

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF 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. 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 29, 2005 and recorded under Vol. 597, Page 646, or Clerk's File No. 170787, in the real property records of MEDINA County Texas, with Stephen M Burkholder and Dana K Burkholder Husband and Wife as Grantor(s) and National City Mortgage a division of National City Bank of Indiana as Original Mortgagee.

Deed of Trust executed by Stephen M Burkholder and Dana K Burkholder Husband and Wife securing payment of the indebtedness in the original principal amount of \$157,500.00 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 Stephen M Burkholder and Dana K Burkholder. Deutsche Bank Trust Company Americas, as Trustee for Residential Accredited Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-Qs6 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. PNC Bank, N.A. is acting as the Mortgage Servicer for the Mortgagee. PNC Bank, N.A., is representing the Mortgagee, whose address is: 3232 Newmark Drive, Miamisburg, OH 45342.

Legal Description:

TRACT ONE

A 1.00 ACRE TRACT OUT OF A CALLED 3.860 ACRE TRACT OF LAND OUT OF THE WASHINGTON KIGAN SURVEY NO. 36, ABSTRACT NO. 567, MEDINA COUNTY, TEXAS SAID 3.860 ACRE TRACT BEING THE SAME CALLED 4.00 ACRE TRACT CONVEYED TO TESSIE O. BECK, IN VOLUME 34, PAGE 375 OFFICIAL RECORDS OF MEDINA COUNTY, TEXAS, SAID 1.00 ACRE TRACT, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

TRACT TWO

A 0.35 ACRE TRACT OUT OF A CALLED 3.860 ACRE TRACT OF LAND OUT OF THE WASHINGTON KIGAN SURVEY NO. 36, ABSTRACT NO. 567, MEDINA COUNTY, TEXAS, SAID 3.860 ACRE TRACT BEING THE SAME CALLED 4.00 ACRE TRACT CONVEYED TO TESSIE O. BECK, IN VOLUME 34, PAGE 375 OFFICIAL RECORDS OF MEDINA COUNTY, TEXAS, AND OUT OF A CALLED 235.90347 ACRE TRACT CONVEYED TO LINDA MARIE BECK JOHNSON AND MARIAN ELIZABETH BECK HERSUM, IN VOLUME 139, PAGES 280 AND 283 OFFICIAL PUBLIC RECORDS OF MEDINA COUNTY, TEXAS, SAID 0.35 ACRE TRACT BEING A 15 FOOT WIDE INGRESS/EGRESS EASEMENT, WHICH INCLUDES A CALLED 0.218 ACRE TRACT DESCRIBED AS AN INGRESS/EGRESS EASEMENT TO THE SAID 3.860 ACRE TRACT ALONG THE NORTH LINE OF THE SAID 235.90347 ACRE TRACT, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

SALE INFORMATION

Date of Sale: 03/04/2025

Earliest Time Sale Will Begin: 1:00 PM



Location of Sale: The place of the sale shall be: **MEDINA** County Courthouse, Texas at the following location: The East side of the Medina County courthouse Annex, Near the front entrance designated as the location for all foreclosure sales, 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.


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.

WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, **I HEREBY APPOINT AND DESIGNATE Troy Martin, Deborah Martin, Cassie Martin, Alexis Martin, Martha Rossington, Reyn Rossington, Wayne Daughtrey, Shelby Martin, Deborah Martin, Troy Martin, Alexis Martin, Cassie Martin, Terri Martin, Shelby Martin, Martha Rossington, Vicki Rodriguez, Bob Frisch, Wayne Daughtrey, Amy Ortiz, Daniel McQuade, Vanna Ho, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee.**

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

Executed on 01/10/2025.

/s/ Kelly M. Doherty SBOT No. 24118059, Attorney at Law
Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

Posted and filed by: 

Printed Name: Terri Martin

EXHIBIT A

FIELD NOTES

Tract One

A 1.00 acre tract out of a called 3.860 acre tract of land out of the Washington Kigan Survey No. 36, Abstract No. 567, Medina County, Texas, said 3.860 acre tract being the same called 4.00 acre tract conveyed to Tessie O. Beck, in Volume 34, Page 375 Official Records of Medina County, Texas, said 1.00 acre tract, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 Inch Iron Rod Found, for the west corner of the said 3.860 acre tract and the herein described tract, said iron rod being in the north line of a called 235.90347 acre tract conveyed to Linda Marie Beck Johnson and Marian Elizabeth Beck Hersum, in Volume 139, Pages 280 and 283 Official Public Records of Medina County, Texas, and being in the southeastern line of the Medina County Irrigation Canal;

THENCE, leaving said 235.90347 acre tract with the southeastern line of the said Medina County Irrigation Canal and the northwest line of the said 3.860 acre tract and the herein described, N 29°56'57" E, a distance of 348.36 Feet to a 1/2 Inch Iron Rod Set for the north corner of the herein described tract;

THENCE, leaving said Medina County Irrigation Canal and crossing the said 3.860 acre tract, with the northeast line of the herein described, S 54°09'50" E, a distance of 97.00 Feet to a 1/2 Inch Iron Rod Set for the east corner of the herein described tract.

