

original

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

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.

DEED OF TRUST INFORMATION:

Date: 07/01/2004
Grantor(s): CLEMENS R WEIGAND
Original Mortgagee: AMERIQUEST MORTGAGE COMPANY
Original Principal: \$60,000.00
Recording Information: Book 560 Page 149 Instrument 043906
Property County: Gillespie
Property: (See Attached Exhibit "A")
Reported Address: 328 W MORSE ST, FREDERICKSBURG, TX 78624

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-R8
Mortgage Servicer: PHH Mortgage
Current Beneficiary: Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-R8
Mortgage Servicer Address: 1 Mortgage Way, Mount Laurel, NJ 08054

SALE INFORMATION:

Date of Sale: Tuesday, the 5th day of January, 2021
Time of Sale: 10:00AM or within three hours thereafter.
Place of Sale: THE MAIN FRONT DOOR FACING MAIN STREET OF THE COURTHOUSE in Gillespie County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Gillespie County Commissioner's Court, at the area most recently designated by the Gillespie County Commissioner's Court.

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Thomas Rossington, Martha Rossington, Jill Nichols, Meghan Lamonte, Kevin Key, Jay Jacobs, Ramon Perez, Garrett Sanders, Maryna Danielian, Stacey Sanders, Amy Ortiz, Dylan Ruiz, Michael Burns, Tori Jones, or Suzanne Suarez, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Thomas Rossington, Martha Rossington, Jill Nichols, Meghan Lamonte, Kevin Key, Jay Jacobs, Ramon Perez, Garrett Sanders, Maryna Danielian, Stacey Sanders, Amy Ortiz, Dylan Ruiz, Michael Burns, Tori Jones, or Suzanne Suarez, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

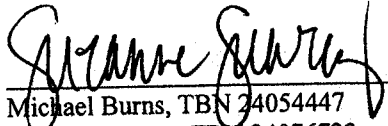
FILED
MARY LYNN RUSCHE
COUNTY CLERK - Gillespie Co., Texas
By: Joel Moore
Deputy

Posted
SEP 10 2020
@ 12:45 PM

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.

Substitute Trustee(s) appointed to Conduct Sale: In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed and by these presents does name and appoint Thomas Rossington, Martha Rossington, Jill Nichols, Meghan Lamonte, Kevin Key, Jay Jacobs, Ramon Perez, Garrett Sanders, Maryna Danielian, Stacey Sanders, Amy Ortiz, Dylan Ruiz, Michael Burns, Tori Jones, or Suzanne Suarez, any to act as substitute trustee under and by virtue of said Deed of Trust.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254



Michael Burns, TBN 24054447

Suzanne Suarez, TBN 24076723

Marilyn Jones, TBN 24077649

Bonial & Associates, P.C.

14841 Dallas Parkway, Suite 425, Dallas, TX 75254

AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICE

Certificate of Posting

I am Martha Rossington whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on 9-10-10 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Gillespie County Clerk and caused it to be posted at the location directed by the Gillespie County Commissioners Court.

By: Martha Rossington

Exhibit "A"

1ST. ALL OF LOT NO. FOUR (4) OF THE MUTUAL LUMBER COMPANY ADDITION TO THE TOWN (NOW CITY) OF FREDERICKSBURG, TEXAS, AS SAID LOT IS SHOWN, DESIGNATED AND DELINEATED ON THE MAP OR PLAT OF SAID ADDITION FOUND OF RECORD IN VOL. 60, PAGE 616 DEED RECORDS OF GILLESPIE COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND CONVEYED TO MRS. EMMA JOSEPH BY MRS. DORA KOTHMANN, BY DEED DATED OCTOBER 6, 1948, RECORDED IN VOL. 64, PAGE 514, DEED RECORDS, GILLESPIE COUNTY, TEXAS TO WHICH PLAT AND DEED REFERENCE IS HERE MADE AND THE SAME MADE A PART HEREOF FOR ALL PERTINENT PURPOSES.

2ND. A PART OF LOT NO. THREE (3) OF THE MUTUAL LUMBER COMPANY ADDITION TO THE CITY OF FREDERICKSBURG, TEXAS, AS SAID LOT IS SHOWN, DESIGNATED AND DELINEATED ON THE MAP OR PLAT OF SAID ADDITION FOUND OF RECORD IN VOL. 60, PAGE 617, DEED RECORDS, GILLESPIE COUNTY, TEXAS, DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT THE SOUTH CORNER OF SAID LOT NO. 3; THENCE N. 39 DEG. E. 185.3 FEET TO ITS NORTH CORNER; THENCE N. 51 DEG. WEST 5 FEET TO A POINT IN THE N.E. LINE OF SAID LOT; THENCE SOUTH 39 DEG. WEST 185.3 FEET TO A POINT IN THE S.W. LINE OF SAID LOT; THENCE SOUTH 51 DEG. EAST 5 FEET TO THE PLACE OF BEGINNING, AND BEING THE SAME TRACT OF LAND CONVEYED TO EMMA JOSEPH BY ELGIN E. HEIMANN, ET UX BY DEED DATED OCTOBER 18, 1948, RECORDED IN VOL. 87, PAGE 99-100, DEED RECORDS, GILLESPIE COUNTY, TEXAS, HERE REFERRED TO AND MADE A PART HEREOF FOR ALL PERTINENT PURPOSES.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254