

NOTICE OF [SUBSTITUTE] 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.

1. **Date, Time, and Place of Sale.**

Date: June 04, 2024

Time: The sale will begin at 1:00 PM or not later than three hours after that time.

Place: THE SOUTHWEST FRONT DOOR EITHER INSIDE OR OUTSIDE OF THE COURTHOUSE WHICH FACES MAIN STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated June 03, 2020 and recorded in Document VOLUME 1176, PAGE 811 real property records of BANDERA County, Texas, with ERNEST M CAPELL A SINGLE PERSON, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by ERNEST M CAPELL A SINGLE PERSON, securing the payment of the indebtednesses in the original principal amount of \$170,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. FIRST UNITED BANK AND TRUST COMPANY is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. FIRST UNITED BANK AND TRUST, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o FIRST UNITED BANK AND TRUST  
3930 DALLAS PARKWAY  
PLANO, TX 75093

**FILED**  
AT 3:18 O'CLOCK P.M. ON  
MAY 14 2024  
TANDIE MANSFIELD, COUNTY CLERK  
BANDERA COUNTY, TEXAS  
BY *[Signature]* DEPUTY



**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.**

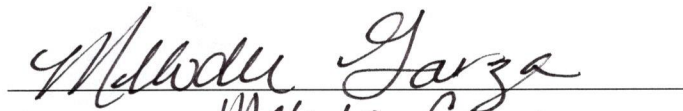
The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead TROY MARTIN, DEBORAH MARTIN, CASSIE MARTIN, ALEXIS MARTIN, MARTHA ROSSINGTON, REYN ROSSINGTON OR SHELBY MARTIN whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Israel Saucedo

Certificate of Posting

My name is Melodee Garza, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 5-14-24 I filed at the office of the BANDERA County Clerk and caused to be posted at the BANDERA County courthouse this notice of sale.



Declarants Name: Melodee Garza

Date: 5-14-24

544 OAKLAWN DR  
BANDERA, TX 78003

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BANDERA

**EXHIBIT "A"**

LOTS 43, 44, 45, 46, 47 AND 48, BLOCK F, LAKESHORE BEACH SUBDIVISION, UNIT NO 3, IN BANDERA COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 69, MAP AND PLAT RECORDS OF BANDERA COUNTY, TEXAS