

11064 Cr 3125, Ira, TX 79527

22-011995

**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: 02/07/2023

Time: Between 1pm-4pm and beginning not earlier than 1pm-4pm or not later than three hours thereafter.

Place: The area designated by the Commissioners Court of Scurry County, pursuant to §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.

**2. Terms of Sale. Highest bidder for cash.**

**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated 11/14/2012 and recorded in the real property records of Scurry County, TX and is recorded under Clerk's File/Instrument Number, 786, Page 16, with Thomas Oliver Briseno and Elizabeth Anne Briseno (grantor(s)) and Mortgage Electronic Registration Systems, Inc., as nominee for Prosperity Bank mortgagee to which reference is herein made for all purposes.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by Thomas Oliver Briseno and Elizabeth Anne Briseno, securing the payment of the indebtedness in the original amount of \$20,717.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. Wells Fargo Bank, NA is the current mortgagee of the note and Deed of Trust or Contract Lien.

**5. Property to be Sold.** BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 120, BLOCK 97, OF THE H&TC RY. CO. SURVEY, SCURRY COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND RAIL ROAD SPIKE MARKING THE NORTHWEST CORNER OF SAID SECTION 120, THENCE S 87 DEGREES 12' 59" E ALONG THE NORTH BOUNDARY OF SAID SECTION 120 A DISTANCE OF 30.00 FEET, THENCE S 02 DEGREES 46' 57" W ALONG THE EAST RIGHT OF WAY FOR COUNTY ROAD NO. 3125 A DISTANCE OF 615.87 FEET TO A CAPPED IRON ROD SET (CIRS) FOR THE POINT OF BEGINNING;

THENCE S 37 DEGREES 33' 38" E A DISTANCE OF 152.27 FEET TO A CIRS;

THENCE N 53 DEGREES 58' 02" E A DISTANCE OF 127.53 FEET TO A CIRS;

THENCE S 87 DEGREES 57' 59" E A DISTANCE OF 135.88 FEET TO A CIRS;

THENCE S 02 DEGREES 02' 01" W A DISTANCE OF 177.32 FEET TO A CIRS;

THENCE N 87 DEGREES 57' 59" W A DISTANCE OF 66.67 FEET TO A CIRS;

THENCE S 56 DEGREES 03' 08" W A DISTANCE OF 92.99 FEET TO A CIRS;

THENCE N 37 DEGREES 33' 38" W A DISTANCE OF 301.12 FEET TO A CIRS ON THE SAID EAST RIGHT OF WAY FOR COUNTY ROAD 3125;



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THENCE N 02 DEGREES 46' 57" E ALONG SAID RIGHT OF WAY A DISTANCE OF 38.62 FEET TO THE SAID POINT OF BEGINNING, CONTAINING 1.00 ACRE, MORE OR LESS.

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 §51.002, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. Wells Fargo Home Mortgage, as Mortgage Servicer, is representing the current Mortgagee whose address is:

Wells Fargo Bank, NA  
3476 Stateview Blvd.  
Fort Mill, SC 29715

**SUBSTITUTE TRUSTEE**

Marsha Monroe, ~~Kerry Browder~~, Laura Browder  
1320 Greenway Drive, Suite 300  
Irving, TX 75038

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, as Substitute Trustee, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and who acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

NOTARY PUBLIC in and for \_\_\_\_\_

\_\_\_\_\_ COUNTY

My commission expires: \_\_\_\_\_

Print Name of Notary: \_\_\_\_\_

**CERTIFICATE OF POSTING**

My name is \_\_\_\_\_, and my address is 1320 Greenway Drive, Suite 300, Irving, TX 75038. I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the Scurry County Clerk and caused to be posted at the Scurry County courthouse this notice of sale.

Declarants Name: \_\_\_\_\_

Date: \_\_\_\_\_