

NOTICE OF FORECLOSURE SALE

- Property: The Property to be sold is described as follows:
- LOT 5, SETTLER'S MEADOW, A SUBDIVISION OF 121.789 ACRES OF LAND, MORE OR LESS OUT OF THE M.M. KENNEY SURVEY NO. 178, ABSTRACT 371, AUSTIN COUNTY, TEXAS, ACCORDING TO PLAT AND MAP FILED FOR RECORD IN THE OFFICE OF THE AUSTIN COUNTY CLERK IN/UNDER VOLUME 1, PAGE 331 OF THE PLAT RECORDS OF AUSTIN COUNTY, AND AMENDED PLAT FILED IN/UNDER VOLUME 1, PAGES 343-344 OF THE PLAT RECORDS AND IN/UNDER FILE NO. 04-0779 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY.
- Security Instrument: Deed of Trust dated May 6, 2016 and recorded on May 18, 2016 as Instrument Number 162125 in the real property records of AUSTIN County, Texas, which contains a power of sale.
- Sale Information: August 03, 2021, at 1:00 PM, or not later than three hours thereafter, at the Austin County Courthouse in the foyer, or as designated by the County Commissioners Court.
- Terms of Sale: Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.
- Obligation Secured: The Deed of Trust executed by GINA C. PEREZ AND JOSE PEREZ secures the repayment of a Note dated May 6, 2016 in the amount of \$200,305.00. U.S. BANK NATIONAL ASSOCIATION, whose address is c/o U.S. Bank National Association, 4801 Frederica Street, Owensboro, KY 42301, is the current mortgagee of the Deed of Trust and Note and U.S. Bank National Association is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.
- Substitute Trustee: In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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.



4731989

2021-0006

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.

FW Miller

Megan Randle

Miller, Watson & George, P.C.
Dustin C. George, Attorney at Law
Tracey Midkiff, Attorney at Law
Jonathan Andring, Attorney at Law
5550 Granite Parkway, Suite 245
Plano, TX 75024

Substitute Trustee(s): Reid Ruple, Kathleen Adkins, Evan Press, Cary Corenblum, Kristopher Holub, Joshua Sanders, Renee Speight, Julian Perrine, Amy Oian, Catrena Ward, Matthew Hansen, Maryna Danielian, Dana Dennen, Megan Randle, Ebbie Murphy, Megan L. Randle
c/o Miller, Watson & George, P.C.
5550 Granite Parkway, Suite 245
Plano, TX 75024

Certificate of Posting

I, *Megan Randle*, declare under penalty of perjury that on the *14th* day of *June*, 20*21*, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of AUSTIN County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

FILED

2021 JUN 14 AM 9: 21

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY, TEXAS

2021-0006

Notice of [Substitute] Trustee 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.

1. Date, Time and Place of Sale.

Date: 08/03/2021

Time: The sale will begin at 01:00 PM or not later than three hours after that time

Place: Austin County, Texas at the following location: **INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS**

Property Address: 118 Shupak Rd., Bellville, TX 77418-3801

2. Terms of Sale: The sale will be conducted as a public auction to the highest bidder for cash. 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. Any conveyance of the property is subject to all matters of record affecting the property.

3. Instrument to be Foreclosed: The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 04/12/2006 and recorded 04/24/2006 in Document 062347, real property records of Austin County, Texas, with **EDWARD UTTER A SINGLE PERSON AND TAMMY ADAMS A SINGLE PERSON**, grantor(s) and **OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION**, as Lender, Deutsche Bank National Trust Company, as Trustee for Soundview Home Loan Trust 2006-OPT5, Asset-Backed Certificates, Series 2006-OPT5, as Beneficiary.

4. Appointment of Substitute Trustee: In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

5. Obligation Secured: Deed of Trust or Contract Lien executed by **EDWARD UTTER A SINGLE PERSON AND TAMMY ADAMS A SINGLE PERSON**, securing the payment of the indebtedness in the original principal amount of \$76,950.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **Deutsche Bank National Trust Company, as Trustee for Soundview Home Loan Trust 2006-OPT5, Asset-Backed Certificates, Series 2006-OPT5** is the current mortgagee of the note and deed of trust or contract lien.



