

JUN 10 2021

NOTICE OF DEFAULT AND FORECLOSURE SALE

Elaine H. Cardenas
COUNTY CLERK

WHEREAS, on December 9, 2009, a certain Adjustable Rate Home Equity Conversion ("Reverse Mortgage") was executed by BARBARA HUDNALL AND HAROLD HUDNALL, as mortgagor in favor of METLIFE HOME LOANS A DIVISION OF METLIFE BANK N.A., as mortgagee and BROWN, FOWLER & ALSUP, PC, as trustee, and was recorded on December 16, 2009 under Clerk's Instrument Number 2009-90032265, Book 3790, Page 607 in the real property records of Hays, Texas.

WHEREAS, the Reverse Mortgage was insured by the United States Secretary of Housing and Urban Development (the "Secretary") pursuant to the National Housing Act for the purpose of providing single family housing; and

WHEREAS, the beneficial interest in the Reverse Mortgage is now owned by the Secretary, pursuant to an assignment dated March 31, 2017, and recorded on April 21, 2017, under Clerk's Instrument Number 17013485 in the real property records of Hays County, Texas; and

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WHEREAS, a default has been made in the covenants and conditions of the Reverse Mortgage in that the Mortgagors no longer occupies the property; and

WHEREAS, the entire amount delinquent as of July 6, 2021 is \$662,827.46; and

WHEREAS, by virtue of the default, the Secretary has declared the entire amount of the indebtedness secured by the Reverse Mortgage to be immediately due and payable;

NOW THEREFORE, pursuant to powers vested in me by the Single Family Mortgage Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR part 27, subpart B, and by the Secretary's designation of me as Foreclosure Commissioner, recorded on October 15, 2007 in Dallas County under Clerk's File Number 20070369306, notice is hereby given that on July 6, 2021, at 12:00 PM local time or no later than three hours thereafter, all real and personal property at or used in connection with the following described premises ("Property") will be sold at public auction to the highest bidder:

LOT 19C, OF THE RESUBDIVISION OF LOTS 11,12A,12B, 14A,14B,15A,15B,16A, AND 16B OF LAS LOMAS, SECTION II, A SUDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 6, PAGE 93, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS.

Commonly known as: 101 CAMINO DE ROBLE, WIMBERLEY, TX 78676.

The sale will be held in Hays County, Texas at the following location: ON THE FRONT STEPS OF THE HAYS COUNTY GOVERNMENT BUILDING, OR THE PRECEDING AREA IS NO LONGER THE DESIGNATED AREA, AT THE AREA MOST RECENTLY DESIGNATED BY THE COUNTY COMMISSIONER'S COURT or as designated by the County Commissioners Court.

The Secretary of Housing and Urban Development will bid \$662,827.46.

There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay, at or before closing, his prorate share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale.

When making their bids, all bidders except the Secretary must submit a deposit totaling \$66,282.75 in the form of a certified check or cashier's check made out to the Secretary of HUD. A deposit need not accompany each oral bid. If the successful bid is oral, a deposit of \$66,282.75 must be presented before the bidding is closed. The deposit is nonrefundable. The remainder of the purchase price must be delivered within 30 days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a certified or cashier's check. If the Secretary is the highest bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveying fees, all real estate and other taxes that are due on or after the delivery date of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee of \$500.00, paid in advance. The extension fee shall be in the form of a certified or cashier's check made payable to the Secretary of HUD. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due.

If the high bidder is unable to close the sale within the required period, or within any extension of time

granted by the Secretary, the high bidder may be required to forfeit the cash deposit or, at the election of the foreclosure commissioner after consultation with the HUD representative, will be liable to HUD for any costs incurred as a result of such failure. The Commissioner may, at the direction of the HUD representative, offer the property to the second highest bidder for an amount equal to the highest price offered by that bidder.

There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant.

The scheduled foreclosure sale shall be cancelled or adjourned if it is established, by documented written application of the mortgagor to the Foreclosure Commissioner not less than 3 days before the date of sale, or otherwise, that the default or defaults upon which the foreclosure is based did not exist at the time of service of this notice of default and foreclosure sale, or all amounts due under the mortgage agreement are tendered to the Foreclosure Commissioner, in the form of a certified or cashier's check payable to the Secretary of HUD, before public auction of the property is completed.

