

## **NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

WHEREAS, by Deed of Trust dated November 16, 2006, recorded under Document No. 287652, in the Official Records of Aransas County, Texas, referred to as the "Deed of Trust," to which record reference is here made for all purposes, Seferino Perez (hereinafter called the "Mortgagor" whether one or more) granted, sold and conveyed to the Trustee named therein the real property described in Exhibit "A" attached hereto and made a part hereof for all purposes (said real property, together with any and all appurtenances, improvements and fixtures of any kind located thereon or pertaining thereto, and together with any personal property located thereon or pertaining thereto to the extent such personal property is described in and covered by the Deed of Trust, being collectively referred to herein as the "Property"), in order to secure payment of that one certain promissory note dated November 16, 2006, in the original principal sum of \$600,000.00 executed by Seferino Perez and made payable to the order of First National Bank (said promissory note, as modified or extended by any modifications or extensions thereof, being herein referred to as the "Note"), and payment of any and all other indebtedness secured by and described in the Deed of Trust; and

WHEREAS, PlainsCapital Bank, Dallas, Texas, is successor-in-interest to certain assets of First National Bank, Edinburg, Texas, including the Note and Deed of Trust, pursuant to that certain Purchase and Assumption Agreement, effective as of September 13, 2013, by and between PlainsCapital Bank and the Federal Deposit Insurance Corporation, as Receiver of First National Bank, Edinburg, Texas; and

WHEREAS, PlainsCapital Bank ("Beneficiary") is the legal owner and holder of the Note and the beneficiary of the Deed of Trust; and

WHEREAS, pursuant to authority granted in the Deed of Trust, Beneficiary did appoint and designate the undersigned whose street address is 1700 Tower Life Building, San Antonio, Texas 78205, as Substitute Trustee to act under the Deed of Trust instead of the original Trustee named therein; and

WHEREAS, the Note is in default and the entire unpaid balance thereof is due and payable and Beneficiary has demanded payment from the Mortgagor and intends to have the power of sale set forth in the Deed of Trust enforced; and

WHEREAS, Beneficiary has directed the undersigned, as Substitute Trustee, to enforce the power of sale granted under the Deed of Trust over the Property for the purpose of collecting the indebtedness secured thereby, after giving notice of the time, place and terms of such sale and of the property to be sold in compliance with the terms of the Deed of Trust and the laws of the State of Texas;

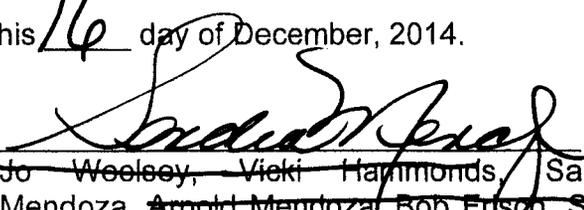
**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

THAT I, Jo Woolsey, Vicki Hammonds, Sandra Mendoza, Arnold Mendoza, Bob Frisch, Stacy A. Melton or James L. Hollerbach, Substitute Trustee, hereby give notice that, after due publication of this Notice by posting it at the courthouse door of Aransas

County, Texas at least twenty-one (21) days preceding the date of the foreclosure sale of the Property (as stated below), and after having filed this Notice in the Foreclosure Records of Aransas County, Texas, at least twenty-one (21) days preceding the date of such sale, and after having given written notice at least twenty-one (21) days preceding the date of such sale by certified mail to each debtor obligated to pay the Note and the indebtedness secured by the Deed of Trust at the address of each such debtor according to the records of Beneficiary as required by the Deed of Trust and the laws of the State of Texas, I will sell the Property described in Exhibit "A" at public auction to the highest bidder or bidders for cash at the front steps to the East lobby entrance of the Aransas County Courthouse, Rockport, Texas (as designated by the Commissioners Court of that county), at 10:00 a.m. (at the earliest), or within three (3) hours thereafter, on January 6, 2015, that being the first Tuesday of that month.

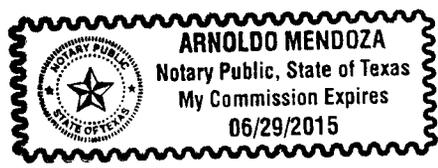
Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately. The sender of the Notice is Diann M. Bartek and can be notified of the active duty military service at 112 E. Pecan, Ste. 1800, San Antonio, Texas 78205.

Executed in multiple originals on this 16 day of December, 2014.