Notice of [Substitute] Trustee Sale

6. Default: A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

7. Property to be sold: The property to be sold is described as follows:

FIELD NOTES OF A SURVEY OF A 0.815 ACRE TRACT OUT OF THE STEPHEN F. AUSTIN FOUR LEAGUE GRANT, ABSTRACT NO. 4, AUSTIN COUNTY, TEXAS. SAID 0.815 ACRE TRACT BEING ALL OF THAT CALLED 0.815 ACRE TRACT OF LAND DESCRIBED IN A DEED TO MARK ALAN EMSHOFF, RECORDED IN FILE NUMBER 026953 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS FOR WHICH REFERENCE IS MADE AND THE SAID 0.815 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT A 1/2 INCH IRON ROD FOUND (CALLED FOR IN RECORD DEED) FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT IN THE SOUTHEAST LINE OF SHUPAK ROAD, CORNER BEING ALSO IN THE NORTHEAST LINE OF STATE HIGHWAY NO. 159;

THENCE N 07° 01' 45" E A DISTANCE OF 180.28 FEET (CALLED N 07° 02' 13" E - 180.27') WITH THE EAST LINE OF SHUPAK ROAD, SAME BEING THE WEST LINE OF THE HEREIN DESCRIBED 0.815 ACRE TRACT TO A 5/8 INCH IRON ROD SET (CAPPED FRANK SURVEYING - RECORD DEED CALLS FOR CHAIN LINK FENCE CORNER POST OF WHICH NO EVIDENCE COULD BE FOUND) FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, SAID CORNER BEING ALSO IN THE SOUTHWEST LINE OF A CALLED 69.250 ACRE TRACT DESCRIBED IN A DEED TO WILLIS E. MICHNA, ET UX, FILE NUMBER 032519, AUSTIN COUNTY OFFICIAL RECORDS;

THENCE S 46° 20' 36" E (CALLED S 46° 20' 02" E) WITH THE NORTHEAST LINE OF THE HEREIN DESCRIBED TRACT, SAME BEING THE SOUTHWEST LINE OF THE SAID 69.250 ACRE TRACT AND AT 494.24 FEET A 1/2 INCH IRON ROD FOUND (CALLED FOR IN RECORD DEED) FOR THE SOUTH CORNER OF THE SAID 69.250 ACRE TRACT AND CONTINUING WITH THE NORTHEAST LINE OF THE HEREIN DESCRIBED TRACT AND THE SOUTHWEST LINE OF A CALLED 98.300 ACRE TRACT DESCRIBED IN A DEED TO THE GABIG FAMILY TRUST, VOLUME 778, PAGE 43, AUSTIN COUNTY OFFICIAL RECORDS FOR A TOTAL DISTANCE OF 508.69 FEET (CALLED 508.56') TO A 1/2 INCH IRON ROD FOUND (CALLED FOR IN RECORD DEED) FOR THE EAST CORNER OF THE HEREIN DESCRIBED TRACT, SAID CORNER BEING ALSO IN THE NORTHEAST LINE OF STATE HIGHWAY NO. 159;

THENCE S 44° 27' 20" W A DISTANCE OF 9.75 FEET (CALLED S 43° 39' 58" W - 9.56') WITH THE SOUTHEAST LINE OF THE HEREIN DESCRIBED TRACT TO A 1/2 INCH IRON ROD FOUND (CALLED FOR IN RECORD DEED) FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAID CORNER BEING ALSO THE POINT OF CURVATURE OF A CURVE TO THE LEFT;

THENCE WITH SAID CURVE TO THE LEFT AND BEING THE NORTHEAST LINE OF STATE HIGHWAY NO. 159, SAME BEING THE SOUTHWEST LINE OF THE HEREIN DESCRIBED TRACT AND HAVING A RADIUS OF 1969.83 FEET, A DELTA ANGLE OF 12° 19' 49", AN ARC LENGTH OF 423.91 FEET, AND A CHORD OF N 64° 56' 24" W A DISTANCE OF 423.10 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.815 ACRE OF LAND.

SURVEY PLAT TO ACCOMPANY FIELD NOTES.

PROJECT NO. 06-113 ALL BEARINGS ARE BASED ON THE SOUTHWEST LINE OF THE HEREIN DESCRIBED 0.815 ACRE TRACT AS DESCRIBED IN A SURVEY PLAT PREPARED BY GLEN S ALEXANDER ON JUNE 9, 2000

TS No.: 2021-00161-TX
21-000089-673

8. Mortgage Servicer 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 lien securing the property referenced above. **PHH Mortgage Corporation**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

C/O PHH Mortgage Corporation

**1 Mortgage Way
Mt. Laurel, NJ 08054**

Phone: 877-744-2506

Notice of [Substitute] Trustee Sale

9. Limitation of Damages: 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.

Date: June 11, 2021


Stephanie Spurlock, Camisha Scott, Iman Walcott, Tanesha Humphrey, Claire Buxton – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

C/O Power Default Services, Inc.
Northpark Town Center
1000 Abernathy Rd. NE; Bldg. 400, Suite 200
Atlanta, GA 30328
Telephone: 855-427-2204
Fax: 866-960-8298

POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.

