

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 14, BLOCK 2, OF LIBERTY VILLAGE SUBDIVISION, A SUBDIVISION IN WASHINGTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT CABINET FILE NOS. 746B, 747A, AND 747B AND FURTHER AFFECTED BY REPLAT RECORDED IN PLAT CABINET NO. 770A, PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 08/05/2022 and recorded in Book 1854 Page 370 Document 6060 real property records of Washington County, Texas.

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

Date: 12/05/2023

Time: 01:00 PM

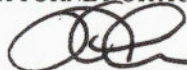
Place: Washington County, Texas at the following location: SOUTH ENTRANCE OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

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 FIDEL LOPEZ AND MARIA DE LA PAZ LOPEZ AND IRVING URIEL LOPEZ, provides that it secures the payment of the indebtedness in the original principal amount of \$320,752.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Carrington Mortgage Services, LLC is the current mortgagee of the note and deed of trust and CARRINGTON MORTGAGE SERVICES LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Carrington Mortgage Services, LLC c/o CARRINGTON MORTGAGE SERVICES LLC, 1600 South Douglass Road, Suite 200-A, Anaheim, CA 92806 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.

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.



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
Karla Balli, Attorney at Law
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254

For additional sale information visit: www.xome.com or (844) 400-9663

Certificate of Posting

I am Beth A. Portner whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on 10-12-23 I filed this Notice of Foreclosure Sale at the office of the Washington County Clerk and caused it to be posted at the location directed by the Washington County Commissioners Court.

FILED AND RECORDED
2023 OCT 12 PM 4:11
Beth A. Portner
WASHINGTON COUNTY CLERK



FILED AND RECORDED
2023 OCT 31 PM 1:13
Berk A. R. [Signature]
WASHINGTON COUNTY CLERK

Notice of [Substitute] Trustee 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: 12/05/2023

Time: The sale will begin at 01:00 PM or not later than three hours after that time

Place: Washington County, Texas at the following location: **SOUTH ENTRANCE OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS**

Property Address: 602 Campbell St, Brenham, TX 77833

2. 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. Any conveyance of the property is subject to all matters of record affecting the property.

3. Instrument to be Foreclosed: The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 01/23/2004 and recorded 03/18/2004 in Book 1114, Page 913, Document 1759, real property records of Washington County, Texas, with **Dorris M. Mills-Norris** grantor(s) and AMERIQUEST MORTGAGE COMPANY as Lender, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR AMERIQUEST MORTGAGE SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2004-R4 as Beneficiary.

4. Appointment of Substitute Trustee: In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent 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.

5. Obligation Secured: Deed of Trust or Contract Lien executed by **Dorris M. Mills-Norris**, securing the payment of the indebtedness in the original principal amount of **\$60,000.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR AMERIQUEST MORTGAGE SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2004-R4** is the current mortgagee of the note and deed of trust or contract lien.



