

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: 12/05/2023

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: 2000 FM 109, NEW ULM, TX 78950

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 07/14/2006 and recorded 07/19/2006 in Document 064227, real property records of Austin County, Texas, with **SERGIO GARCIA AND LINDA GARCIA, HUSBAND AND WIFE,,** grantor(s) and **FIELDSTONE MORTGAGE COMPANY** as Lender, **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.** 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 **SERGIO GARCIA AND LINDA GARCIA, HUSBAND AND WIFE,,** securing the payment of the indebtedness in the original principal amount of \$127,500.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE OF THE FIELDSTONE MORTGAGE INVESTMENT TRUST, SERIES 2006-3** is the current mortgagee of the note and deed of trust or contract lien.

Andree Cardenas
AUSTIN COUNTY CLERK
AUSTIN COUNTY CLERK

2023 SEP 28 PM 1:34

FILED



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 3.071 acre tract of land. Being all that certain tract or parcel of land lying and situated in Austin County, Texas, out of the A.J. Bell Survey, Abstract No. 127, Said 3.071 acres of land being all that certain 3.00 acres of land described in a deed from Zack Sayre, et ux, to James H. Skelton and Pamela Skelton, dated February 14, 1995, recorded in Volume 722, Page 892- Official Records of Austin County, Texas, to which reference is made for all purposes and the said 3.071 acres of land being described by metes and bounds as follows To-Wit: BEGINNING at a 2 inch iron pipe found in Southeast right of way line of Farm to Market Highway No. 109 for North corner of said 3.071 acre tract, said pipe being also West corner of a 5.30 acre tract conveyed to John Mitchell, Volume 470, Page 326- Deed Records of Austin County, Texas; THENCE S 78° 41' E a distance of 559.42 feet with Southwest line of said 5.30 acre tract to centerline of a creek for corner, said corner being also S 78°41' E 57.00 feet from a ½ inch iron rod set, said corner being also North line of a 39.214 acre tract conveyed to Malcolm Krause, Volume 397, Page 946- Deed Records of Austin County, Texas; THENCE following centerline of said creek and North line of said 39.214 acre tract along the following courses and distances; S 18° 11' W 37.29 feet, S 33° 57' E 63.85 feet, S 14°20'09" W 146.67 feet to a point for corner, said corner being also S 78°41' E 14.00 feet from a ½ inch iron rod set; THENCE N 78°41' W a distance of 591.00 feet with Northeast line of a 1.74 acre tract conveyed to Malcolm Krause, Volume 629, Page 468- and a 1.13 acre tract conveyed to Malcolm Krause, Volume 523, Page 782- Deed Records of Austin County, Texas, to a ½ inch iron rod set in South-east right of way line of said Highway No. 109; THENCE N 10° 55' E a distance of 228.43 feet with Southeast right of way line of said Highway No. 109 to place of beginning, containing 3.071 acres 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:

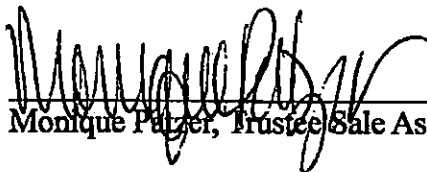
**C/O PHH Mortgage Corporation
PO BOX 24605
West Palm Beach, FL 33416-4605
Phone: 877-744-2506**


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: September 27, 2023


Monique Patzer, Trustee/Sale Assistant


Megan Landu

C/O Power Default Services, Inc.
7730 Market Center Ave, Suite 100
El Paso, TX 79912
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 _____ 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 _____ 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.

NOTICE OF SUBSTITUTE TRUSTEE SALE

Deed of Trust Date: 4/10/2003	Grantor(s)/Mortgagor(s): THOMAS FROEBEL AND WIFE, BRANDEE FROEBEL
Original Beneficiary/Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR AMCAP MORTGAGE, LTD., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary/Mortgagee: HSBC Bank USA, National Association as Trustee for MASTR Reperforming Loan Trust 2005-2
Recorded in: Volume: N/A Page: N/A Instrument No: 034561	Property County: AUSTIN
Mortgage Servicer: Specialized Loan Servicing, LLC is representing the Current Beneficiary/Mortgagee under a servicing agreement with the Current Beneficiary/Mortgagee.	Mortgage Servicer's Address: 6200 S. Quebec St., Greenwood Village, CO 80111
Date of Sale: 12/5/2023	Earliest Time Sale Will Begin: 1:00 pm
Place of Sale of Property: Austin County Courthouse, One East Main, Bellville, TX 77418 OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.	

Legal Description: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PUPOSES

In accordance with TEX. PROP. CODE §51.0076 and the Deed of Trust referenced above, the undersigned as attorney for Mortgagee or Mortgage Servicer does hereby remove the original Trustee and all successor substitute trustees and appoints in their stead, Reid Ruple, Kathleen Adkins, Evan Press, Christian Brooks, Michael Kolak, Kristopher Holub, Joshua Sanders, Jami Grady, Amy Oian, Aleena Litton, Crystal Koza, Matthew Hansen, Ramiro Cuevas, Cary Corenblum, Auction.com, Dana Dennen, Cindy Dennen, Traçi Yeaman, Megan Randle, Ebbie Murphy, Robert Randle, Robert Randle or Ebbie Murphy, Cole Patton, Myra Homayoun, Thuy Frazier, McCarthy & Holthus, LLP, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original Trustee under there said Deed of Trust; and, further, does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

NOTICE PURSUANT TO TEX. PROP. CODE § 51.002(1): ASSERT AND PROTECT YOUR RIGHTS AS MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE ARE SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL 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.