Certificate of Posting

I am Ebbie Murphy whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on June 15, 2021 I filed this Notice of Foreclosure Sale at the office of the Austin County Clerk and caused it to be posted at the location directed by the Austin County Commissioners Court.

FILED

2021 JUN 15 PM 1:16

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY, TEXAS

Notice of [Substitute] Trustee 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.

1. Date, Time and Place of Sale.

Date: 08/03/2021

Time: The sale will begin at 01:00 PM or not later than three hours after that time

Place: Austin County, Texas at the following location: **INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS**

Property Address: 1327 Maler Rd, Sealy, TX 77474-1671

2. Terms of Sale: The sale will be conducted as a public auction to the highest bidder for cash. 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. Any conveyance of the property is subject to all matters of record affecting the property.

3. Instrument to be Foreclosed: The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 04/11/2005 and recorded 04/18/2005 in Document 052321, real property records of Austin County, Texas, with **Edward Hill and wife Victor Hill** grantor(s) and **OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION** as Lender, **Deutsche Bank National Trust Company**, as Trustee for **Soundview Home Loan Trust 2005-OPT1, Asset-Backed Certificates, Series 2005-OPT1** as Beneficiary.

4. Appointment of Substitute Trustee: In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent for the mortgage servicer has named and appointed, and by these presents does name and appoint **AVT Title Services, LLC**, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

5. Obligation Secured: Deed of Trust or Contract Lien executed by **Edward Hill and wife Victor Hill**, securing the payment of the indebtedness in the original principal amount of **\$147,250.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **Deutsche Bank National Trust Company, as Trustee for Soundview Home Loan Trust 2005-OPT1, Asset-Backed Certificates, Series 2005-OPT1** is the current mortgagee of the note and deed of trust or contract lien.



Notice of [Substitute] Trustee Sale

6. Default: A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

7. Property to be sold: The property to be sold is described as follows:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN AUSTIN COUNTY, TEXAS, IN THE ISAAC GIFFORD SURVEY, ABSTRACT NO. 179, AND BEING PART OF A CERTAIN 4.8869 ACRE TRACT OF LAND SET ASIDE FOR LESTER DOWNEY IN AN AGREED JUDGEMENT OF PARTITION RECORDED IN VOLUME 683, PAGE 118 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A ½ INCH IRON PIPE FOUND AT THE EAST CORNER OF THE SAID DOWNEY 4.8869 ACRE TRACT OF LAND IN THE SOUTHWEST LINE OF MALER ROAD. THIS POINT ALSO BEING THE NORTH CORNER OF A 4.8869 ACRE TRACT OF LAND SET ASIDE FOR JO DOWNEY SEVALIA, A/K/A JOELLA JERRELLS, A/K/A JOE DOWNEY JERRELS IN AN AGREED JUDGEMENT OF PARTITION RECORDED IN VOLUME 683, PAGE 118 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS: THENCE, WITH THE COMMON LINE BETWEEN THE DOWNEY AND JERRELLS TRACT OF LAND, SOUTH 45°00'00" WEST FOR 208.71 FEET TO A ½ INCH IRON PIN SET FOR THE SOUTH CORNER OF THIS 1.000 ACRE TRACT OF LAND; THENCE, NORTH 45° 05' 00" WEST FOR 208.71 FEET TO A ½ INCH IRON PIN SET FOR THE WEST CORNER OF THIS 1.000 ACRE TRACT OF LAND; THENCE, NORTH 45°00'00" EAST FOR 208.71 FEET TO A ½ INCH IRON PIN SET FOR THE NORTH CORNER OF THIS 1.000 ACRE TRACT OF LAND IN THE SOUTHWEST LINE OF MALER ROAD; THENCE, WITH THE SOUTHWEST LINE OF MALER ROAD, SOUTH 45°05'00" EAST FOR 208.71 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.000 ACRE OF LAND. THE BEARINGS RECITED HEREIN ARE BASED ON THE SOUTHEAST LINE OF THE LESTER DOWNEY TRACT OF LAND.

8. Mortgage Servicer 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 lien securing the property referenced above. **PHH Mortgage Corporation**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

C/O PHH Mortgage Corporation

**1 Mortgage Way
Mt. Laurel, NJ 08054**

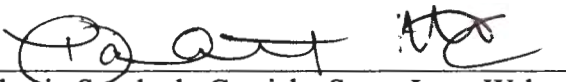
Phone: 877-744-2506

Notice of [Substitute] Trustee Sale

9. Limitation of Damages: 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.

Date: July 2, 2021



Stephanie Spurlock, Camisha Scott, Iman Walcott, Tanesha Humphrey, Claire Buxton – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

C/O Power Default Services, Inc.
Northpark Town Center
1000 Abernathy Rd NE; Bldg 400, Suite 200
Atlanta, GA 30328
Telephone: 855-427-2204
Fax: 866-960-8298

POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.

