

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

MILAM County
Deed of Trust Dated: October 26, 2005
Amount: \$234,000.00
Grantor(s): CODY CALDWELL and ZENA CALDWELL

Filed 1st day of March
in 2018, At 11:30AM.
BARBARA VANSA
County Clerk, Milam County, Texas
By Jennifer Northwest
Deputy

Original Mortgagee: STATE BANK DBA CAPSTAR LENDING
Current Mortgagee: TIB - THE INDEPENDENT BANKERSBANK

Mortgagee Address: TIB - THE INDEPENDENT BANKERSBANK, 1 Corporate Drive, Suite 360, Lake Zurich, IL 60047

Recording Information: Volume 990, Page 115 as corrected in Affidavit recorded in Vol. 1296, Page 121

Legal Description: SEE EXHIBIT A

Date of Sale: April 3, 2018 between the hours of 10:00 AM and 1:00 PM.

Earliest Time Sale Will Begin: 10:00 AM

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

PETE FLOREZ OR AARTI PATEL, MARYNA DANIELIAN, PATRICIA SANDERS, FREDERICK BRITTON, JACK BURNS II, KRISTOPHER HOLUB, PATRICK ZWIERS, PAMELA THOMAS, EVAN PRESS, FLORENCE ROSAS, JOHN LATHAM, MICHAEL LATHAM, JOHN W. LATHAM, BRETT ADAMS, TOBEY LATHA OR PETE FLORES have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.


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 Mortgagor, the Mortgagee or the Mortgagee's attorney.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

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.


MICHAEL J. DONNELLY, ATTORNEY AT LAW
HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2016-015758



PETE FLOREZ OR AARTI PATEL, MARYNA DANIELIAN,
PATRICIA SANDERS, FREDERICK BRITTON, JACK BURNS II,
KRISTOPHER HOLUB, PATRICK ZWIERS, PAMELA THOMAS,
EVAN PRESS, FLORENCE ROSAS, JOHN LATHAM, MICHAEL
LATHAM, JOHN W. LATHAM, BRETT ADAMS, TOBEY LATHA
OR PETE FLORES
c/o Auction.com, LLC
1 Mauchly
Irvine, California 92618

EXHIBIT A (Legal Description)

ALL that tract or parcel of land lying and being situated in Milam County, Texas, out of the S.C. Robertson A-52, being a part of the land conveyed to James West by J.N. Huddleston and wife, Emma Huddleston in Volume , Page of the Milam County Deed Records, said Deed date August 29, 1916, and being more particularly described as follows:

Starting at the North corner of the Albert Brown tract, being the East corner of the original tract;

Thence, N20 42'23"W, 285.04 feet to the point of beginning, being the North corner of the Velma Daggett Remainder and the East corner of this tract;

Thence, S69 58'52"W, 786.04 feet along the line between the Velma Daggett Remainder and this tract to a point for corner being the West corner of the Velma Daggett Remainder tract and the South corner of this tract;

Thence, N20 42'23"W, 265.04. feet to a point for corner being the South corner of the Dale Moan Remainder and the West corner of this tract;

Thence, N69 58'52"E, 786.04 feet along the line between the Dale Moan Remainder and this tract, to a point for corner located on the Southwest R.O.W. of Old Bushnell Road and being the East corner of the Dal, Moan Remainder and the North corner of this tract;

Thence, S20 42'23"E, 285.04 feet along said Old Bushnell Road to a point of beginning and containing 5.1431 Acres of land, as surveyed on the grounds under my supervision.

Tax ID: 28190

CLERK'S NOTICE: 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.

FILED
AT 11:20 O'CLOCK A M
ON THE 28 DAY OF Nov
A.D., 20 16

STATE OF TEXAS
COUNTY OF MILAM
I hereby certify that this instrument was FILED on the date and at the time stamped herein by me and was duly RECORDED in the Volume and Page of the Official Records of Milam County, Texas.

Barbara Vansa
COUNTY CLERK, MILAM COUNTY, TEXAS
BY Linda Hall DEPUTY



Barbara Vansa
County Clerk, Milam County, Texas
VOL 1296 PAGE 121
RECORDED 11-28-16 2:5P
BY Linda Hall DEPUTY

118K 24Pp

VOL 1296 PAGE 144
OFFICIAL RECORDS
MILAM COUNTY, TEXAS