Dated: 9/29/2023

Dated: 10/5/2023

Printed Name: Megan L. Randle
Substitute Trustee
c/o Auction.com
1255 West 15th Street, Suite 1060
Plano, TX 75075

Thuy Frazier, Attorney
McCarthy & Holthus, LLP
1255 West 15th Street, Suite 1060
Plano, TX 75075
Attorneys for: Specialized Loan Servicing, LLC

FILED

2023 OCT -5 AM 11:15

Andreea Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK

MH File Number: TX-23-98418-POS
Loan Type: FHA

2023-0038

EXHIBIT "A"

1.000 ACRES

ALL THAT TRACT OR PARCEL OF LAND consisting of 1.000 Acres located in the Amasa Ives League, A-51, Austin County, Texas. Subject tract being a portion of the called 8.00 Acre tract and the called 2.00 Acre tract described in a Deed to Margaret Faye Froebel and Arthur Froebel, Jr. as recorded in Volume 730, Page 543 of the Official Records of Austin County, Texas. Said tract consisting of 1.000 Acres and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the West Right-of-way of Witte Road (Public Road) and being the Northeast corner of the 32.8510 Acre tract described in a Deed to David L. Remmert, et ux as recorded in Volume 709, Page 188 O.R.A.C.T. and being the Southeast corner of the 8.00 Acre parent tract and the Southeast corner of the herein described tract;

THENCE N 64d 53' 27" W, with the common line with said 32.8510 Acre adjoining tract and generally with an existing fence line, a distance of 331.75 ft. (Called Brg. N 65d W) to a 1/2" iron rod set for the Southwest corner of the herein described tract;

THENCE N 25d 00' 34" E, a distance of 131.30 ft. (No Call) to a 1/2" iron rod set for the Northwest corner of the herein described tract;

THENCE S 64d 53' 27" E, a distance of 331.75 ft. (No Call) to a 1/2" iron rod set in the West Right-of-way of Witte Road and being in the East line of the 2.00 Acre parent tract and being the Northeast corner of the herein described tract;

THENCE S 25d 00' 34" W, with the West Right-of-way of Witte Road, a distance of 131.30 ft. (Called Brg. S 25d W) to the **PLACE OF BEGINNING** and containing 1.000 Acres.

NOTES: Bearings shown hereon are based on the bearing of N 25d E, used in the description of the 44.4 Acre tract recorded in Volume 218, Page 270 D.R.A.C.T.

NOTICE OF [SUBSTITUTE] TRUSTEE'S 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: 12/05/2023

Time: Between 1:00 PM – 4:00 PM and beginning not earlier than 1:00 PM and ending not later than three hours thereafter.

Place: The area designated by the Commissioners Court of Austin County, pursuant to §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.

2. Terms of Sale. Highest bidder for cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated 09/16/2011 and recorded in the real property records of Austin County, TX and is recorded under Clerk's File/Instrument Number 114091, with Matthew J. Macha (grantor(s)) and Wells Fargo Bank, N.A. mortgagee to which reference is herein made for all purposes.

4. Obligations Secured. Deed of Trust or Contract Lien executed by Matthew J. Macha, securing the payment of the indebtedness in the original amount of \$76,022.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. Wells Fargo Bank, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to be Sold.

DESCRIPTION of a 21,000 Square Foot (0.4821 Acre) tract of land being Lots 6, 7, 8, 9 and 10, Block 8 of Town of Wallis and being that same tract described in Vol. 363, Pages 343 and 344 of the Austin County Deed Records and more particularly described by metes and bounds as follows,

BEGINNING at a found 1-1/2" iron pipe at the intersection of the Northwesterly Right of Way of North 3rd Street and the Southwesterly Right of Way of Rodgers Street and being the most Easterly corner of the tract herein described,

THENCE, S 27° 40' W, along the Northwesterly Right of Way of North 3rd Street, a distance of 140.00 feet to a found 1-1/2" iron pipe for the most Southerly corner of the tract herein described,

THENCE, N 62° 20' W, along the Southwesterly line of Block 8, a distance of 150.00 feet to a found 1" iron pipe for the most Westerly corner of the tract herein described,

THENCE, N 27° 40' E, along the common line of Lots 5 and 6 of Block 8, a distance of 140.00 feet to a found 1/2" iron rod in the Southwesterly Right of Way of Rodgers Street for the most Northerly corner of the tract herein described,

THENCE, S 62° 20' E, along the Southwesterly Right of Way of Rodgers Street, a distance of 150.00 feet to the POINT OF BEGINNING and containing 0.4821 Acre.

FILED

2023 OCT -5 AM 11:15

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK

2023-0039

6. **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 §51.002, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. Wells Fargo Home Mortgage, as Mortgage Servicer, is representing the current Mortgagee whose address is:

Wells Fargo Bank, N.a.
3476 Stateview Blvd.
Fort Mill, SC 29715



SUBSTITUTE TRUSTEE

Megan L. Randle, Ebbie Murphy, Pete Florez, Debby Jurasek, Jennyfer Sakiewicz OR AUCTION.COM OR Reid Ruple, Kathleen Adkins, Evan Press, Christian Brooks, Michael Kolak, Kristopher Holub, Joshua Sanders, Jami Grady, Amy Oian, Aleena Litton, Crystal Koza, Matthew Hansen, Ramiro Cuevas, Cary Corenblum, Dana Dennen, Cindy Dennen, Traci Yeaman, Robert Randle OR Kirk Schwartz, Candace Sissac c/o Albertelli Law, 2201 W Royal Lane, Suite 200, Irving, TX 75038

CERTIFICATE OF POSTING

My name is _____, and my address is 1320 Greenway Drive, Suite 300, Irving, TX 75038. I declare under penalty of perjury that on _____ I filed at the office of the Austin County Clerk and caused to be posted at the Austin County courthouse this notice of sale.

