

NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Grantor(s)	David C. Petruska and Sandra L. Petruska	Deed of Trust Date	May 16, 2008
Original Mortgagee	Compass Bank	Original Principal	\$274,500.00
Recording Information	Instrument #: 2008-004603 in Van Zandt County, Texas	Original Trustee	Jon Mulkin
Property Address	1601 VZ County Road 2319, Canton, TX 75103	Property County	Van Zandt

MORTGAGE SERVICER INFORMATION:

Current Mortgagee	COMPASS BANK, an Alabama banking corporation, authorized to do business as BBVA COMPASS	Mortgage Servicer	BBVA Compass
Current Beneficiary	COMPASS BANK, an Alabama banking corporation, authorized to do business as BBVA COMPASS	Mortgage Servicer Address	401 West Valley Avenue, Homewood, AL 35209

SALE INFORMATION:

Date of Sale	02/05/2019
Time of Sale	10:00 AM or no later than 3 hours thereafter
Place of Sale	The steps to the North entrance of the Courthouse County Courthouse in Van Zandt County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the Van Zandt County Commissioner's Court.
Substitute Trustees	Randy Daniel, Cindy Daniel, Jim O'Bryant, Selim Taherzadeh, Mo Taherzadeh, or Michael Linke, any to act
Substitute Trustees' Address	5001 Spring Valley Road, Suite 1020W, Dallas, Texas 75244

PROPERTY INFORMATION:

Legal Description as per the Deed of Trust:
ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN VAN ZANDT COUNTY, STATE OF TEXAS, ON THE M. V. LOU SURVEY, A-468, AND BEING ALL OF THE RESIDUE OF THE CALLED 5.753 ACRE FIRST TRACT AND ALL OF THE CALLED 20.00 ACRE SECOND TRACT CONVEYED TO HELMUTH K. GUTZKE AND WIFE, ZACKIANN GUTZK, BY A. D. WARD, A SINGLE MAN, BY WARRANTY DEED WITH VENDOR'S LIEN DATED JULY 30, 1990, AND RECORDED IN VOLUME 1207 PAGE 390, OF THE VAN ZANDT COUNTY REAL RECORDS, (SEE PARTIAL RELEASE OF LIEN BELOW LEGAL DESCRIPTION) AND SAID LOT, TRACT AND PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**

EXHIBIT "A"

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN VAN ZANDT COUNTY, STATE OF TEXAS, ON THE M. V. LOU SURVEY, A-468, AND BEING ALL OF THE RESIDUE OF THE CALLED 5.753 ACRE FIRST TRACT AND ALL OF THE CALLED 20.00 ACRE SECOND TRACT CONVEYED TO HELMUTH K. GUTZKE AND WIFE, ZACKIANN GUTZKE, BY A. D. WARD, A SINGLE MAN, BY WARRANTY DEED WITH VENDOR'S LIEN DATED JULY 30, 1990, AND RECORDED IN VOLUME 1207, PAGE 390, OF THE VAN ZANDT COUNTY REAL RECORDS. SAID LOT, TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR CORNER AT THE SOUTHEAST CORNER OF THE

FILED FOR RECORD
 2018 DEC 13 AM 9:22
 COUNTY CLERK, VAN ZANDT CO., TX
 BY: PAH PEARMAN

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CALLED 20.00 ACRE SECOND TRACT, AT THE SOUTHWEST CORNER OF THE ARTHUR C. WERDEN TRACT RECORDED IN VOLUME 2028, PAGE 309. OF THE VAN ZANDT COUNTY REAL RECORDS, AND IN THE NORTHEAST LINE OF THE THOMAS M. LYTLE 68.78 ACRE TRACT RECORDED IN VOLUME 1771, PAGE 609, OF THE VAN ZANDT COUNTY REAL RECORDS, FROM WHENCE A FENCE CORNER FOUND BEARS NORTH 78 DEGREES 05 MINUTES 37 SECONDS WEST 2.58 FEET;

THENCE NORTH 44 DEGREES 40 MINUTES 21 SECONDS WEST 648.90 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE SOUTH CORNER OF THE THOMAS M. LYTLE 1.622 ACRE TRACT RECORDED IN VOLUME 2188, PAGE 463, OF THE VAN ZANDT COUNTY REAL RECORDS;

THENCE NORTH 43 DEGREES 59 MINUTES 44 SECONDS EAST 105.86 FEET TO A 1/2" IRON ROD FOUND FOR CORNER AT THE EAST CORNER OF THE SAID 1.622 ACRE TRACT;

THENCE NORTH 45 DEGREES 25 MINUTES 00 SECONDS WEST 668.07 FEET TO A 1/2" IRON ROD FOUND FOR CORNER AT THE NORTH CORNER OF THE CALLED 1.622 ACRE TRACT, IN THE ORIGINAL NORTHWEST LINE OF THE CALLED 5.753 ACRE FIRST TRACT, AND IN THE SOUTHEAST LINE OF THE THOMAS M. LYTLE 1.10 ACRE TRACT RECORDED IN VOLUME 1771, PAGE 629, OF THE VAN ZANDT COUNTY REAL RECORDS;

