

FILED FOR RECORD

2020 OCT 19 PM 12:34

Notice of Substitute Trustee Sale

LINDA WALLACE
COUNTY CLERK
RAINS COUNTY, TEXAS
BY *Deathus Bellino* DEPUTY

T.S. #: 19-2792

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: 12/1/2020

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: **Rains County Courthouse in EMORY, Texas, at the following location: 220 W. Quitman Street, Emory, Tx 75440 - or in the area designated by the commissioners 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 6/9/2006 and is recorded in the office of the County Clerk of Rains County, Texas, under County Clerk's File No 1471 recorded on 6/16/2006 in Book 473 Page 696 of the Real Property Records of Rains County, Texas.

327 WOOD STREET
EMORY, TX 75440

Trustor(s):	GEORGE L WHEELER	Original Beneficiary:	CITIFINANCIAL, INC.
Current Beneficiary:	Kondaor Capital Corporation, not in its individual capacity but solely in its capacity as Separate Trustee of Matawin Ventures Trust Series 2019-2	Loan Servicer:	Kondaor Capital Corporation
Current Substituted Trustees:	Harriett Fletcher, Robert LaMont, David Sims, Sharon St. Pierre, Sheryl LaMont, Aurora Campos, Ramiro Cuevas, Patrick Zwiers, Darla Boettcher, Shawn Schiller, Allan Johnston, Ronnie Hubbard, Sue SpasiHarriett 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, David Sims, Sharon St. Pierre, Rick Snoke, Briana Young, Patricia Sanchez, Heather Smith		

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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, 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 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 GEORGE L WHEELER, JANICE CAROLYN WHEELER, AKA CAROLYN WHEELER, HUSBAND AND WIFE. 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 but not limited to (1) the promissory note in the original principal amount of \$31,613.09, executed by GEORGE L WHEELER, JANICE CAROLYN WHEELER, AKA CAROLYN WHEELER, HUSBAND AND WIFE, and payable to the order of CITIFINANCIAL, INC.; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of GEORGE L WHEELER, JANICE CAROLYN WHEELER, AKA CAROLYN WHEELER, HUSBAND AND WIFE to GEORGE L WHEELER. Kondaur Capital Corporation, not in its individual capacity but solely in its capacity as Separate Trustee of Matawin Ventures Trust Series 2019-2 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(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

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

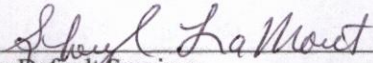
**Kondaur Capital Corporation, not in its individual capacity but solely in its capacity as Separate Trustee of
Matawin Ventures Trust Series 2019-2
c/o Kondaur Capital Corporation
333 S. Anita Drive,
Suite 400,
Orange, CA 92868**

(888) 566-3287

T.S. #: 19-2792

Dated October 19, 2020.

Harriett Fletcher, Robert LaMont, David Sims, Sharon St. Pierre, Sheryl LaMont,
Aurora Campos, Ramiro Cuevas, Patrick Zwiers, Darla Boettcher, Shawn
Schiller, Allan Johnston, Ronnie Hubbard, Sue SpasiHarriett 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, David Sims, Sharon St.
Pierre, Rick Snoke, Briana Young, Patricia Sanchez, Heather Smith



Prestige Default Services
600 E John Carpenter Freeway, Suite 175
Irving, Texas 75062
Phone: (949) 427-2010
Fax: (949) 427-2732

Sheryl LaMont 10-19-2020

AFTER RECORDING, PLEASE RETURN TO:

Prestige Default Services
600 E John Carpenter Freeway, Suite 175
Irving, Texas 75062
Attn: Trustee Department