Notice of [Substitute] Trustee Sale

6. Default: A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

7. Property to be sold: The property to be sold is described as follows:

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS, OUT OF THE A. HARRINGTON SURVEY A-55 AND BEING A PORTION OF THE TRACT OF LAND CALLED 0.128411 ACRES IN A DEED RECORDED IN VOL. 395, PAGE 209 OF THE WASHINGTON COUNTY DEED RECORDS, AND ALSO BEING A PORTION OF THE TRACT OF LAND TAKEN IN CONDEMNATION PROCEEDINGS BY THE URBAN RENEWAL AGENCY OF THE CITY OF BRENHAM VS. MATT CHADWICK, ET AL AS RECORDED IN VOLUME 375, PAGE 353 OF THE WASHINGTON COUNTY DEED RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A SET IRON PIN MARKING THE INTERSECTION OF THE SOUTH LINE OF CAMPBELL STREET WITH THE SOUTHWEST LINE OF BOB STREET, THE SAME POINT BEING THE NORTHWEST CORNER OF THE TRACT OF LAND TAKEN BY CONDEMNATION; THENCE N 89 DEG. 14 MIN. 46 SEC. E, 88.65 FT. WITH THE SOUTH LINE OF CAMPBELL STREET TO AN OLD IRON PIN MARKING THE NORTHWEST CORNER OF THE ORIGINAL 0.128411 ACRE TRACT; THENCE N 88 DEG. 50 MIN. 18 SEC. E, 7.00 FT. WITH THE SOUTH LINE OF CAMPBELL STREET TO A SET IRON PIN; THENCE S 1 DEG. 09 MIN. 42 SEC. E, 97.27 FT. TO AN IRON PIN SET IN THE FENCED NORTH LINE OF THE BECKENDORF TRACT; THENCE S 89 DEG. 14 MIN. 46 SEC. W, 55.44 FT. WITH SAID LINE TO AN OLD IRON PIN AND FENCE CORNER; THENCE N 23 DEG. 47 MIN. 52 SEC. W, 86.89 FT. WITH THE FENCED SOUTHWEST LINE OF THE TRACT TAKEN BY CONDEMNATION TO A PIPE; THENCE N 22 DEG. 32 MIN. 23 SEC. W, 18.59 FT. WITH SAID LINE AS FENCED TO THE PLACE OF BEGINNING AND CONTAINING 0.1690 ACRES OF LAND. AS SURVEYED BY JOHN E. PLEDGER, III, REGISTERED PUBLIC SURVEYOR #2183 ON APRIL 29, 1980.

8. 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. **PHH Mortgage Corporation**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

C/O PHH Mortgage Corporation

PO BOX 24605

West Palm Beach, FL 33416-4605

Phone: 877-744-2506

Notice of [Substitute] Trustee Sale

9. Limitation of Damages: 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.

Date: October 27, 2023


Monique Katzer, Trustee Sale Assistant

C/O Power Default Services, Inc.
7730 Market Center Ave, Suite 100
El Paso, TX 79912
Telephone: 855-427-2204
Fax: 866-960-8298

POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.

Certificate of Posting
I am Pete Florez whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on 10-31-23 I filed this Notice of Foreclosure Sale at the office of the Washington County Clerk and caused it to be posted at the location directed by the Washington County Commissioners Court.

NOTICE OF ACCELERATION AND NOTICE OF 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.

DEED OF TRUST INFORMATION:

Date: 10/31/2022
Grantor(s): DYLAN MCCALLUM AND MICHAELA MCCALLUM, HUSBAND AND WIFE
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR T2 FINANCIAL LLC DBA/REVOLUTION MORTGAGE, ITS SUCCESSORS AND ASSIGNS

Original Principal: \$333,841.00
Recording Information: Book 1866 Page 001 Instrument 8130
Property County: Washington
Property: (See Attached Exhibit "A")
Reported Address: 3430 BLUEHAVEN HILL CIR, BRENHAM, TX 77833

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Idaho Housing and Finance Association
Mortgage Servicer: Idaho Housing and Finance Association
Current Beneficiary: Idaho Housing and Finance Association
Mortgage Servicer Address: 565 W. Myrtle, Boise, ID 83702

SALE INFORMATION:

Date of Sale: Tuesday, the 5th day of December, 2023
Time of Sale: 1:00PM or within three hours thereafter.
Place of Sale: AT THE SOUTH ENTRANCE OF THE COURTHOUSE in Washington County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Washington County Commissioner's Court, at the area most recently designated by the Washington 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 Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, Amy Oian, Kathleen Adkins, Evan Press, Cary Corenblum, Joshua Sanders, Kristopher Holub, Michael Kolak, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, 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. Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, Amy Oian, Kathleen Adkins, Evan Press, Cary Corenblum, Joshua Sanders, Kristopher Holub, Michael Kolak, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, 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.

FILED AND RECORDED
2023 NOV -2 PM 4:11
Beck A. Rothman
WASHINGTON COUNTY CLERK

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 acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Substitute Trustee(s): Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, Amy Oian, Kathleen Adkins, Evan Press, Cary Corenblum, Joshua Sanders, Kristopher Holub, Michael Kolak, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 350, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am Pete Florez whose address is 14841 Dallas Parkway, Suite 350, Dallas, TX 75254. I declare under penalty of perjury that on 11-2-23 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Washington County Clerk and caused it to be posted at the location directed by the Washington County Commissioners Court.

