

**NOTICE OF FORECLOSURE SALE
("SUBSTITUTE TRUSTEE'S" SALE)**

NOTICE REGARDING MILITARY SERVICE

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.

DATE OF NOTICE: July 13, 2021

TYPE OF INSTRUMENT: Deed of Trust ("Deed of Trust")

DATED: November 23, 2009

GRANTOR: Nestor Cortez and Adelita Cortez

TRUSTEE: New Wave Properties, Inc.

LENDER: First Capital Properties, LTD.

CURRENT HOLDER: First Capital Properties, LTD.

RECORDED IN: Deed of Trust is recorded under Instrument/Document Number 612594 of the real property records of San Patricio County, Texas

LEGAL DESCRIPTION & PROPERTY TO BE SOLD: Lots Twenty-Three (23), Twenty-Four (24), Twenty-Five (25) and the South Half of Lot Twenty-Six (S/2 of 26), Block Eighteen (18), M.k. Hunt's Addition to the Town of Gregory in San Patricio County, Texas, as Shown by Map or Plat of Record in Volume 3, Page 2, Map Records of San Patricio County, Texas

(More commonly known as: 110 N. Gregory, Gregory, Texas 78359)

SECURES: Promissory Note ("Note") in the original principal amount of \$35,495.00, executed by Nestor Cortez and Adelita

Cortez ("Borrower"), and payable to the order of Lender/Holder.

FORECLOSURE SALE:

DATE: August 3, 2021

TIME: The earliest time the sale will begin is 1:00 P.M. or within three hours thereafter

PLACE: **SAN PATRICIO COUNTY COURTHOUSE IN SINTON, TEXAS, AT THE FOLLOWING LOCATION: AT THE FIRST FLOOR OF THE COURTHOUSE, AT THE SOUTH ENTRANCE BETWEEN THE GLASS DOORS IN THE VESTIBULE, OR SUCH OTHER LOCATION AS MAY BE DESIGNATED BY THE COUNTY COMMISSIONERS COURT OF SAN PATRICIO COUNTY, TEXAS**

TERMS OF SALE: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that First Capital Properties, LTD.'s, bid may be by credit against the indebtedness secured by the lien of the Deed of Trust

TRUSTEES/SUBSTITUTE TRUSTEE(S): New Wave Properties, Inc., Ashleigh Renfro, AND/OR Ian Ghrist, AND/OR Sarah Dill, AND/OR Sara Colavito.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, First Capital Properties, LTD., the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of First Capital Properties, LTD.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with First Capital Properties, LTD.'s, rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If First Capital Properties, LTD., passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will

necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by First Capital Properties, LTD. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, any Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by 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.

Name and Address of Sender of Notice:

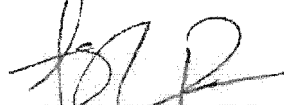
Renfro Hausheer, PLLC
2735 Villa Creek Drive, Suite, 140
Farmers Branch, Texas 75234

Name and Address of Sender of Notice:

DIA Servicing, LLC
2735 Villa Creek Drive, Suite, 140
Farmers Branch, Texas 75234

Pursuant to Section 51.0025 of the Texas Property Code, the mortgage servicer and/or its Attorney are entitled to administer the foreclosure due to the fact that servicer, noteholder or Lender, and Attorney have entered into an agreement granting authority to service the mortgage and administer foreclosure proceedings.

Renfro Hausheer, PLLC



By: Ashleigh Renfro, Substitute Trustee
2735 Villa Creek Drive, Suite 140
Farmers Branch, Texas 75234
Telephone (972) 708-4425
Fax (972) 521-6413


Representative – Ramiro Cortez
Estate of Adelita Cortez aka Adela Cortez
c/o Nathan A. East
P.O. Box 1333
Portland, Texas 78374
DATE SENT: JULY 13, 2021

VIA CMRRR# 7020-3160-0002-2081-7094
VIA USPS FIRST-CLASS MAIL

By:  _____

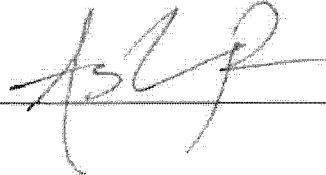
Representative – Ramiro Cortez
Estate of Adelita Cortez aka Adela Cortez
and Nestor Cortez
2092 Jenica Drive
Ingleside, Texas 78362
DATE SENT: JULY 13, 2021

VIA CMRRR# 7018-1130-0001-1934-9231
VIA USPS FIRST-CLASS MAIL

By:  _____

Estate of Adelita Cortez aka Adela Cortez
and Nestor Cortez
110 N. Gregory
Gregory, Texas 78359
DATE SENT: JULY 13, 2021

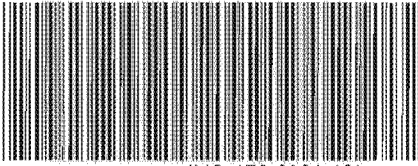
VIA CMRRR# 7018-1130-0001-1934-9262
VIA USPS FIRST-CLASS MAIL

By:  _____

I HEREBY CERTIFY THAT ON JULY 13, 2021, TRUE AND CORRECT COPIES OF THIS DOCUMENT WERE SENT TO THE RECIPIENTS AT THE ADDRESS AND BY THE METHOD(S) DESCRIBED ABOVE.



