

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, by Deed of Trust dated January 5, 2009, recorded under Document No. 304949, in the Official Records of Aransas County, Texas, and Deed of Trust dated January 5, 2009, recorded under Document No. 2009-1983361, in the Official Records of Hidalgo County, Texas, collectively referred to as the "Deeds 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 Deeds of Trust, being collectively referred to herein as the "Property"), in order to secure payment of that one certain promissory note dated January 5, 2009, in the original principal sum of \$1,258,407.16 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 Deeds 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 Deeds 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 Deeds of Trust; and

WHEREAS, pursuant to authority granted in the Deeds 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 Deeds 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 Deeds of Trust enforced; and

WHEREAS, Beneficiary has directed the undersigned, as Substitute Trustee, to enforce the power of sale granted under the Deeds 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 Deeds 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

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.

Tract Two—HIDALGO COUNTY PROPERTY:

Lot THIRTEEN (13), EBONY HOLLOW SUBDIVISION, UNIT NO. 1, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 22, Page 18, Map Records of Hidalgo County, Texas, being a replat of Volume 21, Page 117, Map Records of Hidalgo County, Texas, in which reference is here made for all pertinent purposes.

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

EXHIBIT "A"

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