

11 pg. 1

FILED
HAYS COUNTY, TEXAS
at 11:35 o'clock AM.

MAR 21 2024

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Elaine H. Carson

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) CITY CLERK 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.

Matter No.: 115831-TX

Date: March 19, 2024

County where Real Property is Located: Hays

ORIGINAL MORTGAGOR: JOSEPH GABRIEL CARMICHAEL, A SINGLE MAN
ORIGINAL MORTGAGEE: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR ROCKET MORTGAGE, LLC, FKA QUICKEN LOANS, LLC., ITS SUCCESSORS AND ASSIGNS
CURRENT MORTGAGEE: ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS, LLC
MORTGAGE SERVICER: Rocket Mortgage, LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc.

DEED OF TRUST DATED 2/3/2022, RECORDING INFORMATION: Recorded on 2/10/2022, as Instrument No. 22006603

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): LOT 23, BLOCK G, KENSINGTON TRAILS SUBDIVISION, SECTION 1, HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 11, PAGE 14, PLAT RECORDS, HAYS COUNTY, TEXAS. MORE ACCURATELY DESCRIBED AS: LOT 23, BLOCK G, KENSINGTON TRAILS SUBDIVISION, SECTION 1, FINAL PLAT, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 11, PAGE 14, PLAT RECORDS, HAYS COUNTY, TEXAS.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 5/7/2024, the foreclosure sale will be conducted in Hays County in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than 1:00 PM, or not later than three (3) hours after that time, by one of the Substitute Trustees who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness superior to the Deed of Trust.

Rocket Mortgage, LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc. is acting as the Mortgage Servicer for ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS, LLC who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. Rocket Mortgage, LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc., as Mortgage Servicer, is representing the Mortgagee, whose address is:

ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS, LLC
c/o Rocket Mortgage, LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc.
635 Woodward Ave
Detroit, MI 48226-1906

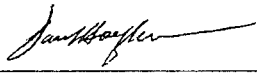


Matter No.: 115831-TX

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.

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 AARTI PATEL, DYLAN RUIZ, VIOLET NUNEZ, AMY ORTIZ, DANIEL MCQUADE, MARCELA CANTU, VANNA HO, CARY CORENBLUM, JOSHUA SANDERS, ALEENA LITTON, MATTHEW HANSEN, COLETTE MAYERS, THOMAS GILBRAITH, C JASON SPENCE, SHARLETT WATTS, ANGELA ZAVALA, MICHELLE JONES, RICHARD ZAVALA JR., AUCTION.COM, PAUL A. HOEFKER** or either one of them, as Substitute Trustee, to act, either singly or jointly, under and by virtue of said Deed of Trust and hereby request said Substitute Trustees, or any one of them to sell the property in said Deed of Trust described and as provided therein. The address for the Substitute Trustee as required by Texas Property Code, Section 51.0075(e) is Auction.com, 1 Mauchly, Irvine, CA 92618.

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.

By: 
Paul A. Hoefker, Attorney
Aldridge Pite, LLP
8880 Rio San Diego Drive, Suite 725
San Diego, California 92108

Return to:
ALDRIDGE PITE, LLP
8880 RIO SAN DIEGO DRIVE, SUITE 725
P.O. BOX 17935
SAN DIEGO, CA 92108-0935
FAX #: 619-590-1385
Phone: (866) 931-0036

12 pg. 1

FILED
HAYS COUNTY, TEXAS
at 3:03 o'clock P M.
MAR 21 2024

295 DESERT WILLOW WAY
AUSTIN, TX 78737

Elaine C. ...
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COUNTY CLERK

NOTICE OF [SUBSTITUTE] 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.

1. **Date, Time, and Place of Sale.**

Date: May 07, 2024
Time: The sale will begin at 12:00 PM or not later than three hours after that time.
Place: THE SOUTH DOOR OF THE HAYS COUNTY GOVERNMENT CENTER AT 712 SOUTH STAGECOACH TRAIL. OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated June 20, 2014 and recorded in Document CLERK'S FILE NO. 2014-14017607 real property records of HAYS County, Texas, with BRIAN COLLISTER, A MARRIED MAN AND CHRISTINE COLLISTER, HIS WIFE, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by BRIAN COLLISTER, A MARRIED MAN AND CHRISTINE COLLISTER, HIS WIFE, securing the payment of the indebtednesses in the original principal amount of \$335,749.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

6. **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. NEWREZ LLC d/b/a SHELLPOINT MORTGAGE SERVICING, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o NEWREZ LLC d/b/a SHELLPOINT MORTGAGE SERVICING
75 BEATTIE PLACE
SUITE 300
GREENVILLE, SC 29601



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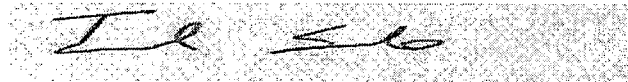
#12 pg. 2

295 DESERT WILLOW WAY
AUSTIN, TX 78737

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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.

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead JOHN LATHAM, TOBEY LATHAM, MICHAEL LATHAM OR BRETT ADAMS whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the 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.



Israel Saucedo

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on _____ I filed at the office of the HAYS County Clerk and caused to be posted at the HAYS County courthouse this notice of sale.

Declarants Name: _____

Date: _____

#12 pg. 3

295 DESERT WILLOW WAY
AUSTIN, TX 78737

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HAYS

EXHIBIT "A"

LOT 20, BLOCK B, HIGHPOINTE PHASE II, SECTION TWO-A, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 13, PAGE 181, PLAT RECORDS, HAYS COUNTY, TEXAS.