Declarants Name: _____

Date: _____

NOTICE OF SUBSTITUTE 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.**

Matter No.: 114960-TX

Date: October 9, 2023

County where Real Property is Located: Austin

ORIGINAL MORTGAGOR: KEITH A. DARROW, NOT JOINED BY HIS SPOUSE AS THIS
PROPERTY IS NOT THEIR
HOMESTEAD

ORIGINAL MORTGAGEE: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS
BENEFICIARY, AS NOMINEE FOR COUNTRYWIDE HOME LOANS,
INC, ITS SUCCESSORS AND ASSIGNS

CURRENT MORTGAGEE: NewRez LLC D/B/A Shellpoint Mortgage Servicing

MORTGAGE SERVICER: NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage
Servicing

DEED OF TRUST DATED 5/27/2005, RECORDING INFORMATION: Recorded on 6/30/2005, as Instrument No.
053848

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): **BLOCK 2, LOTS 5, 6, 7 AND 8 OF EDGEWOOD**

**VILLAGE TOWNHOMES AS SHOWN ON PLAT REC. IN VOL. 1, PG. 41, PLAT RECS. OF AUSTIN
COUNTY,**

TEXAS, MORE COMPLETELY DESCRIBED IN EXHIBIT "A"

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **12/5/2023**, the foreclosure sale will be conducted in
Austin County in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property
Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners
Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be
conducted no earlier than **1:00 PM**, or not later than three (3) hours after that time, by one of the Substitute Trustees
who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness
superior to the Deed of Trust.

NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing is acting as the Mortgage
Servicer for NewRez LLC D/B/A Shellpoint Mortgage Servicing who is the Mortgagee of the Note and Deed of
Trust associated with the above referenced loan. NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint
Mortgage Servicing, as Mortgage Servicer, is representing the Mortgagee, whose address is:

NewRez LLC D/B/A Shellpoint Mortgage Servicing
c/o NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing
75 Beattie Place

Page 1 of 2

AP NOS/SOT 08212019



4798956

FILED

2023 OCT 13 PM 1:02

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK

2023-0040


Matter No.: 114960-TX

Suite 300
Greenville, SC 29601

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.

WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I **HEREBY APPOINT AND DESIGNATE REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, CHRISTIAN BROOKS, MICHAEL KOLAK, KRISTOPHER HOLUB, JOSHUA SANDERS, JAMI GRADY, AMY OIAN, ALEENA LITTON, CRYSTAL KOZA, MATTHEW HANSEN, RAMIRO CUEVAS, CARY CORENBLUM, AUCTION.COM, DANA DENNEN, CINDY DENNEN, TRACI YEAMAN, MEGAN RANDLE, EBBIE MURPHY, AUCTION.COM, PAUL A. HOEFKER** or either one of them, as Substitute Trustee, to act, either singly or jointly, under and by virtue of said Deed of Trust and hereby request said Substitute Trustees, or any one of them to sell the property in said Deed of Trust described and as provided therein. The address for the Substitute Trustee as required by Texas Property Code, Section 51.0075(e) is Auction.com, 1 Mauchly, Irvine, CA 92618.

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.

By: 
Paul A. Hoefker, Attorney
Aldridge Pite, LLP
8880 Rio San Diego Drive, Suite 725
San Diego, California 92108


Megan Randle

Return to:
ALDRIDGE PITE, LLP
8880 RIO SAN DIEGO DRIVE, SUITE 725
P.O. BOX 17935
SAN DIEGO, CA 92108-0935
FAX #: 619-590-1385
866-931-0036

114960-TX

EXHIBIT A

BLOCK 2, LOTS 5, 6, 7 AND 8 OF EDGEWOOD VILLAGE TOWNHOMES AS SHOWN ON PLAT REC. IN VOL. 1, PG. 41, PLAT RECS. OF AUSTIN COUNTY, TEXAS, WITH BLOCK DESIGNATIONS EST. IN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR EDGEWOOD VILLAGE TOWNHOMES FILED IN VOL. 417, PG. 411, OFFICIAL RECS. OF AUSTIN COUNTY, TEXAS. TOGETHER WITH A PROPORINATE UNDIVIDED INTEREST IN AND TO THE COMMON ELEMENTS OF EDGEWOOD VILLAGE TOWNHOMES PURSUANT TO AND RESTATEMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR EDGEWOOD VILLAGE TOWNHOMES DATED AUG. 30, 1991, AND FILED FOR REC. IN VOL. 649, PG. 290, OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS. BEING THE SAME DESCRIBED IN DEED DATED AUG. 31, 1992, EXECUTED BY GORENICK CORP., A TEXAS CORP TO PETER OLSEN, REC. IN VOL. 677, PG. 229, OFFICIAL RECS. OF AUSTIN COUNTY, TEXAS. BEING THE SAME PROPERTY DESCRIBED IN DEED DATED AUG. 15, 1994, EXECUTED BY TOMMY F. THOMPSON AND WIFE, LAURA E. THOMPSON TO PETER OLSEN, REC. IN VOL. 713, PG. 103, OFFICIAL RECS. OF AUSTIN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED.
Parcel ID Number: R20926209401092720928

