

# 3

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

Matter No.: 046231-TX

Date: February 9, 2017

County where Real Property is Located: Gaines

ORIGINAL MORTGAGOR: JUAN M. RIVERA AND PATRICIA L. RIVERA, HUSBAND AND WIFE

ORIGINAL MORTGAGEE: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC., SOLELY AS NOMINEE FOR BAY EQUITY LLC, ITS SUCCESSORS AND ASSIGNS

CURRENT MORTGAGEE: PennyMac Loan Services, LLC

MORTGAGE SERVICER: PennyMac Loan Services, LLC

DEED OF TRUST DATED 12/5/2014, RECORDING INFORMATION: Recorded on 12/9/2014, as Instrument No. 2014-7786,

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): A 10.00 ACRE TRACT OF LAND OUT OF THE SE/4 OF SECTION 27, BLOCK C-35, PUBLIC SCHOOL LAND SURVEY, GAINES COUNTY, TEXAS, MORE COMPLETELY DESCRIBED IN THE ATTACHED EXHIBIT A

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 3/7/2017, the foreclosure sale will be conducted in Gaines County in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than 1:00 PM, or not later than three (3) hours after that time, by one of the Substitute Trustees who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness superior to the Deed of Trust.

PennyMac Loan Services, LLC is acting as the Mortgage Servicer for PennyMac Loan Services, LLC who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. PennyMac Loan Services, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

PennyMac Loan Services, LLC  
3043 Townsgate Rd, Suite 200  
Westlake Village, CA 91361

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.

— FILED —

2-13-17 1:15 p m  
Vicki Phillips, County Clerk  
Gaines County, Texas  
BY J. Smith DEPUTY

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AP NOS 12072016

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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.

By:  Substitute Trustee  
LANELEE LYNCH OR SHELLEY NAIL OR DONNA TROUT  
OR PAUL A. HOEFKER, ROBERT L. NEGRIN

**Return to:**  
ALDRIDGE PITE, LLP  
4375 JUTLAND DR., SUITE 200  
P.O. BOX 17935  
SAN DIEGO, CA 92177-0935  
FAX #: 619-590-1385  
866-931-0036

## EXHIBIT A

A 10.00 acre tract of land out of the SE/4 of Section 27, Block C-35, Public School Land Survey, Gaines County, Texas, including all of Tract 17, C.T. Thomas Subdivision, as per plat recorded in Vol. 188, page 307, Deed Records of Gaines County, Texas, said 10.00 acre tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with cap marked "RPS 1690" found in the centerline of State Highway 83, for the Southeast corner of said Section 27, and for the Southeast corner of this tract;

THENCE N.87°45'16"W., along the centerline of said State Highway 83 and along the South line of said Section 27, a distance of 330.00 feet to a spike nail found for the Southwest corner of this tract (bearings compared to the Texas Coordinate System of 1983, North Central Zone, distances are true at an averaged surface elevation);

THENCE N.02°18'14"E., at 60.00 feet pass a 1/2" iron rod with plug marked "RPS 1690" found in the Northerly right-of-way line of said State Highway 83 (V. 81, P. 213, D.R.) at the Southwest corner of said Tract 17, and at 1312.22 feet pass the Northwest corner of said Tract 17, in all 1320.00 feet to a 1/2" iron rod with cap marked "NEWTON SURVEYING" found for the Northwest corner of this tract;

THENCE S.87°45'16"E. 330.00 feet to a 1/2" iron rod with cap marked "NEWTON SURVEYING" found in the East line of said Section 27, for the Northeast corner of this tract;

THENCE S.02°18'14"W., along the East line of said Section 27, at 8.10 feet pass the Northeast corner of said Tract 17, and at 1251.90 feet pass a 1/2" iron rod with cap marked "NEWTON SURVEYING" found in said Northerly right-of-way line of State Highway 83 and at the Southeast corner of said Tract 17, in all 1320.00 feet to the PLACE OF BEGINNING;

SAVE AND EXCEPT all oil, gas, and other minerals.