# APPOINTMENT OF SUBSTITUTE TRUSTEE AND NOTICE OF SUBSTITUTE TRUSTEE 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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

**APPOINTMENT OF SUBSTITUTE TRUSTEE:** WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, Troy Martin, Deborah Martin, Alexis Martin, Cassie Martin, Shelby Martin, Terri Martin, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez, Brian Hooper, Mike Jansta, Mike Hayward, or Jay Jacobs XOME INC., and Tejas Corporate Services LLC, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE TRUSTEE'S ADDRESS:** c/o JACK O'BOYLE & ASSOCIATES, PLLC, Mailing Address: P.O. Box 815369, Dallas, TX 75381; Physical Address: 2727 Lyndon B. Johnson Frwy., Suite 525, Dallas, TX 75234.

**NOTICE OF SUBSTITUTE TRUSTEE SALE:** WHEREAS, 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.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on December 01, 2026 between the hours of 12pm-3pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**LOCATION OF** The place of the sale shall be: At the west porch to the Atascosa County

**SALE:** Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court in ATASCOSA County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO BE FORECLOSED:** Deed of Trust or Contract Lien dated 05/21/2019 and recorded under Volume, Page or Clerk's File No. INSTRUMENT NUMBER 196504 in the real property records of Atascosa County Texas, with JEFFREY GORDON KERSTEN, A SINGLE PERSON as Grantor(s) and Pilgrim Mortgage LLC as Original Mortgagee.

**OBLIGATIONS SECURED:** Deed of Trust or Contract Lien executed by JEFFREY GORDON KERSTEN, A SINGLE PERSON securing the payment of the indebtedness in the original principal amount of $85,000.00 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by JEFFREY GORDON KERSTEN. BANKUNITED N.A. is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

**MORTGAGE SERVICING INFORMATION:** 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. CARRINGTON MORTGAGE SERVICES, LLC is acting as the Mortgage Servicer for BANKUNITED N.A. who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. CARRINGTON MORTGAGE SERVICES, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

BANKUNITED N.A.
c/o CARRINGTON MORTGAGE SERVICES, LLC
500 N State College Blvd Suites 1030, 1300 and 1400
Orange, CA 92868

**LEGAL DESCRIPTION OF PROPERTY TO BE SOLD:** THAT CERTAIN PROPERTY LOCATED IN ATASCOSA COUNTY, TEXAS TO-WIT: LOT FIFTY-FOUR (54), OF NORTHFIELD SUBDIVISION, UNIT NUMBER FOUR (IV), SITUATED IN

ATASCOSA COUNTY, TEXAS, AS PER MAP OR PLAT OF SAID SUBDIVISION RECORDED ON SHEET 187-A, NEW PLAT CABINET, PLAT RECORDS, ATASCOSA COUNTY, TEXAS. (the "Property")

**REPORTED PROPERTY ADDRESS:** 290 BLUEFIELD, PLEASANTON, TX 78064

**TERMS OF SALE:** The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property and the priority of the lien being foreclosed.

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 Mortgagee and/or Mortgage Servicer 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.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

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 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 Deed of Trust. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of

any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein 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.

**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.**

Signed on the 26 day of October, 2026

Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC

Alexis Martin

___Jack O'Boyle | SBN: 15165300
jack@jackoboyle.com
_X_Travis H. Gray | SBN: 24044965
travis@jackoboyle.com
___Chris Ferguson | SBN: 24069714
chris@jackoboyle.com
P.O. Box 815369

Dallas, Texas 75381
P: 972.247.0653 | F: 972.247.0642
ATTORNEYS FOR MORTGAGEE AND/OR ITS
MORTGAGE SERVICER

## CERTIFICATE OF POSTING

My name is Alexis Martin, and my address is c/o 2727 Lyndon B. Johnson Frwy., Suite 525, Dallas, TX 75234. I declare under the penalty of perjury that on October 29, 2026 I filed at the office of the Atascosa County Clerk and caused to be posted at the Atascosa County courthouse (or other designated place) this notice of sale.

