

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

JIM WELLS County

Deed of Trust Dated: February 5, 2004

Amount: \$31,050.00

Grantor(s): JASON P. KERR and JO ANNE KERR

Original Mortgagee: SPEED INVESTMENTS, INC.

Current Mortgagee: M & T BANK

Mortgagee Address: M & T BANK, P. O. Box 1364, Buffalo, NY 14240-1364

Recording Information: Document No. 357925

Legal Description: EXHIBIT "A" ATTACHED HERETO.

Date of Sale: March 7, 2017 between the hours of 1:00 PM and 4:00 PM.

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the JIM WELLS County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

JIM RECTOR OR DENISE RECTOR, SANDRA MENDOZA, ARNOLD MENDOZA, BOB FRISCH, VICKI HAMMONDS OR JAMIE STEEN have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

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.

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.

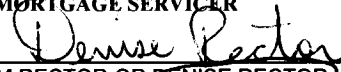
NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER

  
Aaron Espinoza, Attorney at Law

HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2016-015853

  
JIM RECTOR OR DENISE RECTOR SANDRA MENDOZA, ARNOLD MENDOZA, BOB FRISCH, VICKI HAMMONDS OR JAMIE STEEN  
c/o Tejas Trustee Services  
4100 Midway Rd Ste 1040  
Carrollton, TX 75007

9:47 FILED  
AT 9 O'CLOCK M  
FEB 2 2017  
JC Perez III, Clerk, Jim Wells Co., Texas  
By: [Signature] Deputy

Exhibit "A"

September 26, 2000  
5.00 Acre Tract Out Of Subdivision Number 21  
W.H. Sartain & Company Subdivision

STATE OF TEXAS  
COUNTY OF JIM WELLS

FIELDNOTE DESCRIPTION of a 5.00 acre tract of land out of Subdivision Number 21 of the W. H. Sartain & Company Subdivision as shown by map recorded in Volume 1, Page 3 of the Map Records of Jim Wells County, Texas; said 5.00 acre tract of land also being out of a 614.85 acre tract of land described in Volume 684, Pages 787-792 of the Official Records of Jim Wells County, Texas; said 614.85 acre tract being out of the W. M. Benton Survey; Abstract 43, the Jas Stephenson Survey; Abstract 440, the V. Garza Survey; Abstract 172, the L. Arroya Survey; Abstract 32, the R. M. Bridges Survey; Abstract 53; and the Nueces County School Land Survey; Abstract 333; said 5.00 acre tract of land being more particularly described by metes and bounds as follows:

- Commencing: At a point within County Road No. 303 for the Southwest corner of Subdivision Number 22 and the Southeast corner of Subdivision Number 21 of said W. H. Sartain & Company Subdivision, said point also being the Southeast corner of a 30 foot wide road easement described in Volume 684, Pages 787-792 of the Official Records of Jim Wells County, Texas, and the Southeast corner of said 614.85 acre tract;
- Thence: N 10° 14' E (called N 10° 46' E on Plat), coincident with the West line of Subdivision Number 22 and the East line of Subdivision Number 21 and the East line of said 30 foot wide road easement and the East line of said 614.85 acres, a distance of 2119.27 feet (called 2121.9 feet in deed for 614.85 acres) to a point for the Northeast corner of Subdivision Number 21;
- Thence: N 79° 37' W (N 79° 43' per deed), with a fence on the North line of Subdivision Number 21, at 30.00 feet pass the Northwest corner of said 30 foot wide road easement, in all a distance of 3291.67 feet to a fence corner on the East right-of-way line of County Road No. 308;
- Thence: S 00° 20' E, with a fence on the East right-of-way line of County Road No. 308, a distance of 61.06 feet to a 5/8" iron rod set for the POINT OF BEGINNING; the Northwest corner of this 5.00 acre tract of land;
- Thence: S 79° 37' E, parallel with and 60 feet South of the North line of Subdivision Number 21, a distance of 1077.26 feet to a 5/8" iron rod set for the Northeast corner of this 5.00 acre tract of land;
- Thence: S 00° 20' E, parallel with the East right-of-way line of County Road No. 308, a distance of 206.00 feet to a 5/8" iron rod set for the Southeast corner of this 5.00 acre tract of land;
- Thence: N 79° 37' W, a distance of 1077.26 feet to a 5/8" iron rod set under a fence on the East right-of-way line of County Road No. 308 for the Southwest corner of this 5.00 acre tract of land;
- Thence: N 00° 20' W, with a fence on the East right-of-way line of County Road No. 308, a distance of 206.00 feet to the POINT OF BEGINNING, containing 5.00 acres of land.