HOME EQUITY POSTING WITH ORDER ATTACHED

196 COURTNEY LANE
DIBOLL,TX 75941

00000004661559

NOTICE OF SUBSTITUTE TRUSTEE SALE

(See **TEX. CONST.***art.XVI, § 50a(6) Order attached)*

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.

FILED
AT 11:30 O'CLOCK A M
FEB 09 2015
AMY FINCHER
County Clerk, County Court at Law
Angelina County, Texas
By MCS

1. **Date, Time, and Place of Sale.**

Date: March 03, 2015

Time: The sale will begin at 10:00AM or not later than three hours after that time.

Place THE ANGELINA COUNTY COURTHOUSE MEETING ROOM (FIRST FLOOR) OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated August 16, 2004 and recorded in Document VOLUME 2040, PAGE 20 real property records of ANGELINA County, Texas, with SERGIO ESTRADA AND ANA M. ESTRADA, grantor(s) and BANK OF AMERICA, N.A., mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by SERGIO ESTRADA AND ANA M. ESTRADA, securing the payment of the indebtednesses in the original principal amount of $96,800.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF DOVER MORTGAGE CAPITAL 2005-A CORPORATION, GRANTOR TRUST CERTIFICATE, SERIES 2005-A is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

6. **Mortgage Servicer Information.** 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 lien securing the Property referenced above. BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP
7105 CORPORATE DRIVE
PLANO, TX 75024

BEATRICE CARRILLO, JOHN EVANS, KEVIN MCCARTHY OR ZACH MCCARTHY
Substitute Trustee
c/o
15000 Surveyor Boulevard, Suite 100
Addison, Texas 75001

NOS00000004661559

EXHIBIT "A"

BEING THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE JOSE MORIN SURVEY, A-31, ANGELINA COUNTY, TEXAS, AND BEING A PART OF PORTION OF THAT CALLED 2 ACRE TRACT OF LAND (RE-SURVEYED AT 1.430 ACRES) DESCRIBED IN A WARRANTY DEED FROM MILISSA C. WALKER TO SERGIO ESTRADA AND ANA M. ESTRADA, DATED JULY 17, 2000, AND RECORDED IN VOLUME 1278, PAGE 196, OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS (RPRACT), AND TO WHICH REFERENCE IS HEREBY MADE TO FOR ANY AND ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT A 1/2-INCH IRON ROD SET IN THE WESTERLY MARGIN OF A 35-FOOT DRIVE (SAID DRIVE BEING PART OF A CALLED 12.4 ACRE TRACT DESCRIBED AS THE "SIXTH TRACT" IN A PARTITION DEED TO LEON COURTNEY, DATED SEPTEMBER 26, 1955, AND RECORDED IN VOLUME 196, PAGE 66, RPRACT) FOR THE NORTHEAST CORNER OF THE REFERENCED TRACT, SAME BEING THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED AS "TRACT I" AND DESCRIBED IN A SPECIAL WARRANTY DEED FROM ANITA JO DULANEY TO SHAWN OSCAR DULANEY, DATED NOVEMBER 4, 1993, AND RECORDED IN VOLUME 945, PAGE 217, RPRACT, AND FROM WHICH A 1/2-INCH IRON PIPE FOUND IN THE SOUTHERLY RIGHT-OF-WAY (ROW) LINE OF F.M. ROAD 1818 FOR THE NORTHEAST CORNER OF SAID DULANEY TRACT I BEARS, N 19 DEG 00' 00" W 107.05 FEET;

THENCE S 19 DEG 00' 00" E (REFERENCE BEARING), ALONG THE WESTERLY MARGIN OF SAID 35-FOOT DRIVE AND THE EASTERLY LINE OF THE REFERENCED TRACT, 204.90 FEET TO A 1/2-INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 60 DEG 41' 15" W, CROSSING THE REFERENCED TRACT, 124.56 FEET TO A 1-INCH IRON PIPE FOUND FOR AN "ELL" CORNER OF THE REFERENCED TRACT, SAME BEING A SOUTHEASTERLY CORNER OF THAT TRACT OF LAND SHOWN TO BE OWNED BY GLEN WELLS BY THE ANGELINA COUNTY APPRAISAL DISTRICT (NO DEED FOUND);

