

#49

FILED
NICOLE TANNER, COUNTY CLERK
HILL COUNTY, TEXAS

2021 NOV 16 AM 10: 51

ATTENTION SERVICE MEMBERS: ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR 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.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, DAN MICHAEL AUSTIN delivered that one certain Home Equity Mortgage dated MARCH 23, 2007, which is recorded in VOLUME 1476, PAGE 497 of the real property records of HILL County, Texas, conveying to the Trustee(s) therein named the real property therein described, to secure the payment of a Promissory Note in the principal amount of \$44,790.16 payable to the order of BENEFICIAL TEXAS INC., to which reference is hereby made for a description of the Promissory Note, the terms and covenants of the Home Equity Mortgage, and the property therein conveyed; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Home Equity Mortgage, has occurred and the outstanding indebtedness on same is now wholly due; and

WHEREAS, the undersigned has been appointed Substitute Trustee in place of the original Trustee, upon the contingency and the manner authorized by the Home Equity Mortgage; and

WHEREAS, REVOLVE CAPITAL, LLC, the Mortgagee, or the Mortgage Servicer, has instructed a Substitute Trustee(s) to sell real property described in the Home Equity Mortgage in order to satisfy the indebtedness secured thereby.

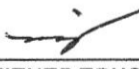
NOTICE IS HEREBY GIVEN that on Tuesday, DECEMBER 7, 2021, beginning at 11:00 AM, or not later than three (3) hours after that time, a Substitute Trustee(s) will sell, to the highest bidder submitting cashier's check, certified check or money order, the following described real property:

LOT TWO HUNDRED FIFTEEN (215) AND LOT TWO HUNDRED SIXTEEN (216), IN THE LAKESIDE RESORT SUBDIVISION, AS DESCRIBED BY THE PLAT THEREOF RECORDED VOLUME 452, PAGE 365 AND PAGE 368, OF THE DEED RECORDS OF HILL COUNTY, TEXAS.

The sale will occur at that area designated by the Commissioners Court of HILL County, Texas, for such sales (OR AT EAST DOOR OF THE COURTHOUSE).

NOTICE IS FURTHER GIVEN that the address of FCI LENDER SERVICES, INC., the Mortgagee or Mortgage Servicer, is P.O. BOX 28720, ANAHEIM, CA 92809. Pursuant to the Texas Property Code, the Mortgagee or Mortgage Servicer is authorized to administer a foreclosure sale. The name and address of a substitute trustee is Michael J. Schroeder, 3610 North Josey Lane, Suite 206, Carrollton, Texas 75007. A Substitute Trustee is authorized by the Texas Property Code to set reasonable conditions for the foreclosure sale.

Dated: NOVEMBER 15, 2021.



SUBSTITUTE TRUSTEE(S)
MICHAEL J. SCHROEDER OR DONNA STOCKMAN
OR BRENDA WIGGS OR GUY WIGGS OR DAVID
STOCKMAN OR MICHELLE SCHWARTZ OR KATHY
ARRINGTON OR JANET PINDER

FILE NO.: REV-1010
PROPERTY: 200 WAUPOO TRAIL
WHITNEY, TEXAS 76692

DAN MICHAEL AUSTIN

NOTICE SENT BY:
MICHAEL J. SCHROEDER
3610 NORTH JOSEY LANE, SUITE 206
CARROLLTON, TEXAS 75007
Tele: (972) 394-3086
Fax: (972) 394-1263

Cause No. CV473-21DC

FILED
MARCHEL EURAK
DISTRICT CLERK
HILL COUNTY, TX
2021 SEP 29 AM 10:45

IN RE: ORDER FOR FORECLOSURE	§	IN THE DISTRICT COURT
CONCERNING	§	
200 WAUPOO TRAIL	§	
WHITNEY, TX 76692	§	66TH JUDICIAL DISTRICT
UNDER TEX. R. CIV. PROC. 736	§	
	§	
PETITIONER:	§	HILL COUNTY, TEXAS
REVOLVE CAPITAL, LLC	§	
RESPONDENT:	§	
DAN MICHAEL AUSTIN	§	
OCCUPANT	§	

EXPEDITED ORDER UNDER RULE 736

1. On this day, the Court considered Petitioner's (Plaintiff's") motion for a default order granting its Application for an expedited order under Rule 736. Petitioner's Application complies with the requirements of Tex. R. Civ. Pro 736.1.

2. The name and last known address of each Respondent subject to this order is:

DAN MICHAEL AUSTIN	OCCUPANT
804 N. COLORADO STREET	200 WAUPOO TRAIL
WHITNEY, TX 76692	WHITNEY, TX 76692

Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on filed with the Court for at least ten days.

3. The property that is the subject of this foreclosure proceeding is commonly known as 200 WAUPOO TRAIL, WHITNEY, TX 76692 with the following legal description:

LOT TWO HUNDRED FIFTEEN (215) AND LOT TWO HUNDRED SIXTEEN (16), IN THE LAKESIDE RESORT SUBDIVISION, AS DESCRIBED BY THE PLAT THEREOF RECORDED IN VOLUME 452, PAGE 365 AND PAGE 368, OF THE DEED RECORDS OF HILL COUNTY, TEXAS.

4. The lien to be foreclosed is recorded at INSTRUMENT NO. 002811 in the real property records of HILL County, Texas.

5. The material facts establishing Respondents' default are alleged in Petitioner's Application and the supporting Affidavit. Those facts are adopted by the Court and incorporated by reference in this order.

6. Based on the Affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App. §501 *et seq.*

7. Therefore, the Court grants Petitioner's motion for a default order under Tex. R. Civ. Pro. 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the home equity lien sought to be foreclose.

8. This order is not subject to a motion for rehearing, a new trial a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Tex. R. Civ. Pro 736.11.

9. A conformed copy of this order must be attached to the trustee or substitute trustee's foreclosure deed.

IT IS SO ORDERED.

Signed: 29 Sep. 2021



JUDGE PRESIDING

APPROVED:

MICHAEL J. SCHROEDER, P.C.

/s/ Michael J. Schroeder

Michael J. Schroeder

State Bar No. 17817380

Email: mike@lawmjs.com

3610 North Josey Lane, Suite 206

Carrollton, TX 75007

Telephone: (972) 394-3086

Facsimile: (972) 394-1263

ATTORNEYS FOR PETITIONER