

## NOTICE OF 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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060**

### INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated May 12, 2010 and recorded under Vol. 318, Page 110, or Clerk's File No. 101340, in the real property records of JONES County Texas, with Lawrence C. Wolff and Mindy K. Wolff, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for PrimeLending, a PlainsCapital Company, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Lawrence C. Wolff and Mindy K. Wolff, husband and wife securing payment of the indebtedness in the original principal amount of \$275,793.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Lawrence C. Wolff and Mindy K. Wolff. M&T Bank is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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. M & T Bank is acting as the Mortgage Servicer for the Mortgagee. M & T Bank, is representing the Mortgagee, whose address is: PO Box 840, Buffalo, NY 14240.

#### Legal Description:

**BEING 10.00 ACRES OF LAND OUT OF A 51.426 ACRE TRACT OF LAND RECORDED IN VOLUME 311, PAGE 285, OFFICIAL PUBLIC RECORDS, JONES COUNTY, TEXAS CONTAINING TWO TRACTS OF LAND PREVIOUSLY DESCRIBED AS A 50 ACRES IN VOLUME 563, PAGE 249 DEED RECORDS, JONES COUNTY, TEXAS AND A 1.35 ACRE TRACT RECORDED IN VOLUME 598, PAGE 642, DEED RECORDS, JONES COUNTY, TEXAS AND BEING A PART OF THAT LAND THAT PAUL T. LAWLIS DEEDED TO R.W. VARNER ON JANUARY 25, 1966 IN VOLUME 541, PAGE 432, DEED RECORDS, TAYLOR COUNTY, TEXAS OUT OF THE GABRIEL MARTINEZ SURVEY 195, JONES COUNTY, TEXAS. SAID 10.00 ACRES BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.**

### SALE INFORMATION

**Date of Sale: 03/03/2020**

**Earliest Time Sale Will Begin: 1:00 PM**

**Location of Sale:** The place of the sale shall be: JONES County Courthouse, Texas at the following location: At the south entrance to the Jones County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

### TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.



**POSTED NOTICE**

**DATE** 2/10/2020 **TIME** 1:30 PM

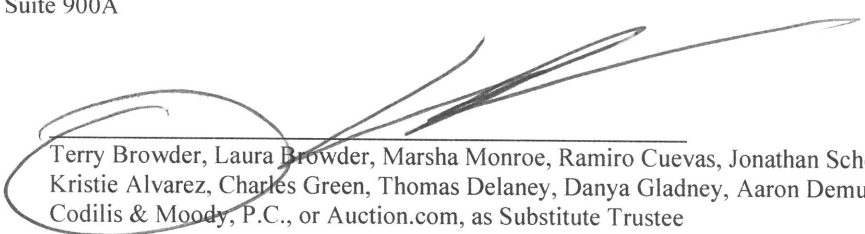
**JONES COUNTY CLERK, JONES CO., TX**

**BY:** Titania McFee

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the mortgagee 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.**

The sale will begin at the earliest time stated above, or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

  
Terry Browder, Laura Browder, Marsha Monroe, Ramiro Cuevas, Jonathan Schendel,  
Kristie Alvarez, Charles Green, Thomas Delaney, Danya Gladney, Aaron Demuth,  
Codilis & Moody, P.C., or Auction.com, as Substitute Trustee

STATE OF TEXAS

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

Before me, the undersigned Notary Public, on this day personally appeared \_\_\_\_\_ as Substitute Trustee, known to me or proved to me through a valid State driver's license or other official identification described as Personal Knowledge, to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand seal of office this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

## LEGAL DESCRIPTION

*BEING 10.00 acres of land out of a 51.426 acre tract of land recorded in Volume 311, Page 285, Official Public Records, Jones County, Texas containing two tracts of land previously described as a 50 acres in Volume 363, Page 249, Deed Records, Jones County, Texas and a 1.35 acre tract recorded in Volume 598, Page 642, Deed Records, Jones County, Texas and being a part of that land that Paul T. Lawlis deeded to R.W. Varner on January 25, 1966 in Volume 541, Page 432, Deed Records, Taylor County, Texas out of the Gabriel Martinez Survey 195, Jones County, Texas. Said 10.00 acres being more particularly described as follows;*

*BEGINNING at a point whence the center of a 3.5" metal pipe fence corner post bears N38°16'26"W 0.30'. Said point on the East line of U.S. Highway 277 (260' right-of-way) at the reestablished Southwest corner of said 51.426 acre tract for the Southwest corner of this tract, whence the Northwest corner of said Martinez Survey is record to bear N27°26'W 3382.2', S75°W 1885.9' and N15°W 1493.6 varas per said 50 acre deed;*

*THENCE N27°27'11"W with the West line of said 51.426 acre tract and the East line of said Highway 277, 262.41' to a set ½" metal rebar for the Northwest corner of this tract, whence found 1" metal pipe at the Northwest corner of said 51.426 acre tract bears N27°27'11"W 363.19';*

*THENCE N78°02'27"E 638.33' to a set ½" metal rebar for an interior corner of this tract;*

*THENCE N16°32'14"W 153.32' to a set ¼" metal rebar for a corner of this tract;*

*THENCE N80°23'42"E 223.65' to a set ½" metal rebar for a corner of this tract;*

*THENCE S12°57'09"E 186.68' to a set ½" metal rebar for an interior corner of this tract;*

*THENCE N76°47'39"E 349.14' to a set ½" metal rebar for an interior corner of this tract;*

*THENCE N12°57'09"W 67.62' to a set ½" metal rebar for a corner of this tract;*

*THENCE N76°47'16"E 392.62' to a set ¼" metal rebar for the Northeast corner of this tract;*

*THENCE S13°06'57"E 285.43' to a point on the South line of said 51.426 acre tract whence the center of a 2.5" pipe fence corner post bears N13°06'57"W 0.14'. From said point a found ¼" metal rebar at the Southeast corner of said 51.426 acre tract bears N74°14'03"E 1517.93';*

*THENCE S74°14'03"W with the South line of said 51.426 acre tract 1435.80' to the point of beginning and containing 10.00 acres of land.*

EXHIBIT "A"