

## NOTICE OF TRUSTEE'S SALE

**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. Sender is: Codilis & Moody, P.C., 20405 State Highway 249, Suite 170, Houston, TX 77070**

### INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated September 02, 2004 and recorded under Clerk's File No. 02404101, in the real property records of EASTLAND County Texas, with Wesley Maberry and Wilma Maberry, husband and wife as Grantor(s) and Louise Hodges as Original Mortgagee.

Deed of Trust executed by Wesley Maberry and Wilma Maberry, husband and wife securing payment of the indebtedness in the original principal amount of \$38,000.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Wesley Maberry and Wilma Maberry. U.S. Bank National Association, as Trustee for Bayview Financial Mortgage Pass-Through Trust 2007-B, Mortgage Pass-Through Certificates, Series 2007-B is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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. M & T Bank is acting as the Mortgage Servicer for the Mortgagee. M & T Bank, is representing the Mortgagee, whose address is: PO Box 840, Buffalo, NY 14240.

#### Legal Description:

**LOT, TRACT OR PARCEL OF LAND IN EASTLAND COUNTY, TEXAS, DESCRIBED AS FOLLOWS, TO - WIT: 2 ACRES, MORE OR LESS, OUT OF SECTION 5, BLOCK 6, E. T. R. R. CO SURVEY, ABST. 111,**

**AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES**

### SALE INFORMATION

**Date of Sale: 02/06/2024**

**Earliest Time Sale Will Begin: 1:00 PM**

**Location of Sale:** The place of the sale shall be: EASTLAND County Courthouse, Texas at the following location: At the south entrance steps of the Eastland County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

### TERMS OF SALE

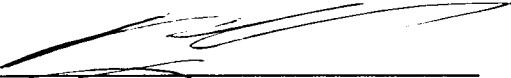
A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. 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 part of the property. **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.**



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.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:  
Codilis & Moody, P.C.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200



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Laura Browder, Terry Browder, Jamie Osborne, Thomas Delaney, Danya Gladney,  
Aaron Demuth, Codilis & Moody, P.C., or ASAP, as Substitute Trustee

EXHIBIT A

Property (including any improvements):

Lot, Tract or parcel of land in Eastland County, Texas, described as follows, to-wit: 2 acres, more or less, out of Section 5, Block 6, E. T. R. R. Co. Survey, Abst. 111, described as follows: Beginning at the Northwest Corner of a 4 acre tract out of Section 5, Block 6, E. T. R. R. Co. Survey conveyed to A. M. Wright by J. L. Bockman et ux by deed recorded in Vol. 284, Page 486, Deed Records, Eastland County, Texas ; Thence South 85-50 West 46.2 feet; Thence South 55-11 West 55.8 feet; Thence South 840 feet to North Boundary Line of Bankhead Highway; Thence North 71-11 East with said Highway 115 feet; Thence North 837 feet to place of beginning; and being the same tract conveyed to Bill W. Johnston et ux by J. C. Foreman et ux by deed recorded in Vol. 592, Page 317, Deed Records, Eastland County, Texas.

RECEIVED 9:10 A M.  
CATHY JENTHO, COUNTY CLERK

JAN 04 2024

EASTLAND COUNTY, TEXAS  
By AL Deputy