A DISTANCE OF 147.80 FEET TO THE CORNER, BEING N 29 DEG 26 MIN W 356.29 FT. FROM THE POINT WHERE THE SAID LOWE LINE CROSSES A BRANCH; THENCE N 88 DEG 49 MIN 19 SEC W INTO THE ABOVE REFERENCED TRACT AT 21.87 FT. SET A 1/2 INCH IRON ROD FOR A REFERENCE CORNER, IN ALL 141.77 FT. TO A 1/2 INCH IRON ROD SET FOR THE CORNER; THENCE N 18 DEG 57 MIN 18 SEC W A DISTANCE OF 137.40 FT. TO A 1/2 INCH IRON ROD SET FOR THE CORNER IN THE SOUTH LINE OF THE AFORESAID J. N. WATSON TRACT; THENCE S 85 DEG 26 MIN 00 SEC E ALONG THE SAID LINE AND PASSING 12 FT. SOUTH OF A SPRING, AT 101.27 FT. SET A 1/2 INCH IRON ROD FOR A REFERENCE CORNER, IN ALL 117.03 FT. TO THE POINT OF BEGINNING, AND CONTAINING 0.3679 ACRE OF LAND. TAX ID: 06-0555-0000-0041-01.

C&S No. 44-17-4216 / FHA / Yes
Cenlar FSB

NOTICE OF TRUSTEE'S SALE

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Date of Security Instrument: June 26, 2014

Grantor(s): Candelario Juarez and Maria Cristina Juarez, husband and wife

Original Trustee: Randall C Present

Original Mortgagee: Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for DHI Mortgage Company Ltd, its successors and assigns

Recording Information: Clerk's File No. 2014002514, in the Official Public Records of SHELBY County, Texas.

Current Mortgagee: Pingora Loan Servicing, LLC

Mortgage Servicer: Cenlar FSB, whose address is C/O Attn: FC or BK Department
425 Phillips Blvd Ewing, NJ 08618 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.

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Legal Description:

BEING ALL THAT CERTAIN 1.11 ACRES OUT OF THE DON MOODY CALLED 5.0 ACRE TRACT ON THE SAMEUEL STRICKLAND SURVEY, A-640, SHELBY COUNTY, TEXAS, DESCRIBED IN DEED RECORDED IN VOLUME 1080, PAGE 600, SHELBY COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

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For Information:

Codilis & Stawiariski, P.C.
400 N. Sam Houston Pkwy E, Suite
900A
Houston, TX 77060
(281) 925-5200


Sheryl LaMont as Substitute Trustee, Robert LaMont as Successor Substitute Trustee, David Sims as Successor Substitute Trustee, Harriett Fletcher as Successor Substitute Trustee, Evan Press as Successor Substitute Trustee, Allan Johnston as Successor Substitute Trustee, Amy Bowman as Successor Substitute Trustee, Reid Ruple as Successor Substitute Trustee, Kathleen Adkins as Successor Substitute Trustee, Kristie Alvarez as Successor Substitute Trustee, Julian Perrine as Successor Substitute Trustee, Doug Woodard as Successor Substitute Trustee, Sharon St. Pierre as Successor Substitute Trustee, ~~Rannic Hubbard~~ as Successor Substitute Trustee, Darlene Boettcher as Successor Substitute Trustee, Shawn Schiller as Successor Substitute Trustee, or Thomas Delaney as Successor Substitute Trustee or Lisa Cookrell as Successor Substitute Trustee

9-11-17



4632774



Exhibit "A"

Being all that certain 1.11 acres out of the Don Moody called 5.0 acre tract on the SAMUEL STRICKLAND SURVEY, A-640, Shelby County, Texas, described in deed recorded in Volume 1080, Page 600, Shelby County Deed Records and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 3/8" rebar we found on or near the north R.O.W. of Texas FM 2608 at the recognized and occupied SWC of the Don Moody called 5.0 acre tract in the Samuel Strickland Survey, A-640, Shelby County, Texas described in deed recorded in Volume 1080, Page 600, Shelby County Deed Records;

THENCE North 12° 17' 54" West, along the recognized and occupied WBL of the aforementioned Moody tract a distance of 366.22 feet to a 3/8" rebar we found at the recognized and occupied NWC of said Moody tract on the recognized and occupied SBL of the Norberto Musico called 5.00 acre tract described in deed recorded in Volume 1075, Page 413, Shelby County Deed Records;

THENCE North 77° 04' 00" East, along the recognized and occupied NBL of the aforementioned Moody tract and the recognized and occupied SBL of the aforementioned Musico tract a distance of 132.00 feet to a 1/2" steel rod we set;

THENCE South 12° 17' 58" East across the aforementioned Moody tract a distance of 367.45 feet to a 1/2" steel rod we set on or near the north R.O.W. of Texas FM 2608;

THENCE South 77° 36' 04" West along or near the north R.O.W. of Texas FM 2608 a distance of 132.00 feet to the place of beginning and containing 1.11 acres of land, more or less.

M.C.J.

lj