Signed: Alexis Martin

Declarant's Name: Alexis Martin

Date: October 29, 2026

CAUSE NO. 25-07-0539-CVA

Filed 10/21/2026 10:14 AM
Margaret E. Littleton
District Clerk
Atascosa County, Texas
Reviewed By: Jacquie Palacios

| | | |
|---|---|---|
| **BANKUNITED N.A.**<br>***Plaintiff,*** | § | |
| **v.** | § | |
| **DEBRA PATRICIA KERSTEN;**<br>**STEPHANIE JACQUELINE ORME;**<br>**TONY GARY KERSTEN;**<br>**THE UNKNOWN HEIRS AT LAW OF THE ESTATE OF JEFFREY GORDON KERSTEN, DECEASED;**<br>**and SECRETARY OF VETERANS AFFAIRS,**<br>***Defendants.*** | § | **IN THE DISTRICT COURT OF**<br><br>**ATASCOSA COUNTY, TEXAS**<br><br>**81ST & 218TH JUDICIAL DISTRICT** |
| **IN RE: 290 BLUEFIELD, PLEASANTON, TEXAS 78064** | § | |

## FINAL JUDGMENT AUTHORIZING FORECLOSURE

On October 21, 2026, the Court considered Plaintiff's Motion for Entry of Final Judgment Authorizing Foreclosure. Plaintiff BankUnited N.A. ("Plaintiff") appeared through counsel. Morteza Benjamin Karimi appeared as Attorney Ad Litem for the Unknown Heirs-at-Law of Jeffrey Gordon Kersten, Deceased. Having considered the pleadings, the evidence, the papers on file, and the agreements of the parties described below, the Court finds that it has jurisdiction over the parties and subject matter, that all necessary parties are before the Court, and that judgment should be rendered as follows.

Jeffrey Gordon Kersten ("Decedent") died intestate on or about July 1, 2024. No administration of his estate is pending. Decedent left no surviving spouse, and his only child and sole heir at law is Defendant Stephanie Jacqueline Kersten, formerly known as Stephanie Jacqueline Orme ("Ms. Kersten"). Ms. Kersten has filed a Declaration of Heirship. Ms. Kersten appeared in person by videoconference at the October 21, 2026 hearing, confirmed on the record

that she is Decedent's only child and sole heir, and announced in open court that she does not oppose the relief granted in this Judgment. Tex. R. Civ. P. 11, 120.

The Unknown Heirs-at-Law of Jeffrey Gordon Kersten, Deceased, were duly served by publication and appeared through the Attorney Ad Litem appointed by this Court. The Court has heard the evidence and approves Plaintiff's Statement of Evidence filed under Texas Rule of Civil Procedure 244. The Court approves the Attorney Ad Litem's fee of $5,000.00, which Plaintiff has paid in full. The Attorney Ad Litem has performed his duties and is DISCHARGED.

The claims against the Secretary of Veterans Affairs were resolved by the Consent Order as to the United States of America signed on 10/21/2026, 2026, which is incorporated into this Final Judgment. Plaintiff nonsuited its claims against Jeffrey Gordon Kersten, Debra Patricia Kersten, and Tony Gary Kersten on October 20, 2026.

Plaintiff is the mortgagee, as defined in Texas Property Code § 51.0001(4), of the Deed of Trust dated May 21, 2019, executed by Jeffrey Gordon Kersten and recorded June 10, 2019, as Instrument No. 196504 in the Official Public Records of Atascosa County, Texas, as modified by the Loan Modification Agreement recorded February 18, 2022, as Instrument No. 222059 (the "Deed of Trust"), which secures a Note in the original principal amount of $85,000.00 (the "Note"). The Note is in default, notice of default was given, and the default has not been cured.

The Deed of Trust encumbers the real property commonly known as 290 Bluefield, Pleasanton, Texas 78064, and legally described as: LOT FIFTY-FOUR (54), OF NORTHFIELD SUBDIVISION, UNIT NUMBER FOUR (IV), SITUATED IN ATASCOSA COUNTY, TEXAS, AS PER MAP OR PLAT OF SAID SUBDIVISION RECORDED ON SHEET 187-A, NEW PLAT CABINET, PLAT RECORDS, ATASCOSA COUNTY, TEXAS (the "Property").

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff's lien under the Deed of Trust is a valid and subsisting lien against the Property, superior to any right, title, or interest of Ms. Kersten and the Unknown Heirs-at-Law of Jeffrey Gordon Kersten, Deceased, all of whom took Decedent's interest in the Property subject to that lien.

