

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**COOKE County**

**Deed of Trust Dated:** May 18, 2007

**Amount:** \$40,000.29

**Grantor(s):** DEIDA KIENINGER and ESTATE OF ALFREDO KIENINGER

**Original Mortgagee:** BENEFICIAL TEXAS INC.

**Current Mortgagee:** U.S. BANK NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE, FOR THE CIM TRUST 2016-2, MORTGAGE-BACKED NOTES, SERIES 2016-2

**Mortgage Servicer and Address:** c/o SELECT PORTFOLIO SERVICING, INC., 3217 South Decker Lake Drive, Salt Lake City, UT 84119

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

**Recording Information:** Document No. 00004651

**Legal Description:** SEE EXHIBIT A

WHEREAS ESTATE OF ALFREDO KIENINGER is deceased.

WHEREAS DEIDA KIENINGER is deceased.

Whereas, an Order to Proceed with Expedited Foreclosure under the Texas Rule Civil Procedure 736 was entered on October 24, 2019 under Cause No. CV19-00483 in the 235th Judicial District Court of COOKE County, Texas

**Date of Sale:** January 7, 2020 between the hours of 10:00 AM and 1:00 PM.

**Earliest Time Sale Will Begin:** 10:00 AM


**Place of Sale:** The foreclosure sale will be conducted at public venue in the area designated by the COOKE County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

ROBERT ORTOLANI OR MARY MANCUSO, SHELLEY ORTOLANI, MICHELE HREHA, FRANCESCA ORTOLANI, AURORA CAMPOS, JONATHAN HARRISON, RAMIRO CUEVAS, PATRICK ZWIERS, MONICA HENDERSON, SHAWN SCHILLER, DANA KAMIN, LISA BRUNO, IRENE LINDSAY, RONDA TYLER OR MERYL OLSEN have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust. The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. 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.

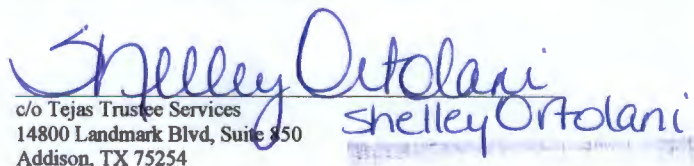
**NOTICE IS FURTHER GIVEN** that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

**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.**



KIM ELLEN LEWINSKI, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2019-001996



c/o Tejas Trustee Services  
14800 Landmark Blvd, Suite 550  
Addison, TX 75254

FILED FOR RECORD

19 DEC -5 PM 12:57

PAM HARRISON  
COUNTY CLERK, COOKE CO. TX

BY  DEPUTY

P.H.

**EXHIBIT A**

**ALL THAT CERTAIN TRACT OF LAND, BEING THE WEST 68 FEET OF LOTS SIX (6), SEVEN (7), AND EIGHT (8) IN BLOCK SIXTEEN (16) OF THE SPARKS ADDITION TO THE CITY OF GAINESVILLE, IN COOKE COUNTY, TEXAS, ACCORDING TO THE RECORDED PLAT THEREOF, AND SAID LOT BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING AT THE SOUTHWEST CORNER OF LOT NO. EIGHT (8);**

**THENCE EAST WITH THE NORTH BOUNDARY LINE OF HARVEY STREET AND THE SOUTH BOUNDARY LINE OF LOT EIGHT (8), 88 FEET TO A STAKE;**

**THENCE NORTH 142-1/2 FEET TO THE SOUTH BOUNDARY LINE OF A 10 FOOT ALLEY;**

**THENCE WEST 88 FEET WITH THE SOUTH BOUNDARY LINE OF SAID ALLEY, TO THE WEST BOUNDARY LINE OF LOT NO. SIX (6);**

**THENCE SOUTH 142-1/2 FEET TO THE PLACE OF BEGINNING.**

**TAX MAP OR PARCEL ID NO. : 9436**