I am Megan V. Dandelle Certificate of Posting whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on 7-9-21 I filed this Notice of Foreclosure Sale at the office of the Austin County Clerk and caused it to be posted at the location directed by the Austin County Commissioners Court.

FILED

2021 JUL -9 AM 10:46

Carrie Gregor
COUNTY CLERK
AUSTIN COUNTY, TEXAS

Notice of Foreclosure Sale

Deed of Trust ("Deed of Trust"):

Dated: July 5, 2017

Grantors: Alfonso Gonzales Soto and spouse, Lorena Caballero

Trustee: Ervin B. Flencher, Jr.

Lender: Citizens State Bank

Recorded in: Instrument #173541, Official Public Records of Austin County, Texas.

Legal Description:

TRACT 1: That certain tract or parcel of land called Tract 1 in Deed dated October 6, 2000 executed by Frances Louise Sampson to The Frances Louise Sampson Trust, recorded under Clerk's File No. 006496, Official Records of Austin County, Texas, containing 0.264 acres, more or less, located in the John W. Kenney Survey, A-244, Austin County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof.

TRACT 2: That certain tract or parcel of land called Tract "B" containing 4.138 acres, more or less, located in the J. W. Kenney Survey, A-244, Austin County, Texas, and being more particularly described by metes and bounds on Exhibit "B" attached hereto and made a part hereof LESS AND EXCEPT that certain tract or parcel of land described in Deed dated May 14, 2010 executed by Floy S. Wilkin and husband, Jack Wilkin to Jane G. Bennett, recorded under Clerk's File No. 101844, Official Records of Austin County, Texas, and being more particularly described by metes and bounds on Exhibit "B-1" attached hereto and made a part hereof.

Being part of the same property described in Deed dated September 13, 1965, executed by Herbert Winkelman and wife, Cordie L. Winkelman to D.T. Sampson, Jr., and wife, Frances L. Sampson, recorded in Volume 284, Page 335, Deed Records of Austin County, Texas.

Being part of the same property described in Deed dated October 15, 1970, executed by Theodore F. Pfeffer and wife, Anita R. Pfeffer, Edwin A. Pfeffer and wife, Hilda Pfeffer and Leona Pfeffer to D.T. Sampson, Jr., and wife, Frances L. Sampson, recorded in Volume 322, Page 452, Deed Records of Austin County, Texas.

Secures: Adjustable-Rate Note ("Note") in the original principal amount of \$79,420.00, executed by Alfonso Gonzales Soto ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender.

Foreclosure Sale:

Date: Tuesday, August 3, 2021

Time: The 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.

2021-0009

Place: Austin County Courthouse
1 East Main
Bellville, Texas 77418

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 Citizens State Bank's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Citizens State Bank, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Citizens State Bank's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Citizens State Bank'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, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Citizens State Bank 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 the Deed of Trust and the Texas Property Code.

The Foreclosure 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 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 Deed of Trust. 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 the Deed of Trust by Citizens State Bank. 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 Deed of Trust. 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, Trustee reserves the right to set further reasonable 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 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.



Ervin B. Fiencher, Jr.
155 8th Street
Somerville, Texas 77879

2021-0009

Tract 1



ALEXANDER SURVEYING
LAND SURVEYORS

FRANKY L. HANFON

TRACT 1

0.264 ACRES

ALL THAT TRACT OR PARCEL OF LAND consisting of 0.264 Acres located in the John F. Kenney Survey, A-244, Justice County, Texas. Subject tract being a portion of the called 3.371 Acre tract that is described in a Deed to B. B. Sappone, Sr., and wife, Frances L. Sappone as recorded in Volume 122, Page 452 of the Deed Records of Justice County, Texas. Said tract being more particularly a portion of Lots 2, 3, 4 and 5 of Block 5 of the Town of Kenney as recorded in Volume "T", Page 319 S.R.A.C.S. and said tract consisting of 0.264 Acres and being more particularly described as follows:

BOUNDING at a 1/2" iron rod found in the Southwest line of Loop 497 and being the East corner of various tracts belonging to Fred U. Haney, et ux as recorded in Volume 375, Page 487 S.R.A.C.S. and being the North corner of the called 3.371 acre parent tract and the North corner of the herein described tract;