By: Pete Florez

Exhibit "A"

ALL THAT CERTAIN LOT OR PARCEL OF LAND, LYING AND BEING SITUATED IN WASHINGTON COUNTY, TEXAS BEING TRACT 51, SECTION II, BLUEBONNET HILLS, A SUBDIVISION IN WASHINGTON COUNTY, TEXAS AS PER PLAT RECORDED IN 131A AND 131B, WASHINGTON COUNTY PLAT RECORDS AND DESCRIBED IN DEED FROM SIKES BUILDING COMPANY, INC. TO THAD M JOYNER AND WIFE SALLY GUYTON JOYNER, DATED APRIL 28, 1983, RECORDED IN VOLUME 449, PAGE 357, WASHINGTON COUNTY RECORDS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

FILED AND RECORDED
2023 NOV 14 PM 3:52
Beth A. Rothwell
WASHINGTON COUNTY CLERK

Notice of Substitute Trustee Sale

T.S. #: 21-5242

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

Date: 12/5/2023
Time: The sale will begin no earlier than 1:00 PM or no later than three hours thereafter. The sale will be completed by no later than 4:00 PM
Place: Washington County Courthouse in BRENHAM, Texas, at the following location: At the south entrance of the Washington County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

Property To Be Sold - The property to be sold is described as follows:

SEE ATTACHED EXHIBIT A

Instrument to be Foreclosed – The instrument to be foreclosed is the Deed of Trust is dated 7/28/1999 and is recorded in the office of the County Clerk of Washington County, Texas, under County Clerk's File No , in Book 0935, Page 634, The subject Deed of Trust was modified by Loan Modification recorded in Book 1583 and Page 499 and recorded on 5/5/2017. of the Real Property Records of Washington County, Texas.
Property Address: RT 1 BOX63 COUNTY RD CHAPPELL HILL, TX 77426

Trustor(s):	TONY KMIEC and FREIDA KMIEC	Original Beneficiary:	Atlantic International Mortgage Company
Current Beneficiary:	Residential Mortgage Loan Trust 2013-TT2, by U.S. Bank National Association, not in its individual capacity, but solely as Legal Title Trustee	Loan Servicer:	BSI Financial Services, Inc.
Current Substituted Trustees:	Auction.com, Pete Florez, Debby Jurasek, Rick Snoke, Prestige Default Services, LLC,		

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.

Terms of Sale - The sale will be conducted as a public auction to the highest bidder for cash with funds being made payable to Prestige Default Services, LLC, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the



4802005

T.S. #: 21-5242

time of sale. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. Pursuant to the Deed of Trust, the beneficiary 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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property. Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

Type of sale - The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of the sale granted by the deed of trust executed by TONY KMIEC AND FREIDA KMIEC, HUSBAND AND WIFE AS JOINT TENANTS. The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

Obligations Secured - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$54,000.00, executed by TONY KMIEC AND FREIDA KMIEC, HUSBAND AND WIFE AS JOINT TENANTS, and payable to the order of Atlantic International Mortgage Company; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of TONY KMIEC AND FREIDA KMIEC, HUSBAND AND WIFE AS JOINT TENANTS to TONY KMIEC and FREIDA KMIEC. Residential Mortgage Loan Trust 2013-TT2, by U.S. Bank National Association, not in its individual capacity, but solely as Legal Title Trustee is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

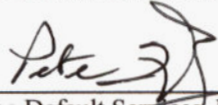
The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the Note and all other amounts lawfully owing under the Note, the Deed of Trust, and all of the other associated loan documents, including, without limitation, all interest, default interest, late charges, advances, attorneys' fees and other costs and expenses. **All checks must be made payable to Prestige Default Services, LLC**

