

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. Sender is: Codilis & Moody, P.C., 20405 State Highway 249, Suite 170, Houston, TX 77070

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated July 29, 2010 and recorded under Vol. 1349, Page 719, or Clerk's File No. 00237576, in the real property records of GRIMES County Texas, with Mary E. Clepper AKA Mary Clepper, an unmarried woman as Grantor(s) and Bank of America, N.A., A National Banking Association as Original Mortgagee.

Deed of Trust executed by Mary E. Clepper AKA Mary Clepper, an unmarried woman securing payment of the indebtedness in the original principal amount of \$97,500.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Mary Clepper. US Bank Trust National Association, Not In Its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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 property securing the above referenced loan. Fay Servicing, LLC is acting as the Mortgage Servicer for the Mortgagee. Fay Servicing, LLC, is representing the Mortgagee, whose address is: 1601 LBJ Freeway, Suite 150, Farmers Branch, TX 75234.

Legal Description:

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF NAVASOTA, GRIMES COUNTY, TEXAS, DESCRIBED AS BEING PART OF BLOCK NO. TWENTY (20) OF THE McNAIR ADDITION TO THE CITY OF NAVASOTA, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

SALE INFORMATION

Date of Sale: 02/06/2024

Earliest Time Sale Will Begin: 12:00 PM

Location of Sale: The place of the sale shall be: GRIMES County Courthouse, Texas at the following location: The south door of the Grimes County Courthouse, also known as the front door, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. 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.

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.


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.

WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE Pete Florez, Robert LaMont, Sheryl LaMont, Harriett Fletcher, Sharon St. Pierre, Reid Ruple, Kathleen Adkins, Evan Press, Cary Corenblum, Kristopher Holub, Joshua Sanders, Amy Oian, Matthew Hansen, Jami Grady, Christian Brooks, Michael Kolak, Crystal Koza, Aleena Litton, Aarti Patel, Dana Dennen, Cindy Dennen, Aaron Crawford, Pete Florez, Zachary Florez, Orlando Rosas, Florence Rosas, Enrique Florez, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:
Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

Executed on December 12, 2023.

/s/ Juanita Deaver SBOT No. 24126385, Attorney at Law
Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

Posted and filed by: 
Printed Name: Pete Florez

C&M No. 44-22-2751

FILED FOR RECORD

At 4:19 O'clock PM

DEC 14 2023


VANESSA BURZYNSKI
COUNTY CLERK, GRIMES COUNTY, TX
By  Deputy

EXHIBIT A

LEGAL DESCRIPTION

Legal description of the land:

Being a lot, tract or parcel of land situated in the Daniel Arnold 4,428 acre Survey, Abstract No. 2, City of Navasota, Grimes County, Texas, being a portion of Block 20 of McNair Addition, recorded in Volume 38, Page 11, Flat Records of Grimes County, being all that certain tract of land described in deed to Leland Edwin Clepper and wife, Mary Rice Clepper, as recorded in Volume 223, Page 640, Deed Records of Grimes County, and being more particularly described by metes and bounds as follows:

BEGINNING at a round 1/2-inch iron rod at the east corner of said Clepper tract, being on the common line of said McNair Addition and the S. S. Felder's Addition, as recorded in Volume 388, Page 52, said Plat Records;

THENCE South 57° 16' 00" West (bearing base from aforesaid deed 223/640), a distance of 61.00 feet along the southeast line of said Clepper tract to a found 1/2-inch iron rod at the south corner of said tract;

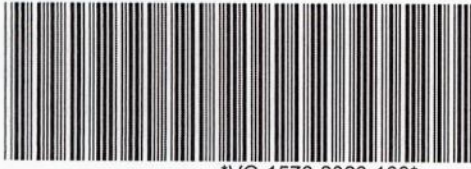
THENCE North 32° 44' 00" West, a distance of 54.59 feet along the southwest line of said Clepper tract to a found 1/2-inch iron rod, from which another found 1/2-Inch Iron rod bears North 12° 45' 35" East, a distance of 0.92 of one foot;

THENCE South 57° 16' 00" West, a distance of 4.00 feet to a point from which a found 1/2-Inch iron rod bears North 86° 15' 18" West, a distance of 6.80 feet;

THENCE North 32° 44' 00" West, a distance of 76.42 feet along aforesaid southwest line to a point from which a found 1/2-inch iron rod bears South 57° 47' 28" West, a distance of 4.79 feet, said point being the west corner of aforesaid Clepper tract, and being on the southeast line of Sycamore Street (variable width right-of-way);

THENCE North 57° 47' 28" East, a distance of 54.52 feet along said southeast line to the north corner of said Clepper tract, being on the aforesaid common line of McNair and Felder's Additions, and being South 37° 21' 00" East, a distance of 4.06 feet from a found 1/2-inch iron rod;

THENCE South 37° 21' 00" East, a distance of 130.83 feet along said common line to the POINT OF BEGINNING and containing 7,588 square feet or 0.17 of one acre of land.



VG-1576-2023-108

Grimes County
Vanessa Burzynski
Grimes County Clerk

Instrument Number: 108

Foreclosure Posting

Recorded On: December 14, 2023 04:19 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$8.00

***** 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: 108
Receipt Number: 20231214000022
Recorded Date/Time: December 14, 2023 04:19 PM
User: Debbie H
Station: Clerk02

Record and Return To:

PEDRO C FLOREZ
2308 N PIONEER TRL.
BRYAN TX 77808



STATE OF TEXAS

Grimes 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 Grimes County, Texas

Vanessa Burzynski
Grimes County Clerk
Grimes County, TX

Vanessa Burzynski