

NOTICE OF SUBSTITUTE TRUSTEE SALE

Deed of Trust Date:
9/7/2012

Grantor(s)/Mortgagor(s):
DENNIS RODRIGUEZ A/K/A DENNIS RODRIQUEZ
AND CINDY KUTZER RODRIGUEZ A/K/A CINDY
KUTZER RODRIQUEZ, HUSBAND AND WIFE

Original Beneficiary/Mortgagee:
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,
INC. ("MERS") SOLELY AS A NOMINEE FOR TXL
MORTGAGE CORPORATION, A TEXAS CORPORATION,
ITS SUCCESSORS AND ASSIGNS

Current Beneficiary/Mortgagee:
U.S. BANK TRUST NATIONAL ASSOCIATION, NOT
IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS
OWNER TRUSTEE FOR RCF2 ACQUISITION TRUST

Recorded in:
Volume: 590
Page: 6
Instrument No: 193320

Property County:
LAVACA

Mortgage Servicer:
Selene Finance, LP is representing the Current
Beneficiary/Mortgagee under a servicing agreement with the
Current Beneficiary/Mortgagee.

Mortgage Servicer's Address:
3501 Olympus Boulevard, 5th Floor, Suite 500,
Dallas, TX 75019

Legal Description: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Date of Sale: 10/3/2023

Earliest Time Sale Will Begin: 10am

Place of Sale of Property: THE EAST STEPS OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

Megan Randle

Megan Randle, Robert Randle, Ebbie Murphy
or Thuy Frazier
or Cindy Mendoza
or Catherine Allen-Rea
or Cole Patton, Substitute Trustee
McCARTHY & HOLTHUS, LLP
1255 WEST 15TH STREET, SUITE 1060
PLANO, TX 75075

Notice Pursuant to Tex. Prop. Code § 51.002(i):

Assert and protect your rights as member of the armed forces of the United States. If you or your spouse are serving on active military duty, including active military duty as a member of the Texas National 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.

FILED FOR RECORD
At 3:15 O'Clock P M

AUG 31 2023

BARBARA K. STEFFEK, CLERK
COUNTY COURT LAVACA CO., TEXAS
By *Juan Gonzalez* Deputy

MH File Number: TX-19-70993-POS
Loan Type: Conventional Residential

EXHIBIT "A"

TX-19-70993-POS

This is a description of 10.00 acres of land in Lavaca County, Texas, located in the J. M. Smith Survey, Abstract No. 553. This 10.00 acres is a part of that tract described as 138.93 acres in deed dated November 6, 1968 from Earl E. Smith to Lillian S. Smith recorded in Volume 251, Page 284 of the Lavaca County Deed Records.

This 10.00 acre tract is more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod set in the northwest line of the said 138.93 acre tract located North 44 deg. 59 min. 32 sec. East 274.79 feet from a fence corner post found marking the west corner of the said 138.93 acre tract. This beginning point is marking the west corner of this 10.00 acre tract being described and the north corner of another 10.00 acre tract surveyed this day;

THENCE along said northwest line, the same being the southeast line of the William Hickey Second Tract described in Volume 199, Page 440 of the Lavaca County Official Records, North 44 deg. 59 min. 32 sec. East 1559.70 feet to a 1/2" iron pipe found near a fence corner post marking the south corner of the Edwin Chanek 35 acre tract described in Volume 265, Page 301 (Deed Records);

THENCE continuing along said northwest line, the same being the southeast line of the Chanek 35-acre tract; North 45 deg. 11 min. 08 sec. East 65.05 feet to a 5/8" iron rod set for the north corner of this 10.00 acre tract being described;

THENCE crossing a portion of the said 138.93 acre tract, South 45 deg. 00 min. 00 sec. East 310.00 feet to a 5/8" iron rod set for the east corner of this 10.00 acre tract being described;

THENCE continuing to cross the said 138.93 acre tract, South 47 deg. 57 min. 35 sec. West 1626.92 feet to a 5/8" iron rod set for the south corner of this 10.00 acre tract being described, the same being the east corner of the said other 10.00 acre tract surveyed this day;

THENCE continuing to cross the said 138.93 acre tract along the common line of the two said 10.00 acre tracts, North 45 deg. 00 min. 00 sec. West 226.00 feet to the **PLACE OF BEGINNING** containing within these metes and bounds 10.00 acres of land.

ROAD EASEMENT CENTERLINE FOR THIS 10.00 ACRES:

This road easement centerline crosses over a portion of the above described 138.93 acre tract and also crosses over that tract described as 234.5 acres in deed dated December 9, 1967 from Earl Smith, et ux, to Waldean Smith Kutzer recorded in Volume 245, Page 257 of the Lavaca County Deed Records. This road easement centerline is more particularly described as follows:

BEGINNING at a point located South 44 deg. 51 min. 06 sec. East 659.91 feet from a 5/8" iron rod found marking the west corner of the said 234.5 acre tract. This beginning point is also located in the southwest line of the said 234.5 acre tract and the northeast line of a public road known as Lavaca County Road No. 436;

THENCE crossing the said 234.5 acre tract and also crossing a portion of the said 138.93 acre tract along the centerline of an existing private road as follows (NOTE: Iron spikes were set at the end of each course):

North 46 deg. 04 min. 56 sec. East 685.28 feet;
North 46 deg. 42 min. 45 sec. East 1088.47 feet;
North 45 deg. 22 min. 39 sec. East 126.20 feet;
North 77 deg. 46 min. 32 sec. East 114.98 feet;
North 40 deg. 28 min. 19 sec. East 131.08 feet;
North 43 deg. 53 min. 28 sec. East 510.48 feet;
North 42 deg. 57 min. 40 sec. East 314.00 feet;
North 43 deg. 29 min. 10 sec. East 187.13 feet;
North 46 deg. 14 min. 42 sec. East 236.83 feet;
North 60 deg. 51 min. 01 sec. East 83.13 feet;
North 52 deg. 51 min. 41 sec. East 205.26 feet;
North 44 deg. 38 min. 18 sec. East 450.01 feet;
North 25 deg. 35 min. 58 sec. East 107.65 feet;
North 48 deg. 05 min. 10 sec. East 219.55 feet;
North 43 deg. 19 min. 39 sec. East 164.96 feet;
North 47 deg. 15 min. 15 sec. East 540.27 feet; and
North 42 deg. 02 min. 25 sec. West 474.17 feet to the TERMINUS of this road easement centerline being described. This terminus point is located in the southeast line of the above described 10.00 acre tract South 47 deg. 57 min. 35 sec. West 201.08 feet from a 5/8" iron rod set for the east corner of said 10.00 acre tract.