TRACE S 58d 41' 53" E, with the Southwest Right-of-way of Loop 497, a distance of 89.78 ft. (Called S 57d 44' E, 90.17 ft.) to a 1/2" Iron Rod found at a fence corner post and being the North corner of various tracts belonging to Walter Stephen Pawlowski as recorded in Volume 671, Page 45 of the Official Records of Justice County, Texas and being the East corner of the herein described tract;

TRACE S 30d 44' 18" W, with the common line with the Pawlowski Tract and generally with an existing fence line, a distance of 130.15 ft. (Called S 31d 39' W) to a 1/2" iron rod set for the Southeastern or South corner of the herein described tract;

TRACE S 55d 39' 21" W, covering the parent tract, a distance of 90.23 ft. (No Call) to a 1/2" Iron rod found for the South corner of the Haney Tract and being an "L" corner in the parent tract, for the West corner of the herein described tract;

TRACE S 30d 39' 25" E, with the common line with the Haney Tract, a distance of 128.88 ft. (Called S 31d 39' E, 128.28 ft.) to the PLACE OF BEGINNING and containing 0.264 Acres.

September 6, 1980
W.O. 4233

Page 1 of 2

... 105 E. 1st St. P.O. Box 386 Dallas, Texas 75418 972/845-7145 Fax 972/845-5988

EXHIBIT A

RECORDER'S MEMORANDUM

At the time of recording this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

2021-0009



ALEXANDER SURVEYING
LAND SURVEYORS

FRANCIS L. SANDRON

TRACT 1

0.264 ACRES (continued)

NOTE: Bearings shown herein are based upon the description of the 1.371 acre tract recorded in Volume 322, Page 452 D.R.A.C.T.

Reference is hereby made to plat, of the subject tract, prepared this day.

September 5, 2000
W.G. 4231

Glen S. Alexander

Glen S. Alexander
Registered Professional Land Surveyor, #419



Page 2 of 2

105 E. Main R.O. Box 366 Lubbock, Texas 79412 979/845-9145 Fax 979/845-5798

RECORDER'S MEMORANDUM

At the time of recordation this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

2021-0009

Tract 2



ALEXANDER SURVEYING
LAND SURVEYORS

FRANCES LOUISE SAMPSON TRUST

TRACT "B"

4.138 ACRES

ALL THAT TRACT OR PARCEL OF LAND consisting of 4.138 Acres located in the John W. Kenney Survey, A-244, Austin County, Texas, "Town of Kenney", Volume "Y", Page 319 of the Deed Records of Austin County, Texas. Subject tract being a portion of the 8.276 Acre tract that is described in a Deed to the Frances Louise Sampson Trust recorded in File# 006496 of the Official Records of Austin County, Texas. Said tract consisting of 4.138 Acres and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the West Right-of-way of Travis Road (Public Road) and being on the common line with the called 17.943 Acre adjoining tract belonging to Russell Neil Howell as recorded in File# 981060 O.R.A.C.T. and being an angle point in the Southeast line of the 8.276 Acre parent tract, for the Southeast corner of the herein described tract;

THENCE N 42d 36' 47" W, departing the right-of-way of Travis Road and with the common line with the called 17.943 Acre adjoining tract and generally with an existing fence line, a distance of 28.01 ft. (Called N 42d 36' 47" W, 28.01 ft.) to a 1/2" iron rod found at a fence corner post and being an angle point in the 17.943 Acre adjoining tract and being the East corner of a 4.138 Acre tract that has been designated as Tract "A" and having been surveyed and described this day and being an angle point in the herein described tract;

THENCE N 44d 03' 56" W, with the common line with Tract "A", a distance of 265.05 ft. (No Call) to a 1/2" iron rod set for an angle point in Tract "A" and in the herein described tract;

THENCE N 11d 02' 35" W, continuing with the common line with Tract "A", a distance of 633.05 ft. (No Call) to a fence corner post found for an angle point in the Northwest line of the 8.276 Acre parent tract and being the Northeast corner of Tract "A", for the Northwest corner of the herein described tract;

November 30, 2001
W.O.# 4492

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EXHIBIT B

2020-0009



ALEXANDER SURVEYING
LAND SURVEYORS

FRANCIS LOUISE HAMPEON TRUST

TRACT "B"

4.138 ACRES (continued)

THENCE N 32d 13' 25" E, generally with an existing fence line, a distance of 113.50 ft. (Called N 32d 13' 25" E, 113.50 ft.) to a fence corner post found for an angle point in various tracts belonging to Fred U. Mantey, et ux as recorded in Volume 375, Page 487 D.R.A.C.T. and being an angle point in the herein described tract;

