

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 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. Property to Be Sold. The property to be sold is described as follows: BEING ALL OF LOT 1, AND THE WESTERLY 20.00 FEET OF LOT 2, BLOCK NO. 36, ORIGINAL TOWN OF SABINAL, UVALDE COUNTY, TEXAS, A PLAT OF WHICH IS RECORDED IN SLIDE 113-A OF THE PLAT RECORDS OF UVALDE COUNTY, TEXAS, SAID LOT 1 AND LOT 2 BEING CONVEYED FROM DANNY DEAN AND WIFE, KAREN DEAN, TO STEPHEN HORTON BY DEED RECORDED IN VOLUME 560, PAGE 475 OF THE OFFICIAL PUBLIC RECORDS OF UVALDE COUNTY, TEXAS, THIS TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 07/10/2006 and recorded in Document 2006002676 real property records of Uvalde County, Texas.

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:
Date: 11/01/2016
Time: 01:00 PM
Place: Uvalde County Courthouse, Texas, at the following location: EAST STEPS 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 CARLOS DIAZ III AND MICHELLE RENE DIAZ, provides that it secures the payment of the indebtedness in the original principal amount of \$110,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. TIB - THE INDEPENDENT BANKERSBANK is the current mortgagee of the note and deed of trust and MGC MORTGAGE, INC. is mortgage servicer. A servicing agreement between the mortgagee, whose address is TIB - THE INDEPENDENT BANKERSBANK c/o MGC MORTGAGE, INC., 1 Corporate Dr., Ste. 360, Lake Zurich, IL 60047 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 CALVIN SPEER, CHRIS LAFOND, MELODY SPEER OR WENDY SPEER, 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.

[Signature]
Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L Keller Mackie, Attorney at Law
Lori Liane Long, Attorney at Law
Tracey Midkiff, Attorney at Law
Joseph Modric, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254

[Signature: Calvin Speer]
CALVIN SPEER, CHRIS LAFOND, MELODY SPEER OR WENDY SPEER
c/o AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

Certificate of Posting
I am [Signature: Calvin Speer] whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. I declare under penalty of perjury that on 10-31-16 I filed this Notice of Foreclosure Sale at the office of the Uvalde County Clerk and caused it to be posted at the location directed by the Uvalde County Commissioners Court.

FILED
This 11 day of Oct A.D. 2016
at 8:14 o'clock A.M
DONNA M. WILLIAMS
County Clerk, Uvalde County Texas
By [Signature: Joanne Williams] Deputy



CHANEY SURVEYING CO.

P. O. Box 323
Utopia, Texas 78884

Charles S. (Sid) Chaney, R.P.L.S.

Office: 810-966-2266
Home: 810-966-3766

DESCRIPTION OF: LOT 1 AND THE WESTERLY 20.00 FEET OF LOT 2, BLOCK NO. 36,
ORIGINAL TOWN OF SABINAL, UVALDE COUNTY, TEXAS

BEING all of Lot 1 and the westerly 20.00 feet of Lot 2, Block No. 36, Original Town of Sabinal, Uvalde County, Texas, a plat of which is recorded in Slide 113-A of the Plat Records of Uvalde County, Texas, said Lot 1 and Lot 2 being conveyed from Danny Dean and wife, Karen Dean, to Stephen Horton by Deed recorded in Volume 560, page 475 of the Official Public Records of Uvalde County, Texas, this tract of land being described by metes and bounds as follows:

BEGINNING at a found 5/8-inch iron pin at the intersection of the South line of Polk Avenue with the East right of way line of Orange Street for the N. W. corner of said Lot 1 and the N. W. corner of this described tract;

THENCE with the North line of said Lot 1 and the said South line of Polk Avenue N 80°45' E at 60.00 feet pass a found 5/8-inch iron pin at the N. E. corner of said Lot 1 and the N. W. corner of said Lot 2 and continue now with the North line of said Lot 2 a total distance of 80.00 feet to a set 5/8-inch iron pin for the N. E. corner of this described tract, from which a found 5/8-inch iron pin at the N. E. corner of said Lot 2 and the N. W. corner of Lot 3 of said Block No. 36 bears N 80°45' E 40.00 feet;

THENCE crossing said Lot 2 S 09°15' E 140.00 feet to a set 5/8-inch iron pin on the South line of said Lot 2 and on the North line of a 20 feet wide alley for the S. E. corner of this described tract, from which a found 5/8-inch iron pin at the S. E. corner of said Lot 2 and the S. W. corner of said Lot 3 bears N 80°45' E 40.00 feet;

THENCE with the said South line of Lot 2 and with the said North line of said alley S 80°45' W at 20.00 feet pass a found 5/8-inch iron pin at the S. W. corner of said Lot 2 and the S. E. corner of said Lot 1 and continue now with the South line of said Lot 1 a total distance of 80.00 feet to a found 5/8-inch iron pin on the said East line of Orange Street for the S. W. corner of said Lot 1 and the S. W. corner of this described tract;

THENCE with the said East line of Orange Street and the West line of said Lot 1 N 09°15' W 140.00 feet to the PLACE OF BEGINNING.

STATE OF TEXAS

COUNTY OF UVALDE

This description is based on a survey made on the ground by me and I certify that to the best of my knowledge and belief it is true and correct.

This the 30th day of March, 2006.

Charles S. Chaney
Charles S. Chaney
Reg. Prof. Land Surveyor No. 4457
Utopia, Texas



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Lucille C. Hutcherson

Lucille C. Hutcherson, County Clerk
Uvalde County TEXAS

July 12, 2006 09:08:22 AM

FEE: \$80.00

2006002576

Sabinal/Horton

Exhibit A
page 1 of 1