THENCE NORTH 44 DEGREES 05 MINUTES 12 SECONDS EAST 1152.76 FEET TO A RAILROAD SPIKE SET FOR CORNER IN COUNTY ROAD NO. 23 19, AT THE NORTH CORNER OF THE CALLED 20.00 ACRE SECOND TRACT, FROM WHENCE A 60D NAIL FOUND AT THE EAST CORNER OF THE SAID THOMAS M. LYTLE 1.10 ACRE TRACT BEARS NORTH 44 DEGREES 05 MINUTES 12 SECONDS EAST 2.65 FEET AND A 1/2" IRON ROD FOUND IN THE SOUTH RIGHT OF WAY OF THE SAID COUNTY ROAD BEARS SOUTH 38 DEGREES 58 MINUTES 47 SECONDS WEST 23.09 FEET;

THENCE SOUTH 81 DEGREES 39 MINUTES 33 SECONDS EAST ALONG THE SAID COUNTY ROAD AND THE NORTH LINE OF THE CALLED 20.00 ACRE SECOND TRACT, 322.19 FEET TO A RAILROAD SPIKE SET FOR CORNER IN THE SOUTH LINE OF THE B.W. WARD 106.60 ACRE FIRST TRACT RECORDED IN VOLUME 1654, PAGE 588, OF THE VAN ZANDT COUNTY REAL RECORDS, AT THE NORTHWEST CORNER OF THE SAID ARTHUR C. WERDEN TRACT AND AT THE NORTHEAST CORNER OF THE CALLED 20.00 ACRE SECOND TRACT, FROM WHENCE A 5/8" IRON ROD SET IN THE SOUTH RIGHT OF WAY LINE OF THE SAID COUNTY ROAD BEARS SOUTH 08 DEGREES 20 MINUTES 49 SECONDS WEST 19.00 FEET AND A 48" PECAN TREE FOUND MARKED X WITH TWO HACKS ABOVE AND BELOW THE X BEARS NORTH 62 DEGREES 57 MINUTES EAST 60.40 FEET;

THENCE SOUTH 08 DEGREES 20 MINUTES 49 SECONDS WEST ALONG THE EAST LINE OF THE CALLED 20.00 ACRE SECOND TRACT AND THE WEST LINE OF THE SAID ARTHUR C. WERDEN TRACT 1806.98 FEET TO THE PLACE OF BEGINNING AND CONTAINING 24.020 ACRES OF LAND.

*****PARTIAL RELEASE OF LIEN RECORDED UNDER DOCUMENT NO. 2014-009975 ON 12/22/2014. PORTION OF LEGAL DESCRIPTION RELEASED FROM DEED OF TRUST:
AN EASEMENT FOR ROADWAY SITUATED IN VAN ZANDT COUNTY, STATE OF TEXAS, ON THE M. V. LOUT SURVEY, A-468 AND BEING A PART OF THE CALLED 68.78 ACRE TRACT CONVEYED TO THOMAS M. LYTLE AND ELLEN LYTLE, BY RICKY LEE HADLEY, BY GENERAL WARRANTY DEED RECORDED IN VOLUME 1771, PAGE 609, OF THE VAN ZANDT COUNTY REAL RECORDS**

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AND A PART OF THE CALLED 1.10 ACRE TRACT CONVEYED TO THOMAS M. LYTLE AND ELLEN LYTLE, BY RICKY LEE HADLEY, BY GENERAL WARRANTY DEED RECORDED IN VOLUME 1771, PAGE 629, OF THE VAN ZANDT COUNTY REAL RECORDS

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Default has occurred under the Deed of Trust and all sums secured by the Deed of Trust were declared immediately due and payable. The Beneficiary has, or caused another to, removed the Original Trustee and appointed Substitute Trustees. On behalf of the Mortgagee, Mortgage Servicer, and Substitute Trustees, the undersigned is providing this Notice of Trustee's Sale.

The sale will be conducted as a public auction to the highest bidder for cash, 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.

The 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 sale will necessarily be made subject to all other 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. The sale shall not cover any part of the property that has been released from the lien of the Deed of Trust. 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 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. Purchasers will buy the property "at the purchaser's own risk" and "at his/her peril", and no representation is made concerning the quality of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property.

Pursuant to 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.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee, or any subsequently appointed Trustee, need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

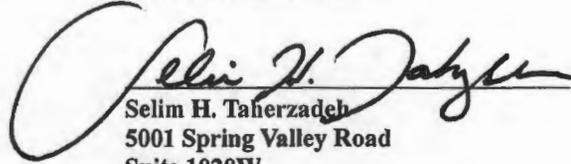
Interested parties are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Assert and protect your rights as a member of the armed forces of the United States. If you 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.

NOTICE OF TRUSTEE'S SALE

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.

Dated December 7, 2018.



Selim H. Taherzadeh
5001 Spring Valley Road
Suite 1020W
Dallas, TX 75244
(469) 729-6800

Return to: TAHERZADEH, PLLC
5001 Spring Valley Road, Suite 1020W, Dallas, TX 75244