

### NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

**Assert and protect your rights as a member of the armed forces of the United States. If you 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 FOR RECORD  
COLORADO COUNTY, TX  
2024 MAR 28 PM 1:11  
KIMBERLY MENKE  
COUNTY CLERK  
DK

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

**DATE:** June 4, 2024

**TIME:** 10:00 AM

**PLACE:** In the foyer, inside the main entrance, of the Colorado County Annex Building, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

2. **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only party of the property. Pursuant to section 50.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.

3. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust or Contract Lien dated February 28, 2023 and recorded Book 1028, at Page 488, real property records of Colorado County, Texas.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by Ross Denham and Christa Lanae Denham securing the payment of the indebtedness in the original principal amount of \$386,650.00, and obligations therein described including by not limited to the promissory note; and all modifications renewals and extensions of the promissory note. Village Capital & Investment, LLC is the current mortgagee of the note and deed of trust or contract lien.

5. **Default.** A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

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

0.357 ACRE TRACT

The Falls Replat Section Two

Colorado County, Texas

Being a 0.357 acre tract of land out of The Falls Replat Section Two as recorded in Slide Number 84 of the Plat Records of Colorado County, being all of that certain called Lot 5A and the easterly portion of called Lot 4A, Block 1 of said The Falls Replat Section Two to Abel and Sylvia Sosa in Volume 870, Page 143 of the Official Records of Colorado County (O.R.C.C.), Texas, said 0.357 acre tract being more particularly described by metes and bounds as follows;



BEGINNING at a 1/2 inch iron rod found at the southeast corner of said Lot 5A, being the southwest corner of called Lot 6A, also being on the north line of Pinehurst Drive, for the southeast corner of this;

THENCE with the south lines of said Lot 5A and Lot 4A, common boundary with said Pinehurst Drive, S 89°07'40" W passing a 5/8 inch iron rod found at a distance of 99.90 feet and continuing for a total distance of 148.52 feet to a 1/2 inch iron rod with a cap marked "RPLS 6851" set on the south line of said Lot 4A, being on the north line of said Pinehurst Drive, for the southwest corner of this;

THENCE through and across said Lot 4A, N 00°29'06" W a distance of 105.88 feet to a 1/2 inch iron rod with a cap marked "RPLS 6851" set on the north line of said Lot 4A, being on the south line of the remainder of a called 678.327 acres tract of land to Resort Holdings, LLC in Volume 894, Page 512 O.R.C.C., for the northwest corner of this;

THENCE with the north lines of said Lot 4A and said Lot 5A, common boundary with said 678.327 acres remainder tract, the following two (2) courses:

- 1.) S 85°40'18" E a distance of 8.18 feet to a 1/2 inch iron rod found;
- 2.) N 89°11'04" E passing a 1/2 inch iron rod set at a distance of 39.66 feet and continuing for a total distance of 139.66 feet to a 1/2 inch bent iron rod found at the northeast corner of said Lot 5A, being on the south line of said 678.327 acres remainder tract, also being the northwest corner of said Lot 6A, for the northeast corner of this;

THENCE with the east line of said Lot 5A, common boundary with said Lot 6A, S 00°52'20" E a distance of 105.00 feet to the POINT OF BEGINNING, and containing 0.357 acre of land.

All bearings and distances are based on State Plane Coordinate System, Texas South Central Zone, NAD 1983.

This description to accompany a plat of like date representing an on the ground survey supervised by Kevin Weiss, Registered Professional Land Surveyor #6851.

7. **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 Services is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the property referenced above. Village Capital & Investment, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

**2550 Paseo Verde Parkway, Suite 100  
Henderson, Nevada 89074**

8. **Appointment of Substitute Trustee.** In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent for the mortgage servicer has named and appointed, and by these presents does name and appoint Jennifer Hooper, Megan L. Randle, Ebbie Murphy, Debby Jurasek,

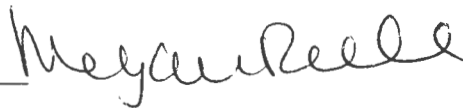
Jennyfer Sakiewicz, whose address is c/o Brock & Scott, 4225 Wingren Dr, Ste 105, Irving, TX 75062, Substitute Trustee to act under and by virtue of said Deed of Trust.

9. **Limitation of Damages.** 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.

**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.**

Date: 5/25/2024

  
Jennifer Hooper



#### Certificate of Posting

I am \_\_\_\_\_ whose address is \_\_\_\_\_. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of [Substitute] Trustees Sale at the office of the Colorado County Clerk and caused it to be posted at the location directed by the Colorado County Commissioners Court.

Declarant's Name: \_\_\_\_\_

Date: \_\_\_\_\_