

#106

NOTICE OF SUBSTITUTE TRUSTEE SALE

Deed of Trust Date: 4/8/2022	Grantor(s)/Mortgagor(s): MICHAEL J. CAVALIER, AN UNMARRIED MAN
Original Beneficiary/Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR CITY BANK DBA CITY BANK MORTGAGE, ITS SUCCESSORS AND ASSIGNS	Current Beneficiary/Mortgagee: M&T Bank
Recorded in: Volume: N/A Page: N/A Instrument No: 2022-324173	Property County: GRIMES
Mortgage Servicer: M&T Bank is representing the Current Beneficiary/Mortgagee under a servicing agreement with the Current Beneficiary/Mortgagee.	Mortgage Servicer's Address: 1 Fountain Plaza, Buffalo, NY 14203
Date of Sale: 2/6/2024	Earliest Time Sale Will Begin: 11:00 am
Place of Sale of Property: Grimes County Courthouse, 100 Main Street, Anderson, TX 77830 OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.	

Legal Description: Legal Description Attached as Exhibit A

In accordance with TEX. PROP. CODE §51.0076 and the Deed of Trust referenced above, the undersigned as attorney for Mortgagee or Mortgage Servicer does hereby remove the original Trustee and all successor substitute trustees and appoints in their stead, 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, Auction.com, Dana Dennen, Cindy Dennen, Aaron Crawford, Pete Florez, Zachary Florez, Orlando Rosas, Florence Rosas, Enrique Florez, Orlando Rosas or Bobby Brown, Cole Patton, Myra Homayoun, Thuy Frazier, McCarthy & Holthus, LLP, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original Trustee under there 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

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.

The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute 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.

NOTICE PURSUANT TO TEX. PROP. CODE § 51.002(1): ASSERT AND PROTECT YOUR RIGHTS AS MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE ARE SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL 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.

Dated: 12/5/2023

Thuy Frazier, Attorney
McCarthy & Holthus, LLP
1255 West 15th Street, Suite 1060
Plano, TX 75075
Attorneys for M&T Bank

Dated: 12-9-23

Printed Name:

Substitute Trustee
c/o Auction.com
1255 West 15th Street Suite 1060
Plano, TX 75075

FILED FOR RECORD

At 4:28 O'Clock P M

DEC 08 2023

VANESSA BURZYNSKI
COUNTY CLERK, GRIMES COUNTY, TX
By Barbara Kunch, Deputy

MH File Number: TX-23-100360-POS
Loan Type: FHA

EXHIBIT "A"

FIELD NOTE DESCRIPTION OF 0.241 ACRES, MORE OR LESS, BEING THE NORTH HALF OF LOTS 7, 8, AND 9, BLOCK 22, GRIMES COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 61, PAGE 424, DRGCT (DEED RECORDS OF GRIMES COUNTY, TEXAS) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

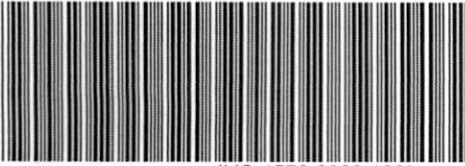
BEGINNING at a set 1/2" iron rod with a plastic cap stamped "Payne 6064" in the southeast 60' right-of-way line of Cleburne Street, for the north corner of the said Lot 9, for the west corner of that tract called Lot 10, for the north corner of this description;

THENCE leaving the POINT OF BEGINNING and Cleburne Street, along the northeast line of the herein described tract, for the southwest line of the said Lot 10, S 27°28'59" E a distance of 69.84 feet (S 33°30'00" E, 70.00') to a set 1/2" iron rod with a plastic cap stamped "Payne 6064" for the east corner of this description;

THENCE leaving the said Lot 10, severing the said Lots 7, 8 and 9, S 62°27'20" W a distance of 150.00 feet to a set 1/2" iron rod with a plastic cap stamped "Payne 6064", in the northeast 60' right-of-way line of FM 244/Trinity Avenue, for the south corner of this description;

THENCE along the southwest line of the herein described tract, being also the northeast 60' right-of-way line of FM 244/Trinity Avenue, N 27°29'00" W a distance of 70.00 feet (N 33°30'00" W, 70.00') to a set 1/2" iron rod with a plastic cap stamped "Payne 6064" in the southeast 60' right-of-way line of Cleburne Street, for the west corner of this description;

THENCE leaving the northeast 60' right-of-way line of FM 244/Trinity Avenue, along the northwest line of the herein described tract, being also the southeast 60' right-of-way line of Cleburne Street, N 62°31'00" E a distance of 150.00 feet (N 56°30'00" E, 150.00') to the POINT OF BEGINNING. There are 0.241 acres, more or less, described in these field notes.



VG-1576-2023-106

**Grimes County
Vanessa Burzynski
Grimes County Clerk**

Instrument Number: 106

Foreclosure Posting

Recorded On: December 08, 2023 04:28 PM

Number of Pages: 3

" 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: 106
Receipt Number: 20231208000022
Recorded Date/Time: December 08, 2023 04:28 PM
User: Barbara K
Station: Clerk01

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