Notice of Substitute Trustee Sale

T.S. #: 25-15231

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:

9/2/2025

Time:

The sale will begin no earlier than 10:00 AM or no later than three hours thereafter.

The sale will be completed by no later than 1:00 PM

Place:

Gillespie County Courthouse in Fredericksburg, Texas, at the following location: THE MAIN FRONT DOOR FACING MAIN STREET OF AREA DESIGNATED THE COURTHOUSE OR IN 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 7/28/2023 and is recorded in the office of the County Clerk of Gillespie County, Texas, under County Clerk's File No 20234558 Page of the Real Property Records of Gillespie County, Texas. recorded on 7/31/2023 in Book

108 W MULBERRY ST FREDERICKSBURG Texas 78624

Trustor(s):

ATX LIVE OAK LLC AND

DAVID LYMAN CHASTAIN

JR

Original Beneficiary:

MORTGAGE

ELECTRONIC

REGISTRATION

SYSTEMS, INC. ("MERS"), AS BENEFICIARY, AS NOMINEE FOR NP, INC. ITS SUCCESSORS AND

ASSIGNS

Current

Beneficiary:

Wilmington Savings Fund

Society, FSB, not in its individual

capacity but solely as owner trustee for Verus Securitization

Trust 2023-7

Loan Servicer:

NewRez LLC, F/K/A New

Penn Financial, LLC, D/B/A

Shellpoint Mortgage

Servicing

Current Substituted Trustees:

Auction.com, Thomas Rossington aka T. Reynolds Rossington, Martha Rossington, Rick

Snoke, Prestige Default Services, LLC

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.

> LINDSEY BROWN COUNTY CLERK-Gillespie Co., Texas

JUL 24 2025

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 present Beneficiary under the Deed of Trust has elected to conduct a unified foreclosure sale pursuant to the provisions of Texas Business and Commercial Code § 9.604 (a) and to include in the non-judicial foreclosure pursuant to the power of the sale granted by the deed of trust described in this Notice of Trustee's Sale all of the personal property and fixtures described in the Deed of Trust. The present Beneficiary reserves the right to revoke its election as to some or all of said personal property and/or fixtures, or to add additional personal property and/or fixtures to the election herein expressed, at the present Beneficiary's sole election, from time to time and at any time until the consummation of the trustee's sale to be conducted pursuant to the Deed of Trust and Notice of Trustee's Sale. 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 by not limited to (1) the promissory note in the original principal amount of \$618,750.00, executed by ATX LIVE OAK LLC, A LIMITED LIABILITY COMPANY, and payable to the order of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS BENEFICIARY, AS NOMINEE FOR NP, INC. ITS SUCCESSORS AND ASSIGNS; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of ATX LIVE OAK LLC, A LIMITED LIABILITY COMPANY to ATX LIVE OAK LLC AND DAVID LYMAN CHASTAIN JR. Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as owner trustee for Verus Securitization Trust 2023-7 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 and all other amounts lawfully owing under the Note, the Deed of Trust, and all of the other associated loan documents, including, without limitation, all interest, default interest, late charges, advances, attorneys' fees and other costs and expenses.

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

Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as owner trustee for Verus Securitization Trust 2023-7 c/o NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing 55 Beattie Place, Suite 100 Greenville, South Carolina 29601-2743 800-365-7107

T.S. #: 25-15231

Auction.com, Thomas Rossington aka T. Reynolds Rossington, Martha Rossington,

Rick Snoke, Prestige Default Services, LLC

Prestige Default Services, LLC 16801 Addison Road, Suite 350

Addison, Texas 75001

Phone: (972) 893-3096 ext. 1035

Fax: (949) 427-2732

AFTER RECORDING, PLEASE RETURN TO:

Prestige Default Services, LLC 16801 Addison Road, Suite 350 Addison, Texas 75001 Attn: Trustee Department

Exhibit "A "

Hill Country Land Surveying, LLC

Boundary * Topographic * Construction

110 North Miliam * Fredericksburg, Texas 78006

Phone 830-990-2665 * Fax 830-990-5095

Field Notes for a 0.281 Acre Tract of Land

Being a 0.281 acre tract of land, being all of Lot number 6, Block B, a portion of Lot number 5, Block B, and part of Lot 7, Block B, of the Blue Bonnet Addition as recorded in Volume 67, Page 114, Deed Records, Gillespie County, Texas, said 0.281 acre tract of land being the same tract conveyed to Ricardo Contreras by deed recorded in Volume 199, Pages 907-909, Real Property Records, Gillespie County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a ½" steel rod found in the northeast right of way line of West Mulberry Street, being the west corner of a 0.232 acre tract conveyed to Kenneth D. & Julie S. Moore by deed recorded in Volume 521, Pages 624-628, Official Public Records, Gillespie County, Texas, also being a point in the southwest line of Lot number 7, Block B, Blue Bonnet Addition, for the south corner of the herein described tract;

Thence, with the northeast right of way line of West Mulberry Street, and the southwest lines of Lots 7, 6, & 5, Block B, Blue Bonnet Addition, N. 51°00'00" W., 74.89 feet (N. 51°00'00" W., 75.00 feet called)(basis of bearing) to a 1/2" steel rod found for the south corner of a tract conveyed to Jimmy R. Penick by deed recorded in Volume 166, Pages 591-592, Deed Records, Gillespie County, Texas, for the south corner of the herein described tract;

Thence, with the southeast line of said Jimmy R. Penick tract, and the northwest line of the herein described tract, N. 38°39'59" E., 163:17 feet (N 39°00'00" E 163.50 feet called) to a ½" steel rod set at a fence corner post in the northeast line of Lot 5, Block B, Blue Bonnet Addition, and being in the southwest line of a 16' Alley as shown on the plat of said Addition, for the north corner of the herein described tract;

Thence, with the northeast lines of Lots 5, 6, & 7, Block B of said Addition, the southwest line of said 16' Alley, S. 51°00'00" E., 75.00 feet (S. 51°00'00" E. 75.00' called) to a 4" fence post being the north corner of said 0.232 acre tract, for the east corner of the herein described tract;

Thence, with the northwest line of said 0.232 acre tract, and the southeast line of the herein described tract, S. 38°42'18" W., 163.17 feet (S 39°00'00" W 163.50 feet called) to the Point-of-Beginning and containing 0.281 acres of land.



Gillespie County LINDSEY BROWN Gillespie County Clerk

Instrument Number: 20250008

Recorded On: July 24, 2025 09:36 AM

Number of Pages: 5

Record and Return To: MARTHA ROSSINGTON

" Examined and Charged as Follows: "

Total Recording: \$3.00

******* THIS PAGE IS PART OF THE INSTRUMENT ********

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

20250008

Document Number:

Receipt Number:

20250724000005

Recorded Date/Time: July 24, 2025 09:36 AM

User:

Josh C

Station:

DELLGVKBHQ2



STATE OF TEXAS **Gillespie County**

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Gillespie County, Texas

LINDSEY BROWN Gillespie County Clerk Gillespie County, TX