Questions concerning the sale may be directed to the undersigned or to the beneficiary:

Residential Mortgage Loan Trust 2013-TT2, by U.S. Bank National Association, not in its individual capacity, but solely as Legal Title Trustee
c/o BSI Financial Services, Inc.
4200 Regent Blvd, Ste B200
Irving TX 75063
800.327.7861

Dated: 11/13/23

Auction.com, Pete Florez, Debby Jurasek, Rick Snoke, Prestige Default Services, LLC



Prestige Default Services, LLC
16801 Addison Road, Suite 350
Addison, Texas 75001
Phone: (972) 893-3096 ext. 1035
Fax: (949) 427-2732

EXHIBIT "A"

Situate, lying and being in the County of Washington, State of Texas, described as follows:

All that certain tract or parcel of land, lying and being situated in Washington County, Texas, part of the Gibson Kuykendall Survey, A-71, being part of the same land described as 49.100 acres in the deed from Florian Henry Kmiec to Floyd Kmiec, Jr. and Tony Kmiec, dated December 14, 1988, as recorded in Volume 596, Page 598, in the Official Records of Washington County, Texas, and being more fully described by metes and bounds as follows, to-wit:

Commencing at a 1/2 inch iron rod found near tree stump fence corner on the South margin of a gravel road/lane for the upper Northwest corner of said original tract;

Thence along the South margin of said gravel road/lane, being along the North line of said original 49.100 acres tract, N 77° 40' 00" E (record bearing of said original 49.100 acres tract, Vol. 596, Page 598 equals N 77° 40' 00" E) 627.56 feet to a 1/2 inch iron rod found N 77° 40' 00" E 4.82 feet from the intersection of the apparent Southwest right of way line of F. M. Highway No. 1371 with a Northwest line of said original 49.100 acres tract;

Thence S 37° 09' 40" E 140.43 feet to a 1/2 inch iron rod set at a 12 inch Pine Tree on the apparent Southwest right of way line of said highway in a curve of same for the North corner hereof and the PLACE OF BEGINNING of the following described tract;

Thence along a curved portion of the apparent Southwest right of way line of said highway, being a curve to the left, through a central angle of 13° 26' 24", having a radius of 756.20 feet, a chord of S 51° 02' 48" E 176.98 feet, for an arc distance of 177.38 feet to a 1/2 inch iron rod set at a 8 inch Pine Tree on said right of way line at the end of said curve;

Thence along a straight portion of the apparent Southwest right of way line of said highway for a Northeast line hereof, S 57° 46' 00" E 78.43 feet to a 1/2 inch iron rod set on said right of way line for the Northeast corner hereof;

Thence along the East line hereof, S 01° 51' 00" W 142.23 feet to a 1/2 inch iron rod set at the base of a 4 inch treated fence corner post for the Southeast corner hereof;

Thence along the South line hereof, being partly along an existing fence, N 88° 09' 00" W 208.80 feet to a 1/2 inch iron rod set 4.3 feet West of a railroad tie fence corner post for the Southwest corner hereof;

Thence along the West line hereof, N 01° 51' 00" E 288.66 feet to the place of beginning and containing 1.000 acre of land.

AFTER RECORDING, PLEASE RETURN TO:

Prestige Default Services, LLC
16801 Addison Road, Suite 350
Addison, Texas 75001
Attn: Trustee Department

CAUSE NO. 37634

IN RE: ORDER FOR FORECLOSURE §
CONCERNING §
ROUTE 1 BOX 63 COUNTY ROAD §
CHAPPEL HILL, TX 77426 §
UNDER TEX R. CIV. P. 736 §

PETITIONER: RESIDENTIAL §
MORTGAGE LOAN TRUST 2013-TT2, §
BY U.S. BANK NATIONAL §
ASSOCIATION, NOT IN ITS §
INDIVIDUAL CAPACITY, BUT SOLELY §
AS LEGAL TITLE TRUSTEE §

RESPONDENTS: TONY KMIEC AND §
FREIDA KMIEC §

IN THE DISTRICT COURT

WASHINGTON COUNTY, TEXAS

21ST JUDICIAL DISTRICT
FILED
AT 1:46 O'CLOCK P. M.