THENCE S 57d 47' 35" E, with the common line with those various tracts mentioned above and generally with an existing fence line, a distance of 83.46 ft. (Called S 57d 47' 35" E, 83.46 ft.) to a 1/2" iron rod found at a fence corner post and being in the approximate centerline of an abandoned alley and being the Southwest or West corner of the 0.264 Acre tract that is described in the above mentioned Deed to the Francis Louise Sampson Trust and designated as Tract 1 and being an angle point in the herein described tract;

THENCE S 55d 29' 51" E, with the common line with the 0.264 Acre adjoining tract, a distance of 90.53 ft. (Called S 55d 29' 51" E, 90.53 ft.) to a 1/2" iron rod found for the South corner of the 0.264 Acre adjoining tract and being an angle point in the herein described tract;

THENCE S 30d 44' 18" W, with the original East line of the 8.276 Acre parent tract, a distance of 8.85 ft. (Called S 30d 44' 18" W, 8.85 ft.) to a 1/2" iron rod found for an angle point;

THENCE S 07d 02' 18" W, continuing with the Easterly line of the parent tract, a distance of 5.95 ft. (Called S 07d 02' 18" W, 5.95 ft.) to a 1/2" iron rod found for an angle point;

THENCE S 58d 09' 19" E, with a line, which is South or Southwest of the existing alley by approximately 18 - 20 ft., a distance of 103.36 ft. (Called S 58d 09' 19" E, 103.36 ft.) to a 1/2" iron rod found at a chain link fence corner post and being the occupied Northwest corner of various tracts belonging to the August Tieman Estate as recorded in Volume 572, Page 184 D.R.A.C.T. and being an angle point in the parent tract and in the herein described tract;

THENCE S 30d 54' 41" W, with the occupied line between the herein described tract and the Tieman Tract, the same being the approximate line between Lot 12 and Lot 13 of the Town of Kenney, a distance of 135.16 ft. (Called S 30d 54' 41" W, 135.16 ft.) to a 3/8" iron rod found at a chain line fence

November 30, 2001
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ALEXANDER SURVEYING
LAND SURVEYORS

FRANCES LOUISE HAMPSON TRUST

TRACT "B"

4.138 ACRES (continued)

corner post and being on the approximate centerline of an unnamed road shown on the plat of the Town of Kenney and being an angle point in the herein described tract;

THENCE S 56d 03' 59" E, with the approximate centerline of said unnamed road and passing at 60.51 ft. a 1/2" iron rod found at the intersection of the centerline of said unnamed road and the West right-of-way of Thompson Street and continuing, a total distance of 95.56 ft. (Called S 56d 03' 59" E, 95.56 ft.) to a 1/2" iron rod found North of an existing shed and being at the centerline intersection of the centerline of said unnamed road and the centerline of Thompson Street and being an angle point in the herein described tract;

THENCE S 30d 45' 12" W, with the approximate centerline of Thompson Street and continuing, a distance of 160.30 ft. (Called S 30d 45' 12" W, 160.30 ft.) to a 1/2" iron rod found at the intersection of Thompson Street and the projection of the centerline of a 20 ft. alley and being an angle point in the herein described tract;

THENCE S 59d 36' 44" E, with the projection of said alley, a distance of 156.11 ft. (Called S 59d 36' 44" E, 156.11 ft.) to a 1/2" iron rod found for an angle point in the herein described tract;

THENCE S 31d 16' 11" W, passing at 10.00 ft. a 1/2" iron rod found at a fence corner post for the Northwest corner of Lot 16, the same being the Northeast corner of Lot 17 of the Town of Kenney and continuing with an existing fence line, a total distance of 123.59 ft. (Called S 31d 16' 11" W, 123.59 ft.) to a 1/2" iron rod found for the Southwest corner of Lot 16, the same being the Southeast corner of Lot 17 and being an angle point in the herein described tract;

THENCE S 58d 33' 30" E, with the South line of Lot 16, 15, 14, 13, 12 and 11 of Block 7 of the Town of Kenney and passing at 180.32 ft. a 1/2" iron rod found (bent) and continuing, a total distance of 196.40 ft. (Called S 58d 33' 30" E, 196.40 ft.) to a 1/2" iron rod found in the Northwest right-of-way of Travis Road and being an angle point in the East line of

November 30, 2001
W.O.# 4492

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2021-0009



ALEXANDER SURVEYING
LAND SURVEYORS

FRANCES LOUISE SAMPEON TRUST

TRACT "B"

4.138 ACRES (continued)

the herein described tract;

TRACER S 37d 15' 33" W, with the West right-of-way of Travis Road (Public Road), a distance of 214.20 ft. (Called S 37d 15' 33" W, 214.20 ft.) to the PLACE OF BEGINNING and containing 4.138 Acres.

