

**NOTICE OF FORECLOSURE SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE**

Property:

The Property to be sold is described as follows:

SEE EXHIBIT "A"

Security Instrument:

Deed of Trust dated September 24, 2021 and recorded on December 16, 2021 at Instrument Number 2021-3674 in the real property records of RAINS County, Texas, which contains a power of sale.

Sale Information:

July 5, 2023, at 1:00 PM, or not later than three hours thereafter, at At the EAST most side of the Rains County Courthouse 167 East Quitman street or at the area most recently designated by the County Commissioner's Court. or as designated by the County Commissioners Court.

Terms of Sale:

Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured:

The Deed of Trust executed by JACOB J KERBO AND ISIDRA ARAGON secures the repayment of a Note dated September 24, 2021 in the amount of \$154,942.00. VILLAGE CAPITAL & INVESTMENT LLC, whose address is c/o Village Capital & Investment, LLC, 2550 Paseo Verde Parkway, Suite 100, Henderson, NV 89074, is the current mortgagee of the Deed of Trust and Note and Village Capital & Investment, LLC is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee:

In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

**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.**

**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.**



4783452

ServiceLink

*Kirk Schwartz*

De Cubas, Lewis & Schwartz, P.C.  
Kirk Schwartz, Attorney at Law  
1999 N University Drive, Suite 204  
Coral Springs, FL 33071

*Harriett Fletcher*

Substitute Trustee(s): Harriett Fletcher, Robert LaMont, Ronnie Hubbard, Sheryl LaMont, Allan Johnston, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Irene Lindsay, Dana Kamin, Lisa Bruno, Sharon St. Pierre, Sue Spasic, Zoran W. Spasic, Harriet Fletcher, Tonya Washington, Misty McMillan and ServiceLink employees included but not limited to those listed herein.

c/o De Cubas, Lewis & Schwartz, P.C.  
1999 N University Drive, Suite 204  
Coral Springs, FL 33071

Certificate of Posting

I, Harriett Fletcher, declare under penalty of perjury that on the 4th. day of May, 2023, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of RAINS County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

*Harriett Fletcher*

Harriett Fletcher, May 4, 2023.

**EXHIBIT "A"**

**The land referred to herein below is situated in the County of Rains, State of Texas, and is described as follows:**

A lot, tract or parcel of land situated in the James Miller Survey, Abstract No. 152, Rains County, Texas, and being all of that certain called 15.855 acre tract of land conveyed from Amanda White to Gregory Stringer et al, by Quitclaim Deed, as recorded in Volume 553, Page 95, Official Public Records, Rains County, Texas, and being part of that certain 1.16 acre tract of land, called Tract One, and being part of that certain 0.51 acre tract of land, called Tract 2, Easement for Road Purposes, as recorded in Volume 228, Page 581, Deed Records, Rains County, Texas, and being part of that certain called 2.92 acre tract of land, Easement for Road Purposes, as recorded in Volume 228, Page 617, Deed Records, Rains County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod found at the Southeast corner of said 15.855 acre tract, and the Northeast corner of a 23.539 acre tract of land conveyed to Kenneth Morrison, by deed recorded in File #2018-0186, Official Public Records, Rains County, Texas, said point lying in the West line of a 39.820 acre tract of land conveyed to Timmothy Boyd, by deed recorded in File #2017-2700, Official Public Records, Rains County, Texas;

Thence, South 88 Degrees 43 Minutes 27 Seconds West, along a South line of said 15.855 acre tract, and the North line of said 23.539 acre tract, passing at a distance of 808.71 feet, a 1/2 inch iron rod found at the Northwest corner of said 23.539 acre tract, and the Northeast corner of the remainder of a 26.066 acre tract of land conveyed to Justin Clem et al, by deed recorded in Volume 514, Page 216, Official Public Records, Rains County, Texas, and continuing the same course along a South line of said 15.855 acre tract, and the North line of the remainder of said 26.066 acre tract in all a total distance of 1,001.46 feet to a 1/2 inch iron rod found at a Southwest corner said 15.855 acre tract, and the Southeast corner of a 18.7952 acre tract of land conveyed to Robert (Cuba, by deed recorded in Volume 490, Page 564, Official Public Records, Rains County, Texas, said point lying in the North line of the remainder of said 26.066 acre tract;

Thence, North 00 Degrees 25 Minutes 27 Seconds West, along a West line of said 15.855 acre tract, and the East line of said 18.7952 acre tract, a distance of 344.29 feet to a 1/2 inch iron rod found at an angle point in a West line of said 15.855 acre tract, and an angle point in the East line of said 18.7952 acre tract;

Thence, North 48 Degrees 45 Minutes 21 Seconds West, continuing along a West line of said 15.855 acre tract, and the East line of said 18.7952 acre tract, a distance of 142.92 feet to a 1/2 inch iron rod found at an ell corner of said 15.855 acre tract, and Northeast corner of said 18.7952 acre tract;