THENCE N 17 DEG 41' 15" W, ALONG THE COMMON LINE OF THE REFERENCED TRACT AND SAID WELLS TRACT, 231.07 FEET TO A 1-INCH IRON PIPE FOUND FOR THE SOUTHEASTERLYCORNER OF THAT TRACT OF LAND DESRIBED AS "TRACT II" IN SAID SPECIAL WARRANTY DEED TO SHAWN OSCAR DULANEY, RECORDED IN VOLUME 945, PAGE 217, RPRACT, FOR THE NORTH MOST NORTHWEST CORNER OF THE REFERENCED TRACT, SAME BEING A NORTHEASTERLY CORNER OF SAID WELLS TRACT AND THE SOUTHWESTERLY CORNER OF SAID DULANEY TRACT I;

THENCE N 72 DEG 51' 55" E, ALONG THE NORTHERLY LINE OF THE REFERENCED TRACT AND THE SOUTHERLY LINE OF SAID DULANEY TRACT I, 117.31 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.599 ACRE OF LAND, MORE OR LESS, AS SHOWN ON THE ACCOMPANYING SURVEY PLAT OF EVEN DATE HEREWITH.

COPY

Cause Number CV-01826-12-10

AT 10:34 O'CLOCK FILED
JUL 8 2013
REBA D. SQUYRES, CLERK, DISTRICT COURT
ANGELINA COUNTY, TEXAS
BY _____ DEPUTY

In re: Order for Foreclosure Concerning	§	IN THE DISTRICT COURT OF
	§	
	§	
	§	
	§	
196 COURTNEY LANE, DIBOLL, TX 75941 Under Tex. R. Civ. Proc. 736	§	
	§	
	§	ANGELINA COUNTY, TEXAS
	§	
	§	
	§	
	§	
	§	
	§	
	§	217th JUDICIAL DISTRICT

DEFAULT HOME EQUITY FORECLOSURE ORDER

On this date the court considered DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF DOVER MORTGAGE CAPITAL 2005-A CORPORATION, GRANTOR TRUST CERTIFICATE, SERIES 2005-A, or their successors or assigns (hereinafter "Petitioner"), Tex. R. Civ. P. 736 home equity foreclosure Application. The court has determined that it has jurisdiction over the subject matter and the parties in this proceeding. After reviewing the Motion for Default Order, the pleadings, the affidavits and the arguments of counsel, the court finds:

1. The Respondent(s) and their last known address (Tex. Prop. Code § 51.0001(2)) are as follows:

SERGIO ESTRADA
196 COURTNEY LANE, DIBOLL, TX 75941

ANA M. ESTRADA
196 COURTNEY LANE, DIBOLL, TX 75941

2. The commonly known street address of the property encumbered by the lien sought to be foreclosed is **196 Courtney Lane, Diboll, TX 75941** (the "Property"). The Property legal description is:

BEING THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE JOSE MORIN SURVEY, A-31, ANGELINA COUNTY, TEXAS, AND BEING A PART OF PORTION OF THAT CALLED 2 ACRE TRACT OF LAND (RE-SURVEYED AT 1.430 ACRES) DESCRIBED IN A WARRANTY DEED FROM MILISSA C. WALKER TO SERGIO ESTRADA AND ANA M. ESTRADA, DATED JULY 17, 2000, AND RECORDED IN VOLUME 1278, PAGE 196, OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS (RPRACT), AND TO WHICH REFERENCE IS HEREBY MADE TO FOR ANY AND ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT A 1/2-INCH IRON ROD SET IN THE WESTERLY MARGIN OF A 35-FOOT DRIVE (SAID DRIVE BEING PART OF A CALLED 12.4 ACRE TRACT DESCRIBED AS THE "SIXTH TRACT" IN A PARTITION DEED TO LEON COURTNEY, DATED SEPTEMBER 26, 1955, AND RECORDED IN VOLUME 196, PAGE 66, RPRACT) FOR THE NORTHEAST CORNER OF THE REFERENCED TRACT, SAME BEING THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED AS "TRACT I" AND DESCRIBED IN A SPECIAL WARRANTY DEED FROM ANITA JO DULANEY TO SHAWN OSCAR DULANEY, DATED NOVEMBER 4, 1993, AND RECORDED IN VOLUME 945, PAGE 217, RPRACT, AND FROM WHICH A 1/2-INCH IRON PIPE FOUND IN THE SOUTHERLY RIGHT-OF-WAY (ROW) LINE OF F.M. ROAD 1818 FOR THE NORTHEAST CORNER OF SAID DULANEY TRACT I BEARS, N 19 DEG 00' 00" W 107.05 FEET;

