

MAR 13 2017

3:29pm

FILED

MARY LYNN RUSCHE
COUNTY CLERK
Gillespie Co., Texas

NOTICE OF FORECLOSURE SALE

State of Texas §
County of Gillespie §

By  Deputy

Notice is hereby given of a public non-judicial foreclosure sale.

1. Property To Be Sold. The property to be sold is described as follows:

SEE ATTACHED EXHIBIT "A"

2. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: April 4, 2017

Time: The sale shall begin no earlier than 10:00 AM or no later than three hours thereafter.

Place: Gillespie County Courthouse in Fredericksburg, Texas, at the following location: the area designated by the Commissioners Court of Fredericksburg, Gillespie County, Texas, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

The deed of trust permits the Mortgagee of Record to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

Pursuant to section 51.009 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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the Mortgagee of Record thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

4. Type of Sale. The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by **Monica R. Jacobi**.
5. Obligations Secured. The Deed of Trust is dated **December 8, 2004**, and is recorded in the office of the County Clerk of Gillespie County, Texas, in/under **Document No. 047053, Vol 579, Page 698, Official Public Records of Gillespie County, Texas**. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to the promissory note in the original principal amount of **\$1,300,000.00**, executed by **Monica R. Jacobi**, and payable to the order of **Lehman Brothers Bank, FSB, A Federal Savings Bank**.

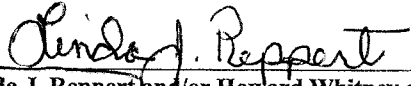
Original Mortgagee: Lehman Brothers Bank, FSB, A Federal Savings Bank.

Current Mortgagee of Record: WILMINGTON TRUST COMPANY, AS TRUSTEE TO STRUCTURED ASSET SECURITIES MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-2XS whose address is **350 Highland Drive, Lewisville, TX 75067**.

6. Default and Request To Act. Default has occurred under the deed of trust, and the beneficiary has requested me, as Substitute Trustee, to conduct this public sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.
7. **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.**

Sent by: Jeffrey B. Lewis
Robertson Anschutz Vettors
1500 CityWest Blvd., Suite 700
Houston, TX 77042

DATED March 13, 2017.


Linda J. Reppert and/or Howard Whitney and/or Randy Jennings, Thomas Rossington, Martha Rossington, Juanita Cox, Jimmy Carroll Brewer, Stephen Rawlings, Diasha Perkins, Jason Brewer, Chris LaFond,
Substitute Trustee
c/o Robertson Anschutz Vettors
1500 CityWest Blvd., Suite 700
Houston, TX 77042
Phone: 713-244-1360

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.

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EXHIBIT " A "

Hill Country Land Surveying Company

Boundary • Topographic • Construction
110 North Milam, Ste. C • Fredericksburg, Texas 78624
Phone 830-990-2665 • Fax 830-990-5095

Field Notes for a 70.010 Acre Tract of Land

Being a 70.010 acre tract of land out of the Louisa Ramos Survey No. 23, Abstract No. 574, Gillespie County, Texas, and being that 70.0 acre tract of land as shown on a survey plat dated May 17, 2000, by Carey Bonn, RPLS 4447, said 70.010 acre tract of land also being out of that certain 269.3 acre tract of land conveyed to Marc A. Jacobi and wife, Monica R. Jacobi by deed recorded in Volume 361, Pages 299-304, Real Property Records, Gillespie County, Texas, said 70.010 acre tract being more particularly described by metes and bounds as follows:

Beginning at a railroad spike found in the centerline of Jung Road for the northeast corner of said 269.3 acre tract, the northeast corner of the herein described tract, in the approximate west line of the Louisa Ramos Survey No. 21, Abstract No. 573, the east line of said Survey No. 23, and being the southeast corner of Post Oak Lakes Subdivision as recorded in Volume 2, Page 128, Plat Records, Gillespie County, Texas;

Thence, with the centerline of Jung Road, the east line of the herein described tract, the east line of said 269.3 acre tract, S. 00°20'00" W., 1618.00 feet (S 00°20'00" W 1618.00' called as per plat dated May 17, 2000, by Carey Bonn RPLS No. 4447) to a 1/2" steel rod set for the southeast corner of the herein described tract;

Thence, with the south line of the herein described tract, across said 269.3 acre tract, N. 89°36'00" W., 1884.06 feet (N 89°36'00" W 1884.06' called as per plat dated May 17, 2000, by Carey Bonn RPLS No. 4447) to a 1/2" steel rod set for the southwest corner of the herein described tract, the southeast corner of a 60 acre tract of land conveyed to Marc A. Jacobi and wife, Monica R. Jacobi by deed recorded in Volume 361, Pages 275-278, Real Property Records, Gillespie County, Texas;

Thence, with the west line of the herein described tract, a west line of said 269.3 acre tract, the east line of said 60 acre tract of land, N. 00°14'22" E., 1617.02 feet (N 00°14'25" W 1617.00' called as per plat dated May 17, 2000, by Carey Bonn RPLS No. 4447) to a 1/2" steel rod set for the northwest corner of the herein described tract, the northeast corner of said 60 acre tract, and being in the south line of Post Oak Lakes Subdivision;

Thence, with the north line of the herein described tract, the north line of said 269.3 acre tract, the south line of Post Oak Lakes Subdivision, S. 89°37'48" E., 1886.71 feet (S 89°37'48" E 1886.71' called) to the Point-of-Beginning and containing 70.010 acres of land.

Note: This description is based on an on the ground survey performed on October 25, 2004.
A Survey Plat of the above described tract was prepared.



[Signature]
Brad Bryan Spennath
Registered Professional Land Surveyor
No. 5357 Job # 04-5360