Ashleigh Renfro



VG-172-2021-12

San Patricio County
Gracie Alaniz-Gonzales
San Patricio County Clerk

Instrument Number: 12

Foreclosure Posting

Recorded On: July 13, 2021 03:31 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$3.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 12
Receipt Number: 20210713000055
Recorded Date/Time: July 13, 2021 03:31 PM
User: Lina G
Station: cclerkdeeds2

Record and Return To:

TEXAS SECURITY DEFENS - ERIC M ENIM



STATE OF TEXAS
San Patricio County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of San Patricio County, Texas

Gracie Alaniz-Gonzales
San Patricio County Clerk
San Patricio County, TX

NOTICE OF ACCELERATION AND 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.

DEED OF TRUST INFORMATION:

Date: 05/23/2006
Grantor(s): NICANORA VALDEZ, AN UNMARRIED WOMAN A/K/A NICANORA G. VALDEZ
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR BNC MORTGAGE, INC., A DELAWARE CORPORATION, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$27,200.00
Recording Information: Instrument 557336
Property County: San Patricio
Property: (See Attached Exhibit "A")
Reported Address: 448 PEACH STREET, TAFT, TX 78390

RECEIVED

JUL - 8 2021

12:42 P.M.
**GRACIE ALANIZ-GONZALES
COUNTY CLERK**

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: U.S. Bank National Association, as trustee for Structured Asset Investment Loan Trust Mortgage Pass-Through Certificates, Series 2006-BNC3
Mortgage Servicer: PHH Mortgage Corporation
Current Beneficiary: U.S. Bank National Association, as trustee for Structured Asset Investment Loan Trust Mortgage Pass-Through Certificates, Series 2006-BNC3
Mortgage Servicer Address: 1 Mortgage Way, Mount Laurel, NJ 08054

SALE INFORMATION:

Date of Sale: Tuesday, the 3rd day of August, 2021
Time of Sale: 1:00PM or within three hours thereafter.
Place of Sale: ON THE FIRST FLOOR OF THE COURTHOUSE AT THE SOUTH ENTRANCE BETWEEN THE GLASS DOORS IN THE VESTIBULE in San Patricio County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the San Patricio County Commissioner's Court, at the area most recently designated by the San Patricio County Commissioner's Court.

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and John Sisk, Colette Mayers, Stephen Mayers, Israel Curtis, Ramon Perez, Garrett Sanders, Marcia Chapa, Dylan Ruiz, Amy Ortiz, Maryna Danielian, Megan Ysassi, Evan Press, Kathleen Adkins, Dana Dennen, Jo Woolsey, Bob Frisch, Arnold Mendoza, Braden Barnes, Michael Burns, or Tori Jones, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;


NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. John Sisk, Colette Mayers, Stephen Mayers, Israel Curtis, Ramon Perez, Garrett Sanders, Marcia Chapa, Dylan Ruiz, Amy Ortiz, Maryna Danielian, Megan Ysassi, Evan Press, Kathleen Adkins, Dana Dennen, Jo Woolsey, Bob Frisch, Arnold Mendoza, Braden Barnes, Michael Burns, or Tori Jones, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril". and no representation is made concerning the quality or nature of title to be

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Substitute Trustee(s) appointed to Conduct Sale: In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed and by these presents does name and appoint John Sisk, Colette Mayers, Stephen Mayers, Israel Curtis, Ramon Perez, Garrett Sanders, Marcia Chapa, Dylan Ruiz, Amy Ortiz, Maryna Danielian, Megan Ysassi, Evan Press, Kathleen Adkins, Dana Dennen, Jo Woolsey, Bob Frisch, Arnold Mendoza, Braden Barnes, Michael Burns, or Tori Jones, any to act as substitute trustee under and by virtue of said Deed of Trust.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254



X
Braden Barnes, TBN 24059423
Michael Burns, TBN 24054447
Marilyn Jones, TBN 24077649
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICE

Certificate of Posting

Alexis Mendoza

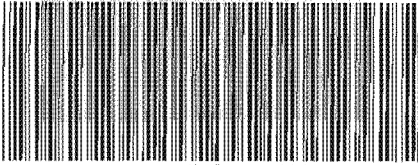
I am _____ whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on 7.08.21 I filed and / or recorded this Notice of Foreclosure Sale at the office of the San Patricio County Clerk and caused it to be posted at the location directed by the San Patricio County Commissioners Court.

