

**Notice of Foreclosure Sale**

March 2, 2017

TONYA RITCHIE  
COUNTY CLERK, LAMB CO., TEXAS

2017 MAR 13 A 10:47

FILED FOR RECORD

#6042

Deed of Trust ("Deed of Trust"):

Dated: July 27, 2011

Grantor: Kevin M. Bates and Wendy L. Bates

Trustee: Michael Gary Orlando

Lender: Vanderbilt Mortgage and Finance, Inc.

Recorded in: Volume 674, Page 617 of the real property records of Lamb County, Texas

Legal Description: The North Two Acres (N. 2 ac.) of Acreage Tract No. Sixty-Two (62), College Heights Addition to the City of Littlefield, Lamb County, Texas, according to the map or plat thereof recorded in Volume 35, Page 569, Deed Records, Lamb County, Texas

In addition to manufactured home more particularly described by Serial No. CW2014166TXAB

Secures: Promissory Note ("Note") in the original principal amount of \$136,472.57, executed by Kevin M. Bates and Wendy L. Bates ("Borrower") and payable to the order of Lender

Substitute Trustee: Craig C. Lesok and Ronald Byrd

Substitute Trustee's Address: 226 Bailey Ave, Ste 101, Fort Worth, TX, 76107

Foreclosure Sale:

Date: Tuesday, April 4, 2017

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three hours thereafter.

Place: The steps at the front doors on the North side of the Lamb 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: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Vanderbilt Mortgage and Finance, Inc.'s bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Vanderbilt Mortgage and Finance, Inc., the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Vanderbilt Mortgage and Finance, Inc.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Vanderbilt Mortgage and Finance, Inc.'s rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Vanderbilt Mortgage and Finance, Inc. passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Vanderbilt Mortgage and Finance, Inc. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

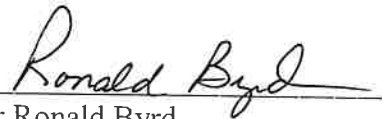
**Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.**

**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.**

*/s/ Craig C. Lesok*

---

Craig C. Lesok  
Attorney for Mortgagee  
SBOT No. 24027446  
E-mail: craig@lesoklaw



---

Craig C. Lesok and/ or Ronald Byrd  
226 Bailey Ave, Ste 101  
Fort Worth, TX 76107  
Telephone (817) 882-9991  
Telecopier (817) 882-9993