SEP 30 2021
TAMMY BRAUNER
District Clerk, Washington County
By [Signature]

DEFAULT ORDER

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited order under Rule 736. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.
2. The name and last known address of each Respondent subject to this order is Tony Kmiec and Freida Kmiec, 11750 FM 1371, Chappell Hill, TX 77426. Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten days.
3. The property that is the subject of this foreclosure proceeding is commonly known as Route 1 Box 63 County Road, Chappell Hill, TX 77426, with the following legal description:

Situate, lying and being in the County of Washington, State of Texas,
described as follows:

All that certain tract or parcel of land, lying and being situated in Washington County, Texas, part of the Gibson Kuykendall Survey, A-71, being part of the same land described as 49.100 acres in the deed from Florian Henry Kmiec to Floyd Kmiec, Jr. and Tony Kmiec, dated December 14, 1988, as recorded in Volume 596, Page 598, in the Official Records of Washington County, Texas, and being more fully described by metes and bounds as follows, to-wit:

Commencing at a 1/2 inch iron rod found near tree stump fence corner on the South margin of a gravel road/lane for the upper Northwest corner of said original tract; Thence along the South margin of said gravel road/lane, being along the North line of said original 49.100 acres tract, N 77° 40' 00" E (record bearing of said original 49.100 acres tract, Vol. 596, Page 598 equals N 77° 40' 00" E) 627.56 feet to a 1/2 inch iron rod found N 77° 40' 00" E 4.82 feet from the intersection of the apparent Southwest right of way line of F. M. Highway No. 1371 with a Northwest line of said original 49.100 acres tract;

Thence S 37° 09' 40" E 140.43 feet to a 1/2 inch iron rod set at a 12 inch Pine Tree on the apparent Southwest right of way line of said highway in a curve of same for the North corner hereof and the PLACE OF BEGINNING of the following described tract;

Thence along a curved portion of the apparent Southwest right of way line of said highway, being a curve to the left, through a central angle of 13° 26' 24", having a radius of 756.20 feet, a chord of S 51° 02' 48" E 176.98 feet, for an arc distance of 177.38 feet to a 1/2 inch iron rod set at a 8 inch Pine Tree on said right of way line at the end of said curve;

Thence along a straight portion of the apparent Southwest right of way line of said highway for a Northeast line hereof, S 57° 46' 00" E 78.43 feet to a 1/2 inch iron rod set on said right of way line for the Northeast corner hereof;

Thence along the East line hereof, S 01° 51' 00" W 142.23 feet to a 1/2 inch iron rod set at the base of a 4 inch treated fence corner post for the Southeast corner hereof;

Thence along the South line hereof, being partly along an existing fence, N 88° 09' 00" W 208.80 feet to a 1/2 inch iron rod set 4.3 feet West of a railroad tie fence corner post for the Southwest corner hereof;

Thence along the West line hereof, N 01° 51' 00" E 288.66 feet to the place of beginning and containing 1.000 acre of land.

4. The lien to be foreclosed is indexed or recorded as Book 935 at Page 634 and recorded in the real property records of Washington County, Texas.
5. The material facts establishing Respondent's default are alleged in the Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this order.
6. Based on the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App § 501 *et seq.*
7. Therefore, the Court grants Petitioner's motion for default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the loan agreement, contract, or lien sought to be foreclosed.
8. This order is not subject to a motion for rehearing, a new trial, a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this 30th day of September, 2021.


JUDGE PRESIDING

Approved and Entry Requested:

GHIDOTTI | BERGER LLP

By: /s/ Chase A. Berger
Chase A. Berger
State Bar No.: 24115617
Ghidotti | Berger, LLP
9720 Coit Road, Suite 220-228
Plano, Texas 75025

Tel: (305) 501-2808

Fax: (954) 780-5578

Email: chberger@ghidottiberger.com

ATTORNEY FOR PETITIONER