EXHIBIT "A"

BEING ALL THAT CERTAIN 0.096 ACRES (4,183 SQUARE FEET) OF LAND IN THE SAN FELIPE DE AUSTIN TOWN TRACT, ABSTRACT 5, AUSTIN COUNTY, TEXAS, SAME BEING ALL OF LOTS 5, 6, 7 AND 8, BLOCK 2, EDGEWOOD VILLAGE TOWNHOMES AS RECORDED IN VOLUME 1, PAGE 41 OF THE PLAT RECORDS OF AUSTIN COUNTY, TEXAS, SAID 0.096 ACRE (4,183 SQUARE FEET) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD FOUND FOR THE COMMON NORTHERLY CORNER OF SAID EDGEWOOD VILLAGE TOWNHOMES, IN THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF EAGLE LAKE ROAD (CALLED 55 FEET IN WIDTH) AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF MILLER ROAD (CALLED 40 FEET IN WIDTH), TO FROM WHICH A 5/8 INCH IRON ROD FOUND TO BE THE WESTERLY CORNER OF SAID EDGEWOOD VILLAGE TOWNHOMES, IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF EAGLE LAKE ROAD BEARS SOUTH 44 DEGREES 49 MINUTES 52 SECONDS WEST (CALLED SOUTH 44 DEGREES 49 MINUTES 52 SECONDS WEST) (BASIS OF BEARINGS), A DISTANCE OF 765.86 FEET (CALLED 765.86 FEET);

THENCE, SOUTH 44 DEGREES 59 MINUTES 45 SECONDS EAST (CALLED SOUTH 44 DEGREES 59 MINUTES 45 SECONDS EAST), LEAVING THE SOUTHEASTERLY RIGHT-OF-WAY OF SAID EAGLE LAKE ROAD, WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID MILLER ROAD AND SAID COMMON NORTHEASTERLY LINE OF SAID EDGEWOOD VILLAGE TOWNHOMES, A DISTANCE OF 26.00 FEET (CALLED 26.00 FEET) TO A POINT IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID MILLER ROAD;

THENCE, SOUTH 44 DEGREES 49 MINUTES 52 SECONDS WEST (CALLED SOUTH 44 DEGREES 49 MINUTES 52 SECONDS WEST), LEAVING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID MILLER ROAD AND SAID NORTHEASTERLY LINE OF SAID EDGEWOOD VILLAGE TOWNHOMES, A DISTANCE OF 281.85 FEET (CALLED 281.85 FEET) TO THE POINT OF BEGINNING AND THE NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, AND THE NORTHERLY CORNER OF SAID LOT 5;

THENCE, SOUTH 45 DEGREES 10 MINUTES 08 SECONDS EAST (CALLED SOUTH 45 DEGREES 10 MINUTES 08 SECONDS EAST), WITH THE NORTHEASTERLY LINE OF SAID LOT 5 AND THE SOUTHERLY LINE OF THAT CERTAIN LOT 4, BLOCK 2, A DISTANCE OF 54.00 FEET (CALLED 54.00 FEET) TO THE EASTERLY CORNER OF THE HEREIN TRACT, THE EASTERLY CORNER OF SAID LOT 5, AND THE SOUTHERLY CORNER OF SAID LOT 4

THENCE, SOUTH 44 DEGREES 49 MINUTES 52 SECONDS WEST (CALLED SOUTH 44 DEGREES 49 MINUTES 52 SECONDS WEST), WITH THE SOUTHEASTERLY LINE OF SAID LOTS 5, 6, 7 AND 8, A DISTANCE OF 80.35 FEET (CALLED 80.35 FEET) TO THE SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT AND THE SOUTHERLY CORNER OF SAID LOT 8;

THENCE, NORTH 45 DEGREES 10 MINUTES 08 SECONDS WEST (CALLED NORTH 45 DEGREES 10 MINUTES 08 SECONDS WEST), WITH THE SOUTHWESTERLY LINE OF SAID LOT 8, A DISTANCE OF 50.00 FEET (CALLED 50.00 FEET) TO THE WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT AND THE WESTERLY CORNER OF SAID LOT 8;

METES AND BOUNDS DESCRIPTION OF 0.096 ACRE (4,183 SQUARE FEET) IN THE SAN FELIPE DE AUSTIN TOWN TRACT, ABSTRACT 5, AUSTIN COUNTY, TEXAS

THENCE, NORTH 44 DEGREES 49 MINUTES 52 SECONDS EAST (CALLED NORTH 44 DEGREES 49 MINUTES 52 SECONDS EAST), WITH THE NORTHWESTERLY LINE OF SAID LOT 8, A DISTANCE OF 19.55 FEET (CALLED 19.55 FEET) TO A WESTERLY INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT AND THE NORTHERLY CORNER OF SAID LOT 8, AND BEING IN THE COMMON SOUTHWESTERLY LINE OF SAID LOT 7;

THENCE, NORTH 45 DEGREES 10 MINUTES 08 SECONDS WEST (CALLED NORTH 45 DEGREES 10 MINUTES 08 SECONDS WEST), WITH THE SOUTHWESTERLY LINE OF SAID LOT 7, A DISTANCE OF 4.00 FEET (CALLED 4.00 FEET) TO A WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT AND THE WESTERLY CORNER OF SAID LOT 7;