THENCE, with the southeast line of the herein described tract, S 12°24'17" W, a distance of 276.81 Feet to a 1/2 Inch Iron Rod Set for the south corner of the herein described tract, said iron rod being in the southeast line of the said 3.860 acre tract and being in the north line of the said 235.90347 acre tract.

THENCE, with the north line of the said 235.90347 acre tract and the southeast line of the said 3.860 acre tract and the herein described tract, N 82°32'10" W, a distance of 194.74 Feet to the POINT OF BEGINNING and containing 1.00 acres of land, more or less.

Tract Two

A 0.35 acre tract out of a called 3.860 acre tract of land out of the Washington Kigan Survey No. 36, Abstract No. 567, Medina County, Texas, said 3.860 acre tract being the same called 4.00 acre tract conveyed to Tessie O. Beck, in Volume 34, Page 375 Official Records of Medina County, Texas, and out of a called 235.90347 acre tract conveyed to Linda Marie Beck Johnson and Marian Elizabeth Beck Hersum, in Volume 139, Pages 280 and 283 Official Public Records of Medina County, Texas, said 0.35 acre tract being a 15 foot wide ingress/egress easement, which includes a called 0.218 acre tract described as an ingress/egress easement to the said 3.860 acre tract along the north line of the said 235.90347 acre tract, and being more particularly described by metes and bounds as follows:

BEGINNING at an 8" Cresote Post Found, for the north corner of the said 235.90347 acre tract and the herein described tract, said iron rod being in the southwest line of County Road 271.

THENCE, with the southwest line of the said County Road 271 and the northeast line of the said 235.90347 acre tract, and the herein described, S 32°16'14" E, a distance of 18.34 Feet to 6" Cresote Post Found for an angle point;

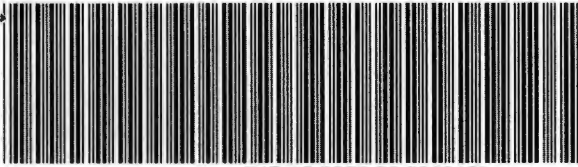
THENCE, leaving said County Road 271 and crossing the said 235.90347 acre tract with the south line of the herein described tract, the following four (4), courses:

- 1.) S 89°35'10" W, a distance of 617.04 Feet to 6" Pipe Post Found for an angle point, being also in the northeast line of the said 3.860 acre tract.

- 2.) **S 89°35'10" W**, a distance of **155.16 Feet** to **Calculated Point** for an angle point,
- 3.) **S 29°56'57" W**, a distance of **205.65 Feet** to **Calculated Point** for an angle point, being also in the northeast line of the said Tract One, and
- 4.) **N 54°09'50" W**, a distance of **15.08 Feet** to **1/2 Inch Iron Rod Set** for the north corner of the said Tract One, and being in the northwest line of the said 3.860 acre tract, and being in southeast line of the Medina County Irrigation Canal;

THENCE, leaving Tract One, with the southeast line of the said Medina County Irrigation Canal, and the northwest line of the said 3.860 acre tract and the herein described tract, the following three (3), courses;

- 1.) **N 29°56'57" E**, a distance of **214.61 Feet** to **5/8 Inch Iron Rod Found**, for the north corner of the said 3.860 acre tract, and being an angle point,
- 2.) **N 89°58'37" E**, a distance of **161.90 Feet** to **"T" Post Found**, for the east corner of the said 3.860 acre tract, and being an angle point in the north line of the said 235.90347 acre tract, and
- 3.) **N 89°34'59" E**, a distance of **608.26 Feet** to the **POINT OF BEGINNING** and containing **0.35 acres** of land, more or less.



VG-42-2025-25-000013

**Medina County
Gina Champion
Medina County Clerk**

Instrument Number: 25-000013

Foreclosure Posting

Recorded On: January 14, 2025 11:14 AM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$2.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 25-000013
Receipt Number: 20250114000034
Recorded Date/Time: January 14, 2025 11:14 AM
User: Johnny P
Station: ccscan1.medinacounty.local

Record and Return To:

TERRI MARTIN



**STATE OF TEXAS
Medina County**

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Medina County, Texas

Gina Champion
Medina County Clerk
Medina County, TX