NOTES: Bearings shown hereon are based upon the survey and description of the 8.276 Acre tract recorded in File# 006496 O.R.A. C.T.

Reference is hereby made to plat, of the subject tract, prepared this day.

November 30, 2001
W.O.# 4452

Glen S. Alexander
Registered Professional Land Surveyor, #4194

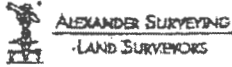


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JOHN ALEXANDER SURVEYING

2021-0009

LESS AND EXCEPT



OWNER: FLOYD S. KILPATRICK

BUYER: JAMES C. BARNETT

3.955 ACRES

ALL THAT EXACT OR NEARLY OF LAND consisting of 3.955 Acres located in the John W. Kenney Survey, A-244, Austin County, Texas. Subject tract being a portion of the 8.276 Acre tract described in a Deed Frances Louise Sempson Trust recorded in File# 006496 of the Official Records of Austin County, Texas. Said tract also being a portion of the "Town of Mabey" recorded in Volume "Y", Page 319 of the Deed Records of Austin County, Texas. Said tract consisting of 3.955 Acres and being more particularly described as follows:

BEGINNING at a point at a fence corner post (found iron rod destroyed) in the West Right-of-Way of Travis Road (Public Road); and being on the common line with the called 17.943 Acre tract described in a Deed to Russell Neal Howell recorded in File# 981060 O.R.A.C.T. and being an angle point in the Southeast line of the 8.276 Acre tract mentioned above and being the extreme South corner of the herein described tract;

THENCE N 42d 36' 47" E, departing the Right-of-Way of Travis Road and with the common line with the Howell tract and generally with an existing fence, a distance of 28.01 ft. (Called N 42d 36' 47" E, 28.01 ft.) to a 1/2" iron rod found at a fence corner post and being an angle point in the Howell tract and the Southeast corner of the 4.138 Acre tract belonging to Maria Jean Elfray recorded in File# 950781 O.R.A.C.T. and being an angle point in the Northwest line of the herein described tract;

THENCE N 64d 03' 56" E, with the common line with the 4.138 Acre adjoining tract, a distance of 288.98 ft. (No Call) to a 1/2" iron rod set at a large fence post and being an angle point in the 4.138 Acre tract and the herein described tract;

THENCE N 11d 02' 35" W, continuing with the common line with the 4.138 Acre tract, a distance of 613.05 ft. (No Call) to a point at a fence corner post at the North corner of the 4.138 Acre tract and being an angle point in the West line of the herein described tract;

THENCE N 32d 13' 25" E, generally with an existing fence, a distance of 112.50 ft. (Called N 32d 13' 25" E, 112.50 ft.)

April 12, 2010
R.O.# 10-6132
Page 1 of 4

105 E. Main St. P.O. Box 366 Baytown, TX 77418 979/865-9145 Fax 979/865-8788
Email: alexandersurveying@earthlink.net

EXHIBIT B-1

RECORDER'S MEMORANDUM

At the time of recordation this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

2021-0009



ALEXANDER SURVEYING
LAND SURVEYORS

OWNER: FLOY S. WILKIN

SURVEYOR: JANE O. HARRIETT

3.256 ACRES (continued)

to a point at a fence corner post for an angle point in various tracts belonging to Fred D. Bentley, et ux recorded in Volume 375, Page 467 D.R.S.C.T. and being an angle point in the herein described tract:

TRaverse S 576 47' 35" E, continuing with the common line with the Manley tract and generally with an existing fence, a distance of 81.45 ft. (Called S 576 47' 35" E, 81.45 ft.) to a point at a fence corner post found in concrete at the Southwest corner of the 0.256 Acre tract that is described in the above mentioned Deed to the Frances Louise Simpson Trust and being the Northwest corner of the 0.202 Acre tract which is a portion of the 0.276 Acre parent tract that has been surveyed and described this day, for an angle point in the herein described tract;

TRaverse S 30d 10' 29" N, with the common line with the 0.202 Acre tract, a distance of 89.04 ft. (No Call) to a 1/2" iron rod set for the Southwest corner of the 0.202 Acre tract and being an angle point in the herein described tract;

TRaverse S 29d 49' 55" E, with the common line with the 0.202 Acre tract, a distance of 81.75 ft. (No Call) to a 1/2" iron rod set for the Southeast corner of the 0.202 Acre tract and being an angle point in the herein described tract;

TRaverse N 30d 44' 17" E, continuing with the common line with the 0.202 Acre tract, a distance of 77.86 ft. (No Call) to a 1/2" iron rod found for an angle point in the 0.276 Acre parent tract and being an angle point in the East line of the 0.202 Acre tract and in the herein described tract;

