

2017 DEC 11 A 11:08

SELECT PORTFOLIO SERVICING, INC. (SPS)
PELKEY, GERALD
212 WEST 2ND STREET, VICTORIA, TX 77901

CONVENTIONAL
Firm File Number: 14-018282

DG
Dicki Woolsey
COUNTY CLERK
VICTORIA COUNTY, TEXAS

NOTICE OF TRUSTEE'S SALE

WHEREAS, on July 5, 2005, GERALD PELKEY A SINGLE MAN, as Grantor(s), executed a Deed of Trust conveying to MATTHEW HADDOCK, as Trustee, the Real Estate hereinafter described, to FIRST FRANKLIN A DIVISION OF NAT. CITY BANK OF IN in payment of a debt therein described. The Deed of Trust was filed in the real property records of VICTORIA COUNTY, TX and is recorded under Clerk's File/Instrument Number 200509646, to which reference is herein made for all purposes.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon contingency and in the manner authorized by said Deed of Trust; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on TUESDAY, **January 2, 2018** between ten o'clock AM and four o'clock PM and beginning not earlier than 11:00 AM or not later than three hours thereafter, I will sell said Real Estate in the area designated by the Commissioners Court, of **Victoria** county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

Said Real Estate is described as follows: In the County of Victoria, State of Texas:

BEING 0.20 OF AN ACRE SITUATED IN AND A PART OF LOT TWO (2), BLOCK NINETY ONE (91), RANGE SEVEN (7), OF MAIN TOWN TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, BEING ALL THAT CERTAIN 0.20 ACRE TRACT RECORDED IN INSTRUMENT NUMBER 200313326 OF THE OFFICIAL RECORDS OF VICTORIA COUNTY, TEXAS. THIS 0.20 OF AN ACRE AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

Property Address: 212 WEST 2ND STREET
VICTORIA, TX 77901
Mortgage Servicer: SELECT PORTFOLIO SERVICING, INC.
Noteholder: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, IN TRUST FOR
REGISTERED HOLDERS OF FIRST FRANKLIN MORTGAGE LOAN TRUST 2005-FFH3,
ASSET-BACKED CERTIFICATES, SERIES 2005-FFH3
3217 S. DECKER LAKE DR.
SALT LAKE CITY, UTAH 84119

The Mortgage Servicer is authorized to represent the Noteholder by virtue of a servicing agreement with the Noteholder. 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.

Jo Woolsey

SUBSTITUTE TRUSTEE
Jo Woolsey, Bob Frisch, Vicki Hammonds, Arnold
Mendoza, Sandra Mendoza or Jamie Steen
c/o Shapiro Schwartz, LLP
13105 Northwest Freeway, Suite 1200
Houston, TX 77040
(713)462-2565

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 military service to the sender of this notice immediately.

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ON
Deidi Cosby
COUNTY CLERK
VICTORIA COUNTY, TEXAS

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

STATE OF TEXAS §
 §
COUNTY OF VICTORIA §

WHEREAS, on January 22, 2015, AriesOne, LP ("Borrower") executed as grantor that certain Deed of Trust and Security Agreement (as same may have been heretofore renewed, amended, modified and/or extended, the "Deed of Trust") which is recorded as document number 201502173 in the Official Public Records of Victoria County, Texas, which conveyed to the trustee named therein the property described on **Exhibit "A"** attached hereto and made a part hereof for all purposes, together with any and all other property described in the Deed of Trust and not previously released of record, including, but not limited to, any and all personal property, fixtures, improvements and appurtenances described therein (collectively, the "Property"), to secure Prosperity Bank ("Prosperity"), a Texas banking association, successor by merger to The F&M Bank & Trust Company, in the payment of, among other things, the indebtedness represented by that Revolving Promissory Note (as same may have been heretofore renewed, amended, modified and/or extended, the "Note") dated June 3, 2014, in the original principal amount of \$25,000,000.00 (the "Indebtedness"), executed by Borrower and made payable to the order of Prosperity; and

WHEREAS, BANR, LLC ("BANR") took assignment of the Note and Deed of Trust and is thus the present owner and holder of the Note and beneficiary of the Deed of Trust; and

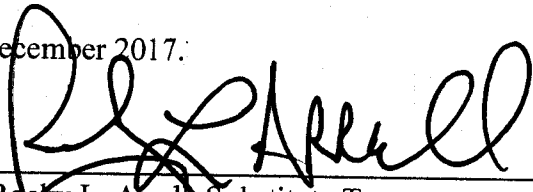
WHEREAS, BANR has appointed and designated Rocky L. Arrell as Substitute Trustee; and

WHEREAS, default has occurred in the payment of the Indebtedness, the Indebtedness is wholly due, and BANR has requested Substitute Trustee to sell the Property, excluding any working interests in any oil, gas or mineral lease not expressly listed on Exhibit "A," toward satisfaction of the Indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that the Property, excluding any working interests in any oil, gas or mineral lease not expressly listed on Exhibit "A," will be sold to the highest bidder for cash and the sale will take place as follows:

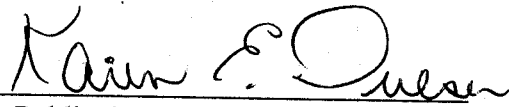
- Date: January 2, 2018
- Time: The sale shall begin no earlier than 10:00 a.m. and no later than three hours thereafter.
- Place: The area in front of the east door of the Victoria County Courthouse, 115 North Bridge Street, Victoria, Victoria County, Texas 77901, or at such other place as may be designated by the Commissioners Court of said County.

WITNESS MY HAND this 11th day of December 2017.


Rocky L. Arrell, Substitute Trustee
109 East South Railroad Street
Cuero, Texas 77954

STATE OF TEXAS §
COUNTY OF Dew. H §

This instrument was acknowledged before me on December 11, 2017, by Rocky L. Arrell, Substitute Trustee.


Notary Public, in and for the State of Texas

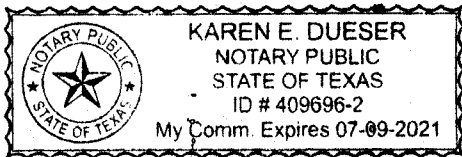


EXHIBIT "A"

Ed Dietzel Lease: Oil and Gas Lease dated August 15, 1941, from Edward Dietzel, as Lessor, recorded in Vol. 185, Pg. 17 in the Deed Records of Victoria County, Texas, as extended by Agreement dated April 3, 1946, recorded in Vol. 211, Pg. 625, Deed Records of Victoria County, Texas.

Herman Dietzel Lease: Oil and Gas Lease dated May 27, 1980, by and between Louisa Dietzel, et al, and James L. Swope, recorded in Vol. 1068, Pg. 154, Deed Records of Victoria County, Texas.