Thence, South 88 Degrees 23 Minutes 25 Seconds West, along a South line of said 15.855 acre tract, and the North line of said 18.7952 acre tract, a distance of 100.21 feet to a point for corner at a Southwest corner of said 15.855 acre tract, and the Southeast corner of a 16.899 acre tract of land conveyed to Stephanie McCarter-Haag, by deed recorded in Volume 515, Page 368, Official Public Records, Rains County, Texas, said point lying in the North line of said 18.7952 acre tract, from said point, a 1/2 inch iron rod found for witness, bears North 00 Degrees 32 Minutes 00 Seconds West, a distance of 2.16 feet;

Thence, North 00 Degrees 32 Minutes 00 Seconds West, along a West line of said 15.855 acre tract, and the East line of said 16.899 acre tract, a distance of 439.69 feet to a point for corner in a 2 inch steel fence post found at the Northwest corner of said 15.855 acre tract, and the Northeast corner of said 16.899 acre tract, said point lying in the South line of an 18.988 acre tract of land conveyed to Stephanie McCarter, by deed recorded in Volume 486, Page 192, Official Public Records, Rains County, Texas;

Thence, North 87 Degrees 32 Minutes 44 Seconds East, along a North line of said 15.855 acre tract, and the South line of said 18.988 acre tract, a distance of 199.83 feet to a point for corner in a 2 inch steel fence post found at an angle point in a North line of said 15.855 acre tract, the Southeast corner of said 18.988 acre tract, and a Southwest corner of a 24.726 acre tract of land conveyed to Stephanie McCarter-Haag, by deed recorded in Volume 516, Page 306, Official Public Records, Rains County, Texas;

Thence, North 88 Degrees 16 Minutes 00 Seconds East, continuing along a North line of said 15.855 acre tract, and a South line of said 24.726 acre tract, a distance of 169.52 feet to a 1/2 inch iron rod found at a Northeast corner of said 15.855 acre tract, and an ell corner of said 24.726 acre tract;

Thence, South 00 Degrees 54 Minutes 11 Seconds East, along an East line of said 15.855 acre tract and a West line of said 24.726 acre tract, a distance of 348.01 feet to a point corner at an ell corner of said 15.855 acre tract and a Southwest corner of said 24.726 acre tract, said point lying in a pond, from said point a 2 inch steel fence post found for witness, bears North 02 Degrees 17 Minutes 47 Seconds West, a distance of 56.10 feet;

Thence, North 88 Degrees 40 Minutes 28 Seconds East, along a North line of said 15.855 acre tract and a South line of said 24.726 acre tract, a distance of 832.06 feet to a 1/2 inch iron rod found at a Northeast corner of said 15.855 acre tract, and the Southeast corner of said 24.726 acre tract, said point lying in the West line of a 23.639 acre tract of land conveyed to Stephen Patrick, by deed recorded in Volume 368 Faw 629, Real Records, Rains County, Texas;

Thence, South 00 Degrees 57 Minutes 58 Seconds East, along an East line of said 15.855 acre tract, and the West line of said 23.639 acre tract, passing the Southwest corner of said 15.855 acre tract, and the Northwest corner of said 39.820 acre tract, and continuing the same course along an East line of said 15.855 acre tract, and the West

All that certain lot, tract or parcel of land and being a 60.00 foot wide strip of land situated in the J. Miller Survey, A-152, Rains County, Texas, and being a part of a called 324.789 acre tract described in a Deed from Mamie Ruth Henderson to C. E. Burden, et al, dated March 30, 1983, as shown of record in Volume 223, Page 332, Deed Records, Rains County, Texas, and part of a called 16.950 acre tract (conveyed out of said 324.789 acre tract) described in a Deed from C. E. Burden, et al to Robert W. Archibald and William L. Siebenthaler, dated April 1, 1983, as shown of record in Volume 223, Page 593, Deed Records Rains County, Texas, the centerline of said strip of land being more particularly described as follows:

Beginning at a railroad spike set for a corner in the most Westerly West line of said 324.789 acre tract and being S 00 degree 18 minutes 41 seconds E, a distance of 2042.28 feet from a 3/8 inch iron rod found at the Northwest corner of said tract;

Thence N 89 degrees 17 minutes 20 seconds E along the South line of said 16.950 acre tract, a distance of 1677.97 feet to a 1/2 inch iron rod set for the Southeast corner of said tract;

Thence North along the East line of said 16.950 acre tract, a distance of 439.75 feet to a 1/2 inch iron rod set for the Northeast corner of said tract and for the Ending Point of said strip of land and containing 2.92 acres of land, more or less, of which approximately 1.46 acres lies within said 16.950 acre tract, according to field notes prepared by Homer C. Turner, Jr., Registered Public Surveyor No. 2291, dated September 16, 1983.

Parcel/Tax ID: 3165

Commonly known as 2781 Rs County Rd 1490, Point, TX 75472.  
However, by showing this address, no additional coverage is provided.

I hereby certify this instrument was filed and duly recorded in the Rains County, Texas, Official Public Records on the date and time stamped hereon by me



  
Mandy Sawyer, County Clerk  
Rains County, Texas