TRaverse S 58d 09' 19" E, with a line, which is South or Southwest of an existing Alley by approximately 18 - 20 ft., a distance of 403.36 ft. (Called S 58d 09' 19" E, 403.36 ft.) to a 1/2" iron rod found at a chainlink fence corner post and being the occupied Northwest corner of various tracts belonging to James M. Meissner, et ux recorded in Final 070025 O.R.S.C.T. and being an angle point in the herein described tract;

TRaverse S 30d 54' 41" W, with the common line with the Meissner tract and generally with an existing fence, a distance of 135.16 ft. (Called S 30d 54' 41" W, 135.16 ft.) to a 5/8"

April 12, 2010

H.O.# 10-6232

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105 E. Main St. P.O. Box 386 Dallas, TX 75248 972/865-5145 Fax 972/865-5988
E-mail alexandersurveying@tiscali.com

RECORDER'S MEMORANDUM

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2021-0009



ALEXANDER SURVEYING
LAND SURVEYORS

OWNER: BLACK S. KELLEY

BUYER: JAMES E. HANCOCK

3.955 ACRES (continued)

Iron rod found at a chainlink fence corner post and being on the approximate centerline of an Unnamed Road shown on the plat of the "Town of Kenney" and being an angle point to the herein described tract;

TRaverse S 56d 03' 59" E, with the approximate centerline of said Unnamed Road and passing at 50.51 ft. a 1/2" iron rod found at the intersection of the centerline of said Unnamed Road and the called West Right-of-way of Thompson Street (called 70' R.O.W.) and continuing, a total distance of 100.57 ft. (called S 56d 03' 59" E, 100.57 ft.) to a point in the apparent centerline of Thompson Street and being an angle point in the herein described tract;

TRaverse S 30d 45' 12" N, with the approximate centerline of Thompson Street, a distance of 159.99 ft. (called S 30d 45' 12" N, 159.99 ft.) to a 1/8" iron rod found at the intersection of Thompson Street and the projection of the centerline of a 20 ft. alley and being an angle point in the 3.276 Acre parent tract and in the herein described tract;

TRaverse S 58d 36' 48" E, with the centerline of said Alley, a distance of 151.11 ft. (called S 58d 36' 48" E, 151.11 ft.) to a 1/2" iron rod found for an angle point;

TRaverse S 31d 16' 11" N, passing at 10.0 ft. a 1/2" iron rod found at a fence corner post for the Northwest corner of Lot 16 of Block 7 of the "Town of Kenney" belonging to Venus E. Williamson recorded in Plat 031261 D.K.A.C.T. and continuing generally with an existing fence, a total distance of 123.35 ft. (called S 31d 16' 11" N, 123.35 ft.) to a 1/2" iron rod found for the Southwest corner of Lot 16, the same being the Southeast corner of Lot 17 and being an angle point in the herein described tract;

TRaverse S 58d 23' 29" E, with the South line of Lot 16, 35, 14, 13, 12 and 11 of Block 7, the same being those tracts belonging to Venus E. Williamson as mentioned above and generally with an existing fence, a distance of 386.40 ft. (called S 58d 23' 29" E, 386.40 ft.) to a 1/2" iron rod found in the Northwest Right-of-way of Travis Road and being an angle point in the 3.275 Acre parent tract and in the herein described tract;

TRaverse S 37d 15' 39" N, with the Northwest Right-of-way of Travis Road, a distance of 714.20 ft. (called S 37d 15' 39" N, 714.20 ft.) to the BLACK OF RECORDERS and containing 3.955 Acres.

April 12, 2010
W.O.# 10-8332

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105 E. Lake St. P.O. Box 286 Edinburg, TX 77748 979/865-9145 Fax 979/865-5988
Email: alexander.surveying@stxnet.net

RECORDER'S MEMORANDUM

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2021-0009



ALEXANDER SURVEYING
LAND SURVEYORS

OWNER: NICO S. WILSON

BUYER: JIMMIE C. BURGESS

3.955 ACRES (continued)

NOTES: Bearings shown herein are based upon the 8.776 Acre tract recorded in File # 006496 D.R.A.C.T.

Reference is hereby made to plat showing the tract, prepared this day.

The tract of land shown and/or described herein could be subject to the Subdivision Rules and Regulations of Austin County, Texas.

April 12, 2010
W.O.# 10-6232

(Signature)

Clara S. Alexander
Registered Professional Land Surveyor, #4134

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RECORDER'S MEMORANDUM

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FILED

2021 JUL 13 AM 11:42

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY, TEXAS

2021-0009