The amount that must be paid if the mortgage is to be paid in full prior the scheduled sale is \$662,827.46, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred in giving notice, mileage by the most reasonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out-of-pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement.

Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner provided below.

Date: June 9, 2021

L. Keller Mackie
Foreclosure Commissioner
Mackie Wolf Zientz & Mann, P.C.
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254
(214) 635-2650
(214) 635-2686 Fax

JUN 14 2021

Elaine H. Cardenas
COUNTY CLERK

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

STATE OF TEXAS

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KNOW ALL PERSONS BY THESE PRESENTS

COUNTY OF HAYS

Pursuant to authority conferred upon me by that Deed of Trust (with Security Agreement and Assignment of Rents and Leases), dated January 23, 2012, executed by Pritor Longhorn Buda Hotel, LLC, a Delaware limited liability company, whose mailing address is 10565 North 114th Street, Suite 102, Scottsdale, Arizona 85259, as Grantor, to Dan W. McCrary, as Trustee, and duly recorded on January 26, 2012, as Document No. 2012-12002019 in the Official Public Records of Hays County, Texas (the "Deed of Trust"), Security Agreement dated January 24, 2012, and Assignment of Rents and Leases dated January 23, 2012, recorded as Document No. 2012-12002020 in the Official Public Records of Hays County); I, the undersigned duly appointed Substitute Trustee under said Deed of Trust or another such duly appointed Substitute Trustee or Successor Substitute Trustee under said Deed of Trust, having an address of 8101 Boat Club Road, Suite 320, Fort Worth, Texas 76179, will, in order to satisfy the indebtedness secured thereby and at the request of Members Choice Credit Union, the owner and holder of said indebtedness, and whose mailing address is 18211 Katy Freeway, Houston, Texas 77094, default having been made in the payment of said indebtedness and/or default having been made under the covenants set out in the said Deed of Trust, sell on **Tuesday, July 6, 2021**, to the highest bidder for cash in the area designated by the Commissioners Court of Hays County, pursuant to § 51.002 of the Texas Property Code, as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted), further described as South Door of the Hays County Government Center located at 712 South Stagecoach Trail, at a time not earlier than **10:00 AM** and within three hours after that time, the following described property, to-wit:

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The real property located at 1285 Cabelas Drive, Buda, Texas 78610 in Hays County, Texas, described in the Deed of Trust, Security Agreement, and Assignment of Leases and Rents, as more particularly described in **Exhibit A** attached hereto and made a part hereof by reference for all purposes, including without limitation all buildings, structures, fixtures, personal property, and improvements thereon, and any and all equipment, apparatus, fixtures, inventory and all other property, belonging to the Grantor and, used or situated on the real property described in Exhibit A or the improvements thereon, including, but not limited to, all heating, lighting, refrigeration, plumbing, ventilating, incinerating, water-heating, cooking, dish washing, radio, communication, electrical and air-conditioning equipment, together with all appliances, generators, engines and machinery, elevators, pumps, motors, compressors, boilers, condensing units, disposals, range hoods, furniture, furnishings, sprinklers, wiring, pipe, doors, windows, window screens, draperies, awnings, shelving, mantels, cabinets, paneling, wall coverings and floor coverings, and such other goods and chattels and personal property as are ever used or furnished in operating a building or buildings or in conducting any activity therein, upon the real property herein described, and all renewals, replacements and substitutions thereof and additions and accessions thereto, whether or not the same are or shall be attached to the realty in any manner, together with all building materials and equipment delivered to such premises and intended to be installed thereon, together with all the rights, hereditament and appurtenances in anywise appertaining or belonging thereto.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE(S), EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER THE HOLDER OF THE PROMISSORY NOTE NOR THE SUBSTITUTE TRUSTEE(S) MAKE(S) ANY REPRESENTATIONS OR WARRANTIES WITH THE RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. If you 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 holder immediately.

EXECUTED June 14, 2021.



Substitute Trustee

WHEN RECORDED RETURN TO:

Attn: Eric Zukoski
Quilling, Selander, Lownds, Winslett & Moser, P.C.
2001 Bryan Street, Suite 1800
Dallas, Texas 75201
ezukoski@qslwm.com
(214) 871-2100
Our File No. 8107.0011

EXHIBIT A

Legal Description

TRACT 1:

LOT 1B, AMENDED PLAT OF LOT 1A AND LOT 1E OF THE FINAL PLAT, LOTS 1A-1F, BLOCK C, CABELA'S SECTION ONE BEING A REPLAT OF LOT 1, BLOCK "C" CABELA'S SECTION ONE, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 15, PAGE 256, PLAT RECORDS, HAYS COUNTY, TEXAS.