THENCE, NORTH 44 DEGREES 49 MINUTES 52 SECONDS EAST (CALLED NORTH 44 DEGREES 49 MINUTES 52 SECONDS EAST), WITH THE NORTHWESTERLY LINE OF SAID LOT 7, A DISTANCE OF 20.80 FEET (CALLED 20.80 FEET) TO A WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT AND THE NORTHERLY CORNER OF SAID LOT 7;

THENCE, SOUTH 45 DEGREES 10 MINUTES 08 SECONDS EAST (CALLED SOUTH 45 DEGREES 10 MINUTES 08 SECONDS EAST), WITH THE NORTHEASTERLY LINE OF SAID LOT 7, A DISTANCE OF 4.00 FEET (CALLED 4.00 FEET) TO A WESTERLY INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT AND THE WESTERLY CORNER OF SAID LOT 6;

THENCE, NORTH 44 DEGREES 49 MINUTES 52 SECONDS EAST (CALLED NORTH 44 DEGREES 49 MINUTES 52 SECONDS EAST), WITH THE NORTHWESTERLY LINE OF SAID LOT 6, A DISTANCE OF 19.20 FEET (CALLED 19.20 FEET) TO A WESTERLY INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT AND THE NORTHERLY CORNER OF SAID LOT 6, AND BEING THE SOUTHERLY LINE OF SAID LOT 5;

THENCE, NORTH 45 DEGREES 10 MINUTES 08 SECONDS WEST (CALLED NORTH 45 DEGREES 10 MINUTES 08 SECONDS WEST), WITH THE SOUTHWESTERLY LINE OF SAID LOT 5, A DISTANCE OF 4.00 FEET (CALLED 4.00 FEET) TO A WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT AND THE WESTERLY CORNER OF SAID LOT 5;

THENCE, NORTH 44 DEGREES 49 MINUTES 52 SECONDS EAST (CALLED NORTH 44 DEGREES 49 MINUTES 52 SECONDS EAST), WITH THE NORTHWESTERLY LINE OF SAID LOT 5, A DISTANCE OF 20.80 FEET (CALLED 20.80 FEET) TO THE POINT OF BEGINNING AND CONTAINING 0.096 ACRE (4,183 SQUARE FEET) OF LAND, MORE OR LESS.

NOTICE OF FORECLOSURE 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 OR 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. Property to Be Sold. The property to be sold is described as follows: LOT 4, BLOCK 2 OF THE WILLOW BROOK SUBDIVISION TO THE CITY OF SEALY, AUSTIN COUNTY, TEXAS, ACCORDING TO THE MAP AND PLAT OF SAID WILLOW BROOK SUBDIVISION DULY RECORDED IN VOLUME 311, PAGE 24, DEED RECORDS OF AUSTIN COUNTY, TEXAS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 02/26/2009 and recorded in Document 091003 real property records of Austin County, Texas.

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: 12/05/2023

Time: 01:00 PM

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 or as designated by the County Commissioners Court.

4. 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.

5. Obligations Secured. The Deed of Trust executed by LEON WALLACE AND FLORA L. WALLACE, provides that it secures the payment of the indebtedness in the original principal amount of \$91,836.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. LAKEVIEW LOAN SERVICING LLC is the current mortgagee of the note and deed of trust and NATIONSTAR MORTGAGE LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is LAKEVIEW LOAN SERVICING LLC c/o NATIONSTAR MORTGAGE LLC, 8950 Cypress Waters Blvd, Coppell, TX 75019 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. Substitute Trustee(s) Appointed to Conduct Sale. In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney 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.

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.

[Handwritten Signature]

[Handwritten Signature]

Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
Michael Zientz, Attorney at Law
Lori Liane Long, Attorney at Law
Chelsea Schneider, Attorney at Law
Ester Gonzales, Attorney at Law
Karla Balli, Attorney at Law
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254

For additional sale information visit: www.xome.com or (844) 400-9663

Certificate of Posting

I am _____ 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 _____ 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

2023 OCT 17 PM 4: 02

[Handwritten Signature]
COUNTY CLERK
AUSTIN COUNTY, CLERK

2023-0041



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: 12/05/2023

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: 1520-1526 EAGLE LAKE RD, SEALY, TX 77474

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 05/27/2005 and recorded 06/30/2005 in Document 053854, real property records of Austin County, Texas, with **KEITH DARROW, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY** grantor(s) and **OPTION ONE MORTGAGE CORPORATION, A CALIFORNIA CORPORATION** as Lender, Wells Fargo Bank, National Association, as Trustee for **ABFC 2005-OPT1 Trust, ABFC 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 **KEITH DARROW, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY**, securing the payment of the indebtedness in the original principal amount of \$133,776.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **Wells Fargo Bank, National Association**, as Trustee for **ABFC 2005-OPT1 Trust, ABFC Asset-Backed Certificates, Series 2005-OPT1** is the current mortgagee of the note and deed of trust or contract lien.

FILED

2023 OCT 26 AM 11:19

Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK



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:

BLOCK 2, LOTS 1, 2, 3 AND 4, OF EDGEWOOD VILLAGE TOWNHOMES AS SHOWN ON PLAT RECORDED IN VOLUME 1, PAGE 41, PLAT RECORDS OF AUSTIN COUNTY, TEXAS, WITH BLOCK DESIGNATIONS ESTABLISHED IN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR EDGEWOOD VILLAGE TOWNHOMES FILED IN VOLUME 417, PAGE 411, OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS. TOGETHER WITH A PROPOROTINATE UNDIVIDED INTEREST IN AND TO THE COMMON ELEMENTS OF EDGEWOOD VILLAGE TOWNHOMES PURSUANT TO AMENDMENT AND RESTATEMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR EDGEWOOD VILLAGE TOWNHOMES DATED AUGUST 30, 1991, AND FILED FOR RECORD IN VOLUME 649, PAGE 290, OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS. BEING THE SAME PROPERTY DESCRIBED IN DEED DATED AUGUST 31, 1992, EXECUTED BY GORENICK CORPORATION, A TEXAS CORPORATION TO PETER OLSEN, RECORDED IN VOLUME 677, PAGE 229, OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS.

