

DUVAL COUNTY  
ELODIA M. GARZA  
Duval County Clerk  
San Diego, Texas 78384

16422



70 2017 00016422

Instrument Number: 2017-16422

As

Recorded On: February 15, 2017

RECORDINGS

Parties: PFS TAX LIEN TRUST 2014-1

Billable Pages: 5

To MEDELLIN RAQUEL ET AL

Number of Pages: 6

Comment:

( Parties listed above are for Clerks reference only )

**\*\* THIS IS NOT A BILL \*\***

RECORDINGS 45.00  
Total Recording: 45.00

\*\*\*\*\* DO NOT REMOVE. 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: 2017-16422

Receipt Number: 145894

Recorded Date/Time: February 15, 2017 11:01:03A

Book-Vol/Pg: BK-OR VL-644 PG-67

User / Station: M De La Rosa - Cash Station 1

Record and Return To:

LANE & COUNTRYMAN

ATTN: TAYLOR YARBOROUGH

8526 N NEW BRAUNFELS

SAN ANTONIO TX 78217



State of Texas |

County of Duval

I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the volume and page in the OFFICIAL RECORDS of Duval County, Texas  
Elodia M. Garza  
Duval County Clerk

By: *[Signature]* Deputy

Vol Ps  
644 67

## CAUSE NO. DC-16-369

<b>IN RE: ORDER FOR FORECLOSURE</b>	§	<b>IN THE DISTRICT COURT</b>
<b>CONCERNING</b>	§	
	§	
<b>1015 HUISACHE</b>	§	
<b>FREER, TEXAS 78357</b>	§	
	§	
<b>UNDER TEX. R. CIV. P. 736</b>	§	
	§	
<b>PETITIONER:</b>	§	<b>229TH JUDICIAL DISTRICT</b>
<b>PROPEL FINANCIAL SERVICES, LLC,</b>	§	
<b>AS AGENT AND ATTORNEY IN FACT FOR</b>	§	
<b>PFS TAX LIEN TRUST 2014-1, A DE</b>	§	
<b>STATUTORY TRUST ("PROPEL")</b>	§	
	§	
<b>RESPONDENT(S):</b>	§	
<b>RAQUEL MEDELLIN</b>	§	
<b>JAMES M. CARUSO</b>	§	<b>DUVAL COUNTY, TEXAS</b>

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**NOTICE OF FORECLOSURE SALE**


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**Tax Lien Contract/Property Tax Payment Agreement ("Contract 1"):**

Dated: July 15, 2011

Property Owner/  
Specific name in TLC: RAQUEL MEDELLIN ("Grantor")

Original Trustee: THOMAS P. WINGATE JR.

Tax Lien Holder/  
Specific name in TLC: RIOPROP VENTURES, LLC ("Lender")

Recorded in: Document No. 2011-1876 Official Public Records, Duval County, Texas.

Secures: Property Tax Payment Agreement ("Note 1") in the original principal amount of \$9,202.94, executed by RAQUEL MEDELLIN ("Borrower") and payable to the order of the Lender and all other indebtedness of Borrower to Lender.

Property: 1015 Huisache, Freer, TX 78357, Duval County, Texas.

Legal Description: ALL OF LOTS 1, 2, AND 3, BLOCK 5, GEORGE W. WARD ADDITION, AN ADDITION TO THE CITY OF FREER, DUVAL COUNTY, TEXAS, ACCORDING TO AMENDED MAP THEREOF RECORDED IN

VOLUME 6-A, PAGE 45, OF THE DEED RECORDS OF DUVAL COUNTY, TEXAS, AND NOW RECORDED IN ENVELOPE 59, SIDE 2, MAP RECORDS OF DUVAL COUNTY, TEXAS.

Assignments: Assignment of Payment Obligations, Lien, And Contracts Dated July 15, 2011, from RIOPROP VENTURES, LLC, to Propel Financial Services, LLC, recorded in Document No. 2013-6135, Official Public Records, Duval County, Texas.

Transfer of Deeds of Trust and Tax Liens, dated May 6, 2014, from Propel Financial Services, LLC, to Propel Funding Texas 2, LLC, recorded in Document No. 2014-9782, Official Public Records, Duval County, Texas.

Transfer of Deeds of Trust and Tax Liens, dated May 6, 2014, from Propel Funding Texas 2, LLC, to PFS Tax Lien Trust 2014-1, recorded in Document No. 2014-9781, Official Public Records, Duval County, Texas.

Current Holder: PFS Tax Lien Trust 2014-1, a DE Statutory Trust

Power of Attorney: Limited power of attorney, dated March 31, 2016, from PFS Tax Lien Trust 2014-1, appointing Propel Financial Services, LLC, as its Agent and Attorney in Fact.

**Tax Lien Contract/Property Tax Payment Agreement ("Contract 2"):**

Dated: February 24, 2012

Property Owner/  
Specific name in TLC: RAQUEL MEDELLIN ("Grantor")

Original Trustee: THOMAS P. WINGATE JR.

Tax Lien Holder/  
Specific name in TLC: RIOPROP VENTURES, LLC ("Lender")

Recorded in: Document No. 2012-3417 Official Public Records, Duval County, Texas.

Secures: Property Tax Payment Agreement ("Note 2") in the original principal amount of \$1,807.19, executed by RAQUEL MEDELLIN ("Borrower") and payable to the order of the Lender and all other indebtedness of Borrower to Lender.