IT IS FURTHER ORDERED that Plaintiff, or its successors or assigns, may foreclose its lien on the Property by non-judicial foreclosure sale in accordance with the Deed of Trust and Texas Property Code § 51.002. Plaintiff's alternative request for an order of sale under Texas Rule of Civil Procedure 309 is DENIED as moot.

IT IS FURTHER ORDERED that a foreclosure sale conducted under this Judgment will divest Ms. Kersten and the Unknown Heirs-at-Law of Jeffrey Gordon Kersten, Deceased, of all right, title, and interest in the Property, and will vest that title in the purchaser at the sale, subject to the rights the United States of America retains under the Consent Order and 28 U.S.C. § 2410(c).

IT IS FURTHER ORDERED that this Judgment is in rem only. No personal judgment, deficiency judgment, or award of attorney's fees or costs is rendered against any Defendant. Any excess proceeds from a foreclosure sale shall be distributed as provided by law and by the Consent Order as to the United States of America.

IT IS FURTHER ORDERED that a certified copy of this Judgment may be recorded in the Official Public Records of Atascosa County, Texas.

This Judgment disposes of all parties and all claims and is final and appealable. All relief not expressly granted is DENIED.

SIGNED on 10/21/2026, 2026.

**JUDGE PRESIDING**

**APPROVED AS TO FORM AND ENTRY:**

/s/ Travis H. Gray
Travis H. Gray | SBN: 24044965
JACK O'BOYLE & ASSOCIATES, PLLC
**ATTORNEYS FOR PLAINTIFF**

/s/ Morteza Benjamin Karimi
Morteza Benjamin Karimi
**Attorney Ad Litem for the Unknown Heirs-at-Law**

## Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Travis Gray
Bar No. 24044965
eviction@jackoboyle.com
Envelope ID: 121451870
Filing Code Description: Motion (No Fee)
Filing Description: PLAINTIFF'S MOTION FOR ENTRY OF FINAL JUDGMENT AUTHORIZING FORECLOSURE
Status as of 10/21/2026 10:15 AM CST

Case Contacts

| Name | BarNumber | Email | TimestampSubmitted | Status |
|---|---|---|---|---|
| Morteza Karimi | 24122950 | morteza@mortezakarimilaw.com | 10/21/2026 9:37:50 AM | SENT |
| Travis Gray | | chris@jackoboyle.com | 10/21/2026 9:37:50 AM | SENT |
| Travis Gray | | travis@jackoboyle.com | 10/21/2026 9:37:50 AM | SENT |
| Travis Gray | | eviction@jackoboyle.com | 10/21/2026 9:37:50 AM | SENT |
| STEVEN BASS | | Steven.Bass@usdoj.gov | 10/21/2026 9:37:50 AM | SENT |

CAUSE No. 25-07-0539-CVA

| | | |
|---|---|---|
| **BANKUNITED N.A.**<br>***Plaintiff,*** | § | **IN THE DISTRICT COURT OF** |
| **v.** | § | **ATASCOSA COUNTY, TEXAS** |
| **DEBRA PATRICIA KERSTEN;**<br>**STEPHANIE JACQUELINE ORME;**<br>**TONY GARY KERSTEN**<br>**THE UNKNOWN HEIRS AT LAW OF THE ESTAE JEFFREY GORDON KERSTEN, DECEASED;**<br>**SECRETARY OF VETERANS AFFAIRS;**<br>***Defendants.*** | § | **81st & 218th JUDICIAL DISTRICT** |
| **IN RE:**<br>**290 BLUEFIELD**<br>**PLEASANTON, TX 78064** | § | Filed 10/21/2026 2:31 PM<br>Margaret E. Littleton<br>District Clerk<br>Atascosa County, Texas<br>Reviewed By: Kim Gibson |

**CONSENT ORDER AS TO THE UNITED STATES OF AMERICA**

This matter is before the Court consent of BANKUNITED N.A. ("Plaintiff") and the United States of America (the United States) on behalf of the SECRETARY OF VETERANS AFFAIRS (the "VA").