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
PO BOX 24605
West Palm Beach, FL 33416-4605
Phone: 877-744-2506**

2023-0043

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: October 20, 2023


Monique Patzer, Trustee Sale Assistant



C/O Power Default Services, Inc.
7730 Market Center Ave, Suite 100
El Paso, TX 79912
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 _____ 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 _____ 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.

2023-0043

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: 12/05/2023

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.

2023 OCT 31 PM 4: 33
FILED
AUSTIN COUNTY CLERK
AUSTIN COUNTY CLERK

FILED
2023 OCT 31 PM 4: 33

2023 - 0044



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 JERRELLS 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
PO BOX 24605 West Palm Beach, FL 33416-4605
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: October 30, 2023

 
Karita Robinson, Trustee Sale Assistant

C/O Power Default Services, Inc.
7730 Market Center Ave, Suite 100
El Paso, TX 79912
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 _____ 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 _____ 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.

AUSTIN COUNTY CLERK
AUSTIN COUNTY CLERK
Andrea Cardenas

Notice of Foreclosure Sale 2023 NOV -2 PM 12:33

FILED

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.

2023-0045

Foreclosure Sale:

Date: Tuesday, December 5, 2023

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.

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.

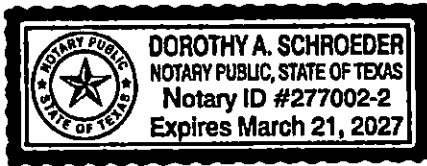
Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the 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. Flencher Jr.

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

STATE OF TEXAS)
COUNTY OF BURLESON)

This instrument was acknowledged before me on November 2ND, 2023 by Ervin B. Flencher, Jr.



Dorothy A. Schroeder
Notary Public, State of Texas

Tract 1



ALEXANDER SURVEYING
LAND SURVEYORS

FRANCIS L. ENGERON

TRACT 1

0.264 ACRES

ALL THAT TRACT OR PARTS OF LAND consisting of 0.264 Acres located in the John N. Kanny Survey, A-244, Austin County, Texas. Subject tract being a portion of the called 3.371 Acre tract that is described in a Deed to D. W. Sampson, Sr., and wife, Frances L. Sampson as recorded in Volume 122, Page 452 of the Deed Records of Austin County, Texas. Said tract being more particularly a portion of Lots 2, 3, 4 and 5 of Block 5 of the Town of Kanny as recorded in Volume "T", Page 313 D.R.A.C.T. and said tract consisting of 0.264 Acres and being more particularly described as follows:

BEING at a 1/2" iron rod found in the Southeast line of Loop 497 and being the East corner of various tracts belonging to Fred C. Bentley, et ux as recorded in Volume 175, Page 487 D.R.A.C.T. and being the North corner of the called 3.371-acre parent tract and the North corner of the herein described tract;

TRACT S 58d 41' 53" E, with the Southwest Right-of-way of Loop 497, a distance of 89.74 ft. (Called S 57d 41' 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 Pawlovski as recorded in Volume 181, Page 45 of the Official Records of Austin County, Texas and being the East corner of the herein described tract;

TRACT S 30d 41' 18" N, with the common line with the Pawlovski tract and generally with an existing fence line, a distance of 130.15 ft. (Called Ely. S 31d 39' W) to a 1/2" iron rod set for the Southeast or South corner of the herein described tract;

TRACT N 52d 39' 51" W, serving the parent tract, a distance of 90.63 ft. (No call) to a 1/2" iron rod found for the South corner of the Bentley Tract and being an "X" corner in the parent tract, for the West corner of the herein described tract;

TRACT N 56d 59' 25" E, with the common line with the Bentley Tract, a distance of 125.09 ft. (Called W 31d 59' E, 125.20 ft.) to the PLACE OF BEGINNING and containing 0.264 Acres.

September 8, 2000.
M.O. # 4231

Page 1 of 2

103 E. 4th PO. Box 384 Waco, Texas 77718 767/865-9143 Fax 767/865-5781

EXHIBIT A

RECORDERS 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.



ALEXANDER SURVEYING
LAND SURVEYORS

FRANCIS L. BRIDGEMAN

PLAT

D. 264 2000 (continued)

NOTES: Bearings shown herein are based upon the description of the
S. 371 Acra tract recorded in Volume 322, Page 452 D.R.A.D.C.

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

September 8, 2000
W.O. # 4331



Glen S. Alexander
Registered Professional Land Surveyor; #4419

Page 2 of 2

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.

