

I, undersigned, County Clerk, do hereby certify that the above notice was duly posted on 6<sup>th</sup> day of October, 2023 at 9:56 a.m.

Stephanie M. Sanders, Robertson County Clerk

by: Lacy Fechner

Filed for Record in:  
Robertson County  
On: Oct 06, 2023 at 09:56A  
By: Lacy Fechner

## Notice of Substitute Trustee Sale

T.S. #: 23-9583

**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.**

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

Date: 11/7/2023  
Time: The sale will begin no earlier than 1:00 PM or no later than three hours thereafter.  
The sale will be completed by no later than 4:00 PM  
Place: Robertson County Courthouse in Franklin, Texas, at the following location: 102 West Decherd Street, Franklin, Tx 77856 - or in the area designated by the commissioners court. OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

**Property To Be Sold** - The property to be sold is described as follows:

All that certain tract or parcel of land lying and being situated in Robertson County, Texas, out of and a part of the Francisco Ruiz Survey, Abstract No. 41, and further being the same tract of land called 57.23 acres described as TRACT 1 in a Deed to Joan M. Purcell and Walter P. Purcell recorded in Volume 639, Page 724 of the Deed Records of Robertson County, Texas, said tract or parcel of land herein described as follows:

**BEGINNING** at a found 1" iron stake at a fence corner for the South West corner of the Purcell tract and for the South East corner of the J. Curtis Brewer 179.1 acre tract (347-25), said corner further being in the North line of the Nunzio Salvagio, et. ux. 83 acre tract (557-506);

**THENCE** N 31° 51' 55" W 1426.77 feet along the East line of the above mentioned Brewer 179.1 acre tract to a x-tie for the North West corner of the Purcell tract and for the South West corner of a 27' access Road described as TRACT 2 in the above mentioned Deed to Purcell;

**TNENCE** along a fence for the North line of the Purcell tract N 70° 34' 09"E 1233.36 feet to a 20" Post Oak tree, and N 70° 06' 14" E 843.58 feet to a set steel rod for the North East corner of the Purcell tract and for an interior corner of the Carl A. Pfeifer, et. ux. 50 acre tract (315-613);

**THENCE** S 31° 30' 25" E 1069.83 feet to a set steel rod for the South East corner of the Purcell tract and for a corner of the Pfeifer 50 acre tract;

**THENCE** S 60° 30' 00" W at 320.66 feet pass a found steel pipe at a fence corner for the North East corner of the above mentioned Nunzio Salvagio 83 acre tract and at a total distance of 2024.70 feet to the place of **BEGINNING** and containing 57.991 acres of land, more or less.

**Instrument to be Foreclosed** – The instrument to be foreclosed is the Deed of Trust is dated 7/9/1996 and is recorded in the office of the County Clerk of Robertson County, Texas, under County Clerk's File No 962920, recorded on 7/11/1996, in Book 657, Page 86, of the Real Property Records of Robertson County, Texas.  
Property Address: Railroad 2 Box 760 Hearne, TX 77859

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Trustor(s):	<b>JAMES E. WALLACE and AMY L. WALLACE</b>	Original Beneficiary:	<b>FIRST STATE BANK OF BREMOND</b>
Current Beneficiary:	<b>WILMINGTON SAVINGS FUND SOCIETY, FSB, not in its individual capacity but solely as Owner Trustee of the Aspen Income Trust, a Delaware statutory trust</b>	Loan Servicer:	<b>Aspen Properties Group, LLC</b>
Current Substituted Trustees:	<b>Auction.com, Sharon St. Pierre, Sheryl LaMont, Robert LaMont, David Sims, Pete Florez, Harriett Fletcher, Rick Snoke, Prestige Default Services, LLC</b>		

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.

**Terms of Sale** - The sale will be conducted as a public auction to the highest bidder for cash with funds being made payable to Prestige Default Services, LLC, subject to the provisions of the deed of trust permitting the beneficiary 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. Pursuant to the Deed of Trust, the beneficiary 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. 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.

**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 the sale granted by the deed of trust executed by JAMES E. WALLACE and AMY L. WALLACE. The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

**Obligations Secured** - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$86,400.00, executed by JAMES E. WALLACE and AMY L. WALLACE, and payable to the order of FIRST STATE BANK OF BREMOND; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of JAMES E. WALLACE and AMY L. WALLACE to JAMES E. WALLACE and AMY L. WALLACE. WILMINGTON SAVINGS FUND SOCIETY, FSB, not in its individual capacity but solely as Owner Trustee of the Aspen Income Trust, a Delaware statutory trust is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the Note and all other amounts lawfully owing under the Note, the Deed of Trust, and all of the other associated loan documents, including, without limitation, all interest, default interest, late charges, advances, attorneys' fees and other costs and expenses. **All checks must be made payable to Prestige Default Services, LLC**

Questions concerning the sale may be directed to the undersigned or to the beneficiary:

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**WILMINGTON SAVINGS FUND SOCIETY, FSB, not in its individual capacity but solely as Owner Trustee  
of the Aspen Income Trust, a Delaware statutory trust**  
c/o Aspen Properties Group, LLC  
1221 W 103rd St #108,  
KANSAS CITY, MO 64114  
(800) 326-5799

Dated: October 6, 2023 Auction.com, Sharon St. Pierre, Sheryl LaMont, Robert LaMont, David Sims,  
Pete Florez, Harriett Fletcher, Rick Snoke, Prestige Default Services, LLC,

*Sharon St. Pierre*

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Prestige Default Services, LLC  
16801 Addison Road, Suite 350  
Addison, Texas 75001  
Phone: (972) 893-3096 ext. 1035  
Fax: (949) 427-2732

AFTER RECORDING, PLEASE RETURN TO:  
Prestige Default Services, LLC  
16801 Addison Road, Suite 350  
Addison, Texas 75001  
Attn: Trustee Department