By: 

Exhibit "A"

LOT FIFTEEN (15), BLOCK ELEVEN (11), SECOND ROOSEVELT ADDITION, AN ADDITION TO THE CITY OF TAFT, SAN PATRICIO COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 15, MAP RECORDS OF SAN PATRICIO COUNTY, TEXAS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254



^VG-172-2021-10*

San Patricio County
Gracie Alaniz-Gonzales
San Patricio County Clerk

Instrument Number: 10

Foreclosure Posting

Recorded On: July 08, 2021 12:46 PM

Number of Pages: 3

" Examined and Charged as Follows: "

Total Recording: \$3.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 10
Receipt Number: 20210708000042
Recorded Date/Time: July 08, 2021 12:46 PM
User: Lina G
Station: cclerkdeeds2

Record and Return To:

PIONEER LAND SERVICES



STATE OF TEXAS
San Patricio County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of San Patricio County, Texas

Gracie Alaniz-Gonzales
San Patricio County Clerk
San Patricio County, TX

RECEIVED

JUL - 8 2021

12:42 PM
GRACIE ALANIZ-GONZALES
COUNTY CLERK

NOTICE OF FORECLOSURE 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 OR 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.

1. Property to Be Sold. The property to be sold is described as follows: LOT ONE (1), BLOCK FIVE (5) VILLANOVA PLACE, AN ADDITION TO THE TOWN OF INGLESIDE, SAN PATRICIO COUNTY, TEXAS, AS SHOWN BY THE MAP OR PLAT OF SAID ADDITION, RECORDED IN VOLUME 4, PAGE 44, MAP RECORDS, SAN PATRICIO COUNTY, TEXAS.

BEING THE SAME PROPERTY CONVEYED TO WALTER L. LOVING AND WIFE, JOYCE E. LOVING BY DEED FROM WOODROW W. MCCURE, NOT JOINED BY MY WIFE AS THE PROPERTY HEREIN CONVEYED CONSITUTES NO PART OF OUR HOMESTEAD RECORDED 06/11/1976 IN DEED BOOK 530 PAGE 287, IN THE REGISTER'S OFFICE OF SAN PATRICIO COUNTY, TEXAS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 07/25/2015 and recorded in Document 649292 real property records of San Patricio County, Texas.

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: 08/03/2021

Time: 01:00 PM

Place: San Patricio County, Texas at the following location: FIRST FLOOR OF THE COURTHOUSE AT THE SOUTH ENTRANCE BETWEEN THE GLASS DOORS IN THE VESTIBULE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash. 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.

5. Obligations Secured. The Deed of Trust executed by WALTER L. LOVING AND JOYCE E. LOVING, provides that it secures the payment of the indebtedness in the original principal amount of \$139,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. AMERICAN ADVISORS GROUP is the current mortgagee of the note and deed of trust and AMERICAN ADVISORS GROUP is mortgage servicer. A servicing agreement between the mortgagee, whose address is AMERICAN ADVISORS GROUP c/o AMERICAN ADVISORS GROUP, 3900 Capital City Blvd., Lansing, MI 48906 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. Substitute Trustee(s) Appointed to Conduct Sale. In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

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Mackie Wolf Zientz & Mann, P.C.

Brandon Wolf, Attorney at Law

L. Keller Mackie, Attorney at Law

Michael Zientz, Attorney at Law

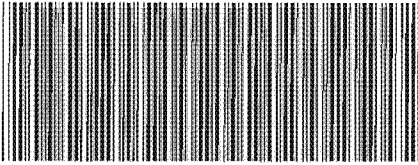
Lori Liane Long, Attorney at Law

Chelsea Schneider, Attorney at Law

Ester Gonzales, Attorney at Law

Parkway Office Center, Suite 900

14160 Dallas Parkway



VG-172-2021-11

San Patricio County
Gracie Alaniz-Gonzales
San Patricio County Clerk

Instrument Number: 11

Foreclosure Posting

Recorded On: July 08, 2021 12:46 PM

Number of Pages: 2

" Examined and Charged as Follows: "

Total Recording: \$3.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 11
Receipt Number: 20210708000042
Recorded Date/Time: July 08, 2021 12:46 PM
User: Lina G
Station: cclerkdeeds2

Record and Return To:

PIONEER LAND SERVICES



STATE OF TEXAS
San Patricio County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of San Patricio County, Texas

Gracie Alaniz-Gonzales
San Patricio County Clerk
San Patricio County, TX