Tract 2



ALEXANDER SURVEYING
LAND SURVEYORS

FRANCES LOUISE SAMPSON TRUSTTRACT "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 Dead 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# 881060 G.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 532.05 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. # 4482

Page 1 of 4

EXHIBIT B



ALEXANDER SURVEYING
LAND SURVEYORS

FRANCIS LOUISE HAMPSON TRUST

TRACT 2B

4.128 ACRES (continued)

TRANCE 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;

TRANCE 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 83.45 ft. (Called S 57d 47' 35" E, 83.45 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;

TRANCE S 55d 29' 51" E, with the common line with the 0.264 Acre adjoining tract, a distance of 80.53 ft. (Called S 55d 29' 51" E, 80.53 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;

TRANCE 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;

TRANCE 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;

TRANCE 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 103.35 ft. (Called S 58d 09' 19" E, 103.35 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;

TRANCE 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 Kennay, a distance of 135.15 ft. (Called S 30d 54' 41" W, 135.15 ft.) to a 3/8" iron rod found at a chain line fence

November 30, 2001
P.O. # 4492

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**ALEXANDER SURVEYING
LAND SURVEYORS**

FRANCIS LOUISE HANSON TROST

TRACT VB7

4.158 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 35' 44" E, with the projection of said alley, a distance of 156.11 ft. (Called S 59d 35' 44" E, 156.11 ft.) to a 1/2" iron rod found for an angle point in the herein described tract;

THENCE S 31d 15' 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 15' 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

Page 3 of 4



**ALEXANDER SURVEYING
LAND SURVEYORS**

FRANCIS LOUISE BAMPSON ERECT

TRACT NO. 1

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 6.276 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



Page 4 of 4

LESS AND EXCEPT

ALEXANDER SURVEYING
LAND SURVEYORS

OWNER: MISS S. HILSON

SUCCESSOR: JAMES C. HANNEY

3.555 ACRES

ALL THOSE PARTS OR PORTION OF LAND consisting of 3.555 Acres located in the John W. Hanney Survey, A-204, Justice County, Texas. Subject tract being a portion of the 1.176 Acre tract described in a Deed Frances Louise Sempson Trust recorded in File# 006094 of the official Records of Justice County, Texas. Said tract also being a portion of the "Tract of Hanney" recorded in Volume "A", Page 113 of the Deed Records of Justice County, Texas. Said tract measuring as 3.555 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 Taylor Road (Public Road); and being on the common line with the called 17.943 Acre tract described in a Deed to Russell Dale Howell recorded in File# 981050 O.R.A.C.T. and being an angle point in the southeast line of the 2.176 Acre tract mentioned above and being the extreme South corner of the herein described tract;

THENCE N 224 25' 47" E, departing the Right-of-Way of Taylor Road and with the common line with the Howell tract and generally with an existing fence, a distance of 28.01 ft. (Called N 25' 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 David Joan Elmy recorded in File# 058781 O.R.A.C.T. and being an angle point in the Southeast line of the herein described tract;

THENCE N 94d 03' 56" W, with the common line with the 4.138 Acre adjoining tract, a distance of 285.95 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 S 11d 02' 25" W, continuing with the common line with the 4.138 Acre tract, a distance of 433.05 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 S 12d 13' 25" E, generally with an existing fence, a distance of 112.58 ft. (Called N 12d 13' 25" E, 112.58 ft.)

April 12, 2010
R.O.# 10-0172

Page 1 of 4

105 E. 14th St. P.O. Box 126 Dallas, TX 75248 972/8659145 Fax 972/865-9888
Email: alexandersurveying@earthlink.net

EXHIBIT B-1

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.



ALEXANDER SURVEYING
LAND SURVEYORS

OWNER: ELLY E. WILSON

OWNER: JANE O. SANDRITZ

3.825 ACRES (continued)

to a point at a fence corner post for an angle point in various tracts belonging to Fred D. Banhay, as recorded in Volume 375, Page 187 D.S.A.C.T. and being an angle point in the herein described tract:

BEARING S 37d 47' 35" E, continuing with the common line with the Haney tract and generally with an existing fence, a distance of 83.46 ft. (Called S 37d 47' 35" E, 83.46 ft.) to a point at a fence corner post found in concrete at the southwest corner of the 0.261 Acre tract that is described in the above mentioned deed to the Franzen Louise Simpson Trust and being the Northwest corner of the 0.202 Acre tract which is a portion of the 3.376 Acre parent tract that has been surveyed and described this day, for an angle point in the herein described tract:

BEARING S 30d 19' 28" W, 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:

BEARING S 59d 49' 55" E, with the common line with the 0.202 Acre tract, a distance of 82.75 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:

BEARING S 50d 44' 17" E, continuing with the common line with the 0.302 Acre tract, a distance of 77.65 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:

BEARING 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 803.36 ft. (Called S 58d 09' 19" E, 102.36 ft.) to a 1/2" iron rod found at a chalkline fence corner post and being the bounded Southwest corner of various tracts belonging to James W. Heisner, as recorded in File# 070021 D.S.A.C.T. and being an angle point in the herein described tract:

BEARING S 30d 54' 41" W, with the common line with the Heisner tract and generally with an existing fence, a distance of 129.16 ft. (Called S 30d 54' 41" W, 129.16 ft.) to a 3/8"

April 12, 2010
H.O.# 10-6274

Page 2 of 4

105 E. Main St. P.O. Box 386, Sedalia, MO 67211 972/8459145 Fax 972/863-8986
Email: alexandersurveying@bellsouth.net

RECORDER'S MEMORANDUM

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ALEXANDER SURVEYING
LAND SURVEYORS

TRACT: PLACE E. ROONEY

SURVEY: JOHN E. HIGHTON

2.955 ACRES (continued)

iron rod found at a chainlink fence corner post and being on the approximate centerline of an Unimaxed Road shown on the plat of the "Town of Rooney" and being an angle point in the herein described tract;