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THENCE N 72 DEG 51' 55" E, ALONG THE NORTHERLY LINE OF THE REFERENCED TRACT AND THE SOUTHERLY LINE OF SAID DULANEY TRACT I, 117.31 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.599 ACRE OF LAND, MORE OR LESS, AS SHOWN ON THE ACCOMPANYING SURVEY PLAT OF EVEN DATE HEREWITH.

3. The Debt exists and is secured by a lien created under TEX. CONST. ART. XVI, § 50(a)(6), for a home equity loan.

4. Petitioner is the holder of the Note and Deed of Trust. Sergio Estrada And Ana M. Estrada (hereafter "Obligor" whether one or more) executed the promissory note dated August 16, 2004 in the original principal amount of $96,800.00. Obligor is the party obligated to pay the loan agreement, contract, or lien sought to be foreclosed.

5. Obligors executed a security instrument ("Deed of Trust"), which is recorded in the Angelina County Real Property Records at VOLUME 2040, PAGE 20.

6. Respondent failed to make payments in accordance with terms of the loan agreement, contract or deed of trust and is in default under the terms of those agreements.

7. As of the date the application was filed, Obligor failed to remit the installment payment due for 09/20/2010 and the installments that have become due after that date. As of 09/27/2012, there are at least 25 unpaid scheduled payments. The amount required to cure the default before 10/03/2012 is $22,529.41. The amount required to pay off the loan in full before 10/03/2012 is $98,433.09. This amount does not include attorneys' fees, late charges, interest, fees, costs, escrow advances or other lawful charges paid after 10/03/2012, all of which will continue to accrue according to the terms of the Note and Deed of Trust.

8. The requisite notices to cure the default and accelerate the maturity of the Debt have been mailed to each person as required under applicable law and the loan agreement, contract, or lien sought to be foreclosed and the opportunity to cure has expired.

9. Before the application was filed, any other action required under applicable law and the loan agreement, contract, or lien sought to be foreclosed was performed.

10. The court further finds that the Application complies with Tex. R. Civ. P. 735 and 736; that in accordance with Tex. R. Civ. P. 736.7(c) a copy of the required Return of Service has been on file with the Clerk of the Court for at least ten (10) days. Petitioner has established the basis for foreclosure; that Petitioner has appointed D. Carillo, J. Douglas, Or D. Douglas or their successor, as the substitute trustee to conduct the foreclosure contemplated by this proceeding; and that Petitioner may proceed with foreclosure of the secured Property according to the terms of the security instrument, Tex. Prop. Code § 51.002 and applicable law in accordance with Tex. R. Civ. P. 736.9.

IT IS THEREFORE ORDERED that the Petitioner may proceed with a foreclosure sale under the terms of the security instrument, Tex. Prop. Code § 51.002 and applicable law with respect to the secured Property made the subject of this proceeding.

SIGNED this 1 day of July, 2013

JUDGE PRESIDING

APPROVED AS TO FORM AND SUBSTANCE:

Clark Royle
Texas Bar No. 24046763
Tom Misteli
Texas Bar No. 24058774
Anthony Scott Vincent
Texas Bar No. 24058241
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Texas Bar No. 24062879
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ATTORNEYS FOR APPLICANT