Property: 1015 Huisache, Freer, TX 78357, Duval County, Texas.

Legal Description: ALL OF LOTS 1, 2, AND 3, BLOCK 5, GEORGE W. WARD ADDITION, AN ADDITION TO THE CITY OF FREER, DUVAL COUNTY, TEXAS, ACCORDING TO AMENDED MAP THEREOF RECORDED IN VOLUME 6-A, PAGE 45, OF THE DEED RECORDS OF DUVAL COUNTY, TEXAS, AND NOW RECORDED IN ENVELOPE 59, SIDE 2, MAP RECORDS OF DUVAL COUNTY, TEXAS.

**Assignments:** Assignment of Payment Obligations, Lien, And Contracts Dated February 24, 2012, from RIOPROP VENTURES, LLC, to Propel Financial Services, LLC, recorded in Document No. 2013-6135, Official Public Records, Duval County, Texas.

Transfer of Deeds of Trust and Tax Liens, dated May 6, 2014, from Propel Financial Services, LLC, to Propel Funding Texas 2, LLC, recorded in Document No. 2014-9782, Official Public Records, Duval County, Texas.

Transfer of Deeds of Trust and Tax Liens, dated May 6, 2014, from Propel Funding Texas 2, LLC, to PFS Tax Lien Trust 2014-1, recorded in Document No. 2014-9781, Official Public Records, Duval County, Texas.

**Current Holder:** PFS Tax Lien Trust 2014-1, a DE Statutory Trust

**Power of Attorney:** Limited power of attorney, dated March 31, 2016, from PFS Tax Lien Trust 2014-1, appointing Propel Financial Services, LLC, as its Agent and Attorney in Fact.

**Substitute Trustee:** MATTHEW J. COUNTRYMAN

**Substitute Trustee's Address:** 8526 N. New Braunfels, San Antonio, TX 78217

**Co-Substitute Trustee:** Taylor H. Yarborough

**Co-Substitute Trustee's Address:** 8526 N. New Braunfels Avenue, San Antonio, TX 78217

**Co-Substitute Trustee:** Pat Kasperitis

**Co-Substitute Trustee's Address:** 611 South Upper Broadway, Corpus Christi, Texas 78401

**Foreclosure Sale:**

**Date:** Tuesday, April 4, 2017

**Time:** This sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m.

**Place:** North Door of Courthouse, Duval County, Texas, 400 E Gravis Ave, San Diego, TX 78384.

**Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Current Holder's bid may be by credit against the indebtedness secured by the lien of the Contract.

Default has occurred in the payment of Note 1 and Note 2 and in the performance of the obligations of Contract 1 and Contract 2. Because of these defaults, Current Holder, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

Note 1 and Note 2 may encumber both real and personal property. Formal notice is hereby given of Current Holder's election to proceed against and sell both the real property and any personal property described in the Contract in accordance with Current Holder's rights and remedies under the Deed of Trust and section 9.604(a) of the TEXAS BUSINESS AND COMMERCE CODE.

Therefore, notice is given that on and at the Date, Time and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, in Contract 1 and Contract 2, and applicable Texas law.

If Current Holder passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of Contract 1 and Contract 2 and the TEXAS PROPERTY CODE.

The Foreclosure Sale will be made expressly subject to any title matters set forth in Contract 1 and Contract 2, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior 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 Contract 1 and Contract 2. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the property that has been released of public record from the lien and/or security interest of Contract 1 and Contract 2 by Current Holder. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the TEXAS PROPERTY CODE, the Property will be sold "**AS IS,**" without any expressed or implied warranties, except as to the warranties (if any) provided for under the Contract. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the TEXAS PROPERTY CODE, Substitute Trustee reserves the right to set further conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by 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.**

Respectfully submitted,

LANE & COUNTRYMAN  
8526 N. New Braunfels  
San Antonio, Texas 78217  
(210) 828-8900  
(210) 804-2339 - facsimile  
Email: [mcountryman@jrl-law.com](mailto:mcountryman@jrl-law.com)

/s/ Matthew J. Countryman

JOHN R. LANE, JR.

State Bar No. 11879475

MATTHEW J. COUNTRYMAN

State Bar No. 24069540

ATTORNEYS FOR CREDITORS,

***PROPEL FINANCIAL SERVICES, LLC, AS  
AGENT AND ATTORNEY IN FACT FOR PFS  
TAX LIEN TRUST 2014-1, A DE STATUTORY  
TRUST***

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing *Notice of Foreclosure Sale* was properly forwarded to the following counsel of record pursuant to the TEXAS RULES OF CIVIL PROCEDURE on this Tuesday, February 14, 2017 as follows:

**Via Regular US Mail & CMRR: 7014 0150 0001 9945 6479**

RAQUEL MEDELLIN

3930 Devonshire Rd

Corpus Christi, Texas 78415

**Via Regular US Mail & CMRR: 7014 0150 0001 9945 6486**

JAMES M. CARUSO

Po Box 802

George West, Texas 78022

**Via Regular US Mail & CMRR: 7014 0150 0001 9945 6493**

CURRENT OCCUPANT

1015 Huisache,

Freer Texas 78357

/s/Matthew J. Countryman

MATTHEW J. COUNTRYMAN

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644      72