  
~~Jo Woolsey, Vicki Hammonds, Sandra Mendoza, Arnold Mendoza, Bob Frisch, Stacy A. Melton or James L. Hollerbach, Substitute Trustee~~  
1700 Tower Life Building  
San Antonio, Texas 78205

STATE OF TEXAS §  
  §  
COUNTY OF Mexico §

This instrument was acknowledged before me on the 16 day of December, 2014, by ~~Jo Woolsey, Vicki Hammonds, Sandra Mendoza, Arnold Mendoza, Bob Frisch, Stacy A. Melton or James L. Hollerbach~~ Substitute Trustee, on behalf of said Trust.



  
Notary Public, State of Texas

**AFTER RECORDING, RETURN TO:**

Diann M. Bartek  
Cox Smith Matthews Incorporated  
112 E. Pecan, Suite 1800  
San Antonio, Texas 78205

## PROPERTY DESCRIPTION

Tract One—ARANSAS COUNTY PROPERTY:

BEING 1.154 acres of land out of Outlot No. SIX (6), FULTON OUTLOTS, Aransas County, Texas, according to the map or plat of record in Volume E, Pages 540-541, Deed Records, Aransas County, Texas and being more particularly described by metes and bounds as follows:

BEGIN at a 5/8" iron rod found at the point of intersection of the West Right-of-Way line of Texas State Highway No. 35 and the south Right-of-Way Line of Prairie Road, a 40 foot wide county roadway along the North boundary of said Outlot 6, said 5/8" iron rod being the Northeast corner and PLACE OF BEGINNING of this description;

THENCE, North 80° 00' 00" west along and with the South Right-of-Way line of Prairie Road and the North line of Outlot 6 a distance of 207.00 feet to a 5/8" iron rod found for the Northeast corner of a tract of land described in Volume K-4, Page 452, Deed Records of Aransas County, Texas, said 5/8" iron rod being an exterior corner of this description;

THENCE, South 10° 00' 00" West, a distance of 100.00 feet to a 5/8" iron rod set for an interior corner of this description;

THENCE, North 80° 00' 00" West, a distance of 60.00 feet to a 5/8" iron rod set for an exterior corner of this description;

THENCE, South 10° 00' 00" West, a distance of 25.00 feet to a 5/8" iron rod found for the Southeast corner of a tract of land described in Volume L-4, Page 205, Deed Records, Aransas County, Texas, said 5/8" iron rod being an interior corner of this description;

THENCE, North 80° 00' 00" West, a distance of 70.00 feet to a 5/8" iron rod found for an interior corner of this description;

THENCE, North 10° 00' 00" East, a distance of 125.00 feet to a 5/8" iron rod found in the South Right-of-Way line of Prairie Road for an exterior corner of this description;

THENCE, North 80° 00' 00" West along and with the South Right-of-Way line of Prairie Road a distance of 34.5 feet to a 5/8" iron rod found for the Northeast corner of a tract of land described in Volume A-4, Page 129, Deed Records, Aransas County, Texas, said 5/8" iron rod being the Northwest corner of this description;

THENCE, South 10° 30' 00" West, a distance of 175.01 feet to a 5/8" iron rod set in the South line of Outlot 6 for the Southwest corner of this description;

EXHIBIT "A"

THENCE, South 80° 00' 00" East along and with the South line of Outlot 6, a distance of 371.50 feet to a 5/8" iron rod found in the West Right-of-Way line of Texas State Highway No. 35 for the Southeast corner of this description;

THENCE, North 10° 30' 00" East along and with the West Right-of-Way line of Texas State Highway No. 35 a distance of 175.01 feet to the POINT OF BEGINNING and containing 1.154 acres of land more or less.

SAVE AND EXCEPT therefrom, however, all of the oil, gas and other minerals, the entire mineral estate having been reserved unto predecessors in chain of title, this being only a conveyance of the surface estate.

To the extent they are located on the real property above, (1) all goods that are or will be fixtures and that are or will be located on the above real property, including all systems, devices, machinery, apparatuses, equipment, fittings, appliances and fixtures of every kind, including all electrical, anti-pollution, heating, lighting, laundry, incinerating, power, air-conditioning, plumbing, lifting, cleaning, fire prevention, fire extinguishing, refrigerating, ventilating, communication, garage and cooking systems, devices, machinery, apparatuses, equipment, fittings, appliances and fixtures; and (2) all engines, pipes, pumps, tanks, motors, conduits, ducts, compressors and switchboards, and all storm doors and windows, dishwashers, attached cabinets and partitions.

**FILED**  
**AT 1:05 P.M.**

**DEC 16 2014**

*Peggy L. Friebele*

PEGGY L. FRIEBELE  
COUNTY CLERK, ARANSAS CO., TEXAS

**EXHIBIT "A"**