Plaintiff jointed the United States as a Defendant based on a Partial Claim Deed of Trust dated 01/12/2022 in the amount of $23,713.39 in favor of the SECRETARY OF VETERANS AFFAIRS (the "VA") on the Subject Property, recorded on 02/12/2022 as Document/Instrument Number 221939 in the Official Public Records of ATASCOSA County, Texas (the "Federal Security Deed"). A copy of the Federal Security Deed is attached as **Exhibit A**. The Federal

Security Deed, together with the Promissory Note it secures, creates a valid lien on the Subject Property identified by street address as: 290 BLUEFIELD, PLEASANTON, TX 78064 (the "Subject Property").

Plaintiff and the United States agree that the United States is the proper Defendant pursuant to 28 U.S.C. § 2410 for Defendant SECRETARY OF VETERANS AFFAIRS (the "VA"). To expedite the proceedings, Plaintiff and the United States consent to the substitution of the United States as a Defendant in place of the VA.

The United States does not oppose the Court entering judgment in favor Plaintiff and ordering the Subject Property sold at a public sale. Plaintiff and the United States agree that this Consent Order does not affect the United States' ability to pursue collection on the Federal Security Deed as provided by law and it shall remain enforceable against any excess funds arising from any foreclosure sale of the Subject Property pursuant to the Complaint after Plaintiff has been paid all amounts due and owing to it on the underlying loan to JEFFREY GORDON KERSTEN.

IT IS THEREFORE ORDERED that the relief sought by Plaintiff in the Complaint as against the United States is hereby GRANTED, but only to the extent set forth herein. Plaintiff shall not receive any award or judgment for attorneys' fees or other monetary damages against the United States.

IT IS FURTHER ORDERED that Plaintiff shall provide the United States, through counsel, with notice and copies of all documents in this action, including correspondence and pre- and post-judgment pleadings ether presented to the judge or to the clerk of the court. In addition, Plaintiff shall provide to Defendant United States in the same manner set forth above, notice of any excess proceeds and notice of any agreement between debtor and Plaintiff which delays judgment Judicial sale of the property.

IT IS FURTHER ORDERED that the United States retains its statutory right of redemption under 28 U.S.C. § 2410.

IT IS FURTHER ORDERED that the United States is substituted as a Defendant for the VA and that the VA is DISMISSED as a party and Defendant.

IT IS FURTHER ORDERED that the United States is RELIEVED and EXCUSED from making any further court appearances in this case.

Signed this 21 day of October, 2026.

Honorable Judge Presiding

***AGREED AND CONSENTED TO BY:***

/s/ Travis H. Gray

Travis H. Gray
JACK O'BOYLE & ASSOCIATES, PLLC
SBN: 24044965
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P.O. Box 815369
Dallas, Texas 75381
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ATTORNEYS FOR PLAINTIFF
BANKUNITED N.A.

***AGREED AND CONSENTED TO BY:***

Justin R. Simmons
United States Attorney

*/s/ Steven B. Bass*
Steven B. Bass
Assistant United States Attorney
Acting Under Authority of 28 U.S.C § 517
Florida Bar No. 767300
906 San Jacinto Blvd, Suite 334
Austin, Texas 78701
Tel. (512) 916-5858
Fax. (512) 916-5854
Steven.Bass@usdoj.gov

Attorney for Defendant

## Automated Certificate of eService

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Envelope ID: 121476945
Filing Code Description: ORDER
Filing Description: CONSENT ORDER AS TO THE UNITED STATES OF AMERICA
Status as of 10/21/2026 2:35 PM CST

Case Contacts

| Name | BarNumber | Email | TimestampSubmitted | Status |
|---|---|---|---|---|
| Travis Gray | | chris@jackoboyle.com | 10/21/2026 2:31:39 PM | SENT |
| Travis Gray | | travis@jackoboyle.com | 10/21/2026 2:31:39 PM | SENT |
| Morteza Karimi | 24122950 | morteza@mortezakarimilaw.com | 10/21/2026 2:31:39 PM | SENT |
| Travis Gray | | eviction@jackoboyle.com | 10/21/2026 2:31:39 PM | SENT |
| STEVEN BASS | | Steven.Bass@usdoj.gov | 10/21/2026 2:31:39 PM | SENT |

FILED 8:13 O'CLOCK A M
THERESA CARRASCO COUNTRY CLERK

OCT 29 2026

ATASCOSA COUNTY, TEXAS
BY EC DEPUTY