TRACT 2:

EASEMENT ESTATE CREATED IN THAT CERTAIN DECLARATION OPERATION AND RECIPROCAL EASEMENT AGREEMENT DATED OCTOBER 8, 2009, RECORDED IN VOLUME 3764, PAGE 579, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AS AMENDED IN VOLUME 3947, PAGE 797, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, OVER AND ACROSS LOTS 1A-1F, FINAL PLAT, LOTS 1A-1F, BLOCK C, CABELA'S SECTION ONE BEING A REPLAT OF LOT 1, BLOCK "C" CABELA'S SECTION ONE, ACCORDING TO THE MAP OR PLAT HEREOF, RECORDED IN VOLUME 15, PAGE 256, PLAT RECORDS, HAYS COUNTY, TEXAS.

SELECT PORTFOLIO SERVICING, INC. (SPS)
JESTER, DAWN AND ESTATE OF TERRY
2615 ROLLING OAKS, SAN MARCOS, TX 78666

CONVENTIONAL
Firm File Number: 13-010632

FILED
HAYS COUNTY, TEXAS
at 4:30 o'clock P.M.

JUN 14 2021

NOTICE OF TRUSTEE'S SALE

Elaine H. Cardenas
COUNTY CLERK

WHEREAS, on February 9, 2006, TERRY W. JESTER AND WIFE, DAWN E. JESTER, as Grantor(s), executed a Deed of Trust conveying to THOMAS E. BLACK, JR., as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR ACCREDITED HOME LENDERS, INC., ITS SUCCESSORS AND ASSIGNS in payment of a debt therein described. The Deed of Trust was filed in the real property records of HAYS COUNTY, TX and is recorded under Clerk's File/Instrument Number 06004179 Volume 2861, Page 684, to which reference is herein made for all purposes.

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WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon contingency and in the manner authorized by said Deed of Trust; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, July 6, 2021** between ten o'clock AM and four o'clock PM and beginning not earlier than 1:00 PM or not later than three hours thereafter, the Substitute Trustee will sell said Real Estate in the area designated by the Commissioners Court, of Hays county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

Said Real Estate is described as follows: In the County of Hays, State of Texas:

TRACT 1: ALL OF LOT NO. ONE HUNDRED SIXTY-TWO (162) OF WILLOW CREEK ESTATES, SECTION THREE (3), A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 225, HAYS COUNTY PLAT RECORDS. (FEE SIMPLE TRACT) TRACT 2: BEING A NON-EXCLUSIVE, PERPETUAL EASEMENT FOR DRIVEWAY AND CARPORT OVER AND ACROSS THE PROPERTY AS SET FORTH IN EASEMENT GRANTED TO BOB L. CHAPMAN AND JANE CHAPMAN BY RONALD K. LOWER AND LEE ANN LOWER, DATED JULY 7, 1987, RECORDED IN VOLUME 684, PAGE 690, HAYS COUNTY REAL PROPERTY RECORDS. (EASEMENT TRACT)

Property Address: 2615 ROLLING OAKS
SAN MARCOS, TX 78666
Mortgage Servicer: SELECT PORTFOLIO SERVICING, INC.
Mortgagee: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS INDENTURE TRUSTEE, ON BEHALF OF THE HOLDERS OF THE ACCREDITED MORTGAGE LOAN TRUST 2006-2 ASSET BACKED NOTES
3217 S. DECKER LAKE DR.
SALT LAKE CITY, UT 84119

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.

Angela Zavala

SUBSTITUTE TRUSTEE
Deanna Ray, Richard Holton, Irene Salazar, Vanessa Ramos, Chris LaFond, John Latham, Wendy Alexander, Michael Latham, Jill Nichols, Meghan Lamonte, Sharlet Watts, Angela Zavala, Michelle Jones or Richard Zavala, Jr
c/o Law Office of Gerald M. Shapiro, LLP
13105 Northwest Freeway, Suite 1200
Houston, TX 77040
(713) 462-2565

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 military service to the sender of this notice immediately.