EXHIBIT A

TRACT I: ALL THAT CERTAIN TRACT, LOT OR PARCEL OF LAND, SITUATED IN RAINS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: 14/100 ACRE OF LAND, A PART OF THE G. B. YARBER SURVEY, ABST. NO. 280: BEGINNING AT THE SE CORNER OF A 1 ACRE TRACT OF LAND CONVEYED TO L.M. HERRIAGE BY DEED RECORDED IN VOL. 42, PAGE 397, DEED RECORDS OF RAINS COUNTY, TEXAS. THENCE NORTH 68 1/4 WEST 120 FEET; THENCE NORTH 17 3/4 EAST 53 FEET; THENCE SOUTH 68 1/4 EAST 120 FEET; THENCE SOUTH 17 3/4 WEST 53 FEET TO THE PLACE OF BEGINNING. BEING THE LOT WHICH WAS GIVEN TO VIOLET HILTON BY L.H. HERRIAGE, AS DESCRIBED IN DEED FROM VIOLET HILTON AND OTHERS TO A.L. HARVEY RECORDED IN VOL. 104, PAGE 449, DEED RECORDS OF RAINS COUNTY, TEXAS, ALSO BEING THE SAME LAND DESCRIBED IN DEED FROM A.L. HARVEY ET UX, TO MYRTLE TERRY ET VIR, AND RECORDED IN VOL. 108, PAGE 543 OF THE DEED RECORDS OF RAINS COUNTY, TEXAS. TRACT II: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, SITUATED IN EMORY, RAINS COUNTY, TEXAS AND BEING A PART OF THE G.B. YARBER SURVEY, IN RAINS COUNTY, DESCRIBED AS FOLLOWS: BEGINNING 53 FEET NORTH 17 3/4 DEGREES EAST OF THE S.E. CORNER OF A 1 ACRE TRACT OF LAND CONVEYED TO L.M. HERRIAGE BY DEED RECORDED IN VOL. 42, PAGE 397 DEED RECORDS OF RAINS COUNTY, TEXAS, BEING THE N.E. CORNER OF TRACT NO. 1 OF THE DIVISION OF SAID 1 ACRE TRACT; THENCE NORTH 68 1/4 DEGREES WEST 120 FEET; THENCE NORTH 17 3/4 DEGREES EAST 53 FEET; THENCE SOUTH 68 1/4 DEGREES EAST 120 FEET; THENCE SOUTH 17 3/4 DEGREES WEST 53 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 14/100 ACRE OF LAND. BEING THE SAME LAND DESCRIBED IN DEED FROM LEVI HERRIAGE TO MYRTLE TERRY AND RECORDED IN VOL. 83, PAGE 350 OF THE DEED RECORDS OF RAINS COUNTY, TEXAS. TRACT III: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, SITUATED IN THE TOWN OF EMORY, RAINS COUNTY, TEXAS, AND BEING A PART OF THE G.E. YARBER SURVEY, ABSTRACT NO. 280, DESCRIBED AS FOLLOWS: BEGINNING 84.5 VARAS WEST OF THE W.B. LINE OF THE PIERSON STREET AND AT THE SE CORNER OF 2 ACRES SOLD BY FORBIS TO PIERSON, IN SAID TOWN OF EMORY; THENCE EAST 125.9 VARAS, THE WB LINE OF CHURCH ST.; THENCE NORTH 60.5 VARAS; THENCE WEST 125.9 VARAS TO THE EB LINE OF ALEXANDER'S LOT; THENCE SOUTH 60.5 VARAS TO THE PLACE OF BEGINNING, CONTAINING ONE ACRE OF LAND, LESS 12/100 ACRES SOLD TO F.S. ALEXANDER, LEAVING 88/100 ACRES, THE WEST ONE-HALF OF WHICH IS HEREBY CONVEYED, AND BEING THE SAME LAND CONVEYED TO C.W. DISMAN BY LEVI HERRIAGE BY DEED RECORDED IN VOL. 83, PAGE 406 DEED RECORDS OF RAINS COUNTY, TEXAS, ALSO BEING THE SAME LAND DESCRIBED IN DEED FROM C.W. DISMAN TO MYRTLE HARVEY AND RECORDED IN VOL. 86, PAGE 299 OF THE DEED RECORDS OF RAINS COUNTY, TEXAS. LESS AND EXCEPT: A 35' X 50' LOT CONVEYED TO JOHNNY J. HARVEY BY DEED DATED MARCH 27, 2001 RECORDED IN VOLUME 391, PAGE 174, REALPROPERTY RECORDS, RAINS COUNTY, TEXAS.

CAUSE NO. 10878

IN THE ESTATE OF

GEORGE L. WHEELER,

DECEASED.

§ 354TH DISTRICT COURT
§ IN THE ~~PROBATE COURT NO. 378TH~~
§
§ OF
§ RAINS
§ ~~ELLIS~~ COUNTY, TEXAS

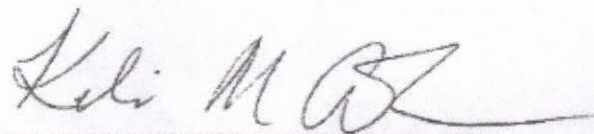
**ORDER GRANTING APPLICATION TO SATISFY
SECURED CLAIM BY NON-JUDICIAL FORECLOSURE SALE**

ON THIS DAY, Client's, *Application to Satisfy Secured Claim by Non-Judicial Foreclosure Sale* was heard and considered by the Court. After hearing the evidence in support of the *Application to Satisfy Secured Claim by Non-Judicial Foreclosure Sale*, the Court finds that all interested parties received notice of this matter; that this Court has jurisdiction and venue in this matter; that the *Application to Satisfy Secured Claim by Non-Judicial Foreclosure Sale* is accompanied by an affidavit and the *Application to Satisfy Secured Claim by Non-Judicial Foreclosure Sale* meets the requirements of the law; that the real property to be sold is fully described hereinafter; that the general bond is sufficient as required by law; that the *Application to Satisfy Secured Claim by Non-Judicial Foreclosure Sale* should be GRANTED and the sale of the Property should be made in accordance with Section 306(f)-(k) of the Texas Probate Code, the terms and conditions of the Texas Home Equity Security Instrument filed in the real property records of Rains County, Texas and recorded on June 6, 2016 as Instrument No. 01471, Vo. 473, Pg. 0696, Rains County, Texas, and pursuant to Section 51.002 of the Texas Property Code; that the sale is necessary and advisable in order to satisfy the preferred debt and lien of Client, against the property of the Estate of John Doe, Deceased.

IT IS THEREFORE ORDERED that the following described real property shall be sold in accordance with, and pursuant to, Section 306(f)-(k) of the Texas Probate Code, the terms and conditions of the Texas Home Equity Security Instrument filed in the real property records of Rains County, Texas and recorded under Instrument No. 01471, and pursuant to Section 51.002 of the Texas Property Code:

Insert Property Description (hereinafter "Property").

SIGNED this 11th day of Sept, 2020.



JUDGE PRESIDING