TRANCE S 56d 03' 59" E, with the approximate centerline of said Unimaxed Road and passing at 50.51 ft. a 1/2" iron rod found at the intersection of the centerline of said Unimaxed Road and the called West Right-of-way of Thompson Street (called 70' R.O.W.) and continuing, a total distance of 108.57 ft. (called S 56d 03' 59" E, 108.57 ft.) to a point in the apparent centerline of Thompson Street and being an angle point in the herein described tract;

TRANCE S 30d 45' 12" E, with the approximate centerline of Thompson Street, a distance of 133.98 ft. (called S 30d 45' 12" E, 133.98 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 2.276 Acre parcel tract and is the herein described tract;

TRANCE S 59d 35' 44" E, with the centerline of said Alley, a distance of 151.11 ft. (called S 59d 35' 44" E, 151.11 ft.) to a 1/2" iron rod found for an angle point;

TRANCE S 11d 16' 11" W, 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 Rooney" belonging to Verne E. Williamson recorded in File# 041761 O.R.A.C.T. and continuing generally with an existing fence, a total distance of 123.58 ft. (called S 11d 16' 11" W, 123.58 ft.) to a 1/2" iron rod found for the Southwest corner of Lot 16, the same being the Southwest corner of Lot 17 and being an angle point in the herein described tract;

TRANCE S 58d 23' 29" E, with the South line of Lot 16, 13, 14, 15, and 11 of Block 7, the same being those tracts belonging to Verne E. Williamson as mentioned above and generally with an existing fence, a distance of 196.40 ft. (called S 58d 23' 29" 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 2.276 Acre parcel tract and is the herein described tract;

TRANCE S 11d 15' 33" W, with the Northwest Right-of-way of Travis Road, a distance of 214.20 ft. (called S 11d 15' 33" W, 214.20 ft.) to the PLACE OF BEGINNING and containing 2.955 Acres.

April 12, 2010
M.O. # 10-5832

Page 3 of 4

105 E. Lake St. P.O. Box 306 Lubbock, TX 79410 979/865-9145 Fax 979/865-5988
Email alexander.surveying@baylor.edu

RECORDER'S MEMORANDUM

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ALEXANDER SURVEYING
LAND SURVEYORS

OWNER: ARTHUR S. WILSON

SURVEY: ARTHUR S. WILSON

3.895 ACRES (continued)

WORKS: Bearings shown herein are based upon the S. 76 Acre tract recorded in L114 006496 G.R.A.C.2.

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.# 10-0212



Survey by: Alexander

Alan S. Alexander
Registered Professional Land Surveyor, #4194

Page 4 of 4

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.

AUSTIN COUNTY CLERK
AUSTIN COUNTY CLERK
Andrea Cardenas

2023 NOV 2 - 2 PM 3: 24

NOTICE OF TRUSTEE'S SALE

FILED

Pursuant to Deeds of Trust dated July 27, 2022, executed by BI HOLDINGS, LLC ("Mortgagor") Mortgagor conveyed to CHARLES T. DOYLE, PATRICK F. DOYLE, DENNIS R. BETTISON, JEFF ADAMS, JANA L. HARTNETT, ALBERT G. REDMOND, PETER J. SAPIO, JR. or THEA CLARK, as Trustee(s) all of their right, title, and interest in and to those certain parcels of real property situated in Austin County, Texas and described as:

24.858 acres of land, more or less, in the James Tylee Survey, Abstract 304, Austin County, Texas, same being the aggregate of that certain called 0.378 acre parcel as described by instrument recorded in File No. 176231, Official Records of Austin County, Texas same being more particularly described by instrument recorded in Volume 370, Page 411, Deed Records of Austin County, Texas; that certain called 5.233 acre parcel as described by instrument recorded in File No. 176231, Official Records of Austin County, Texas, same being more particularly described by instrument recorded in Volume 458, Page 317, Deed Records of Austin County, Texas; and that certain called 19.181 acre parcel as described by instrument recorded in File No. 176231, Official Records of Austin County, Texas, same being more particularly described by instrument recorded in Volume 355, Page 629, Deed Records of Austin County, Texas; and being more fully described on Exhibit "A" attached hereto.

22.174 acres of land, more or less, in the James Tylee Heirs Survey, Abstract 304, Austin County, Texas, same being out of the residue of that certain called 34.074 acre parcel as described by Deed recorded in File No. 062259, Official Records of Austin County, Texas; and being more fully described on Exhibit "B" attached hereto.

to secure the payment of those two certain Promissory Notes ("Notes") dated July 27, 2022, in the original principal amount of \$2,466,769.45, executed by BI HOLDINGS, LLC and BROWN INTERESTS, LLC d/b/a THE VINE and a Revolving Line of Credit Agreement and Promissory Note ("Note") dated July 27, 2022, in the original principal amount of \$200,000.00, executed by BI HOLDINGS, LLC and BROWN INTERESTS, LLC d/b/a THE VINE, both Notes payable to the order of TEXAS FIRST BANK ("Beneficiary") and any and all other indebtedness secured by the Deeds of Trust.

{00493909.DOC}

2023-0046

The Deeds of Trust were filed of record under Austin County, Texas under File No. 224806 and File No. 224383; all in the Official Real Property Public Records of Austin County, Texas; and

The Deeds of Trust are in default and the entire unpaid balance of the Notes are due and payable, and Beneficiary intends to enforce the power of sale set forth in the above-referenced Deeds of Trust; and

The Beneficiary has directed the Trustee to enforce the power of sale under the Deeds of Trust for the purpose of collecting the indebtedness secured under it, after the giving of at least 21 consecutive days notice and recording the Notice in the Austin County Clerk's Office giving the time, place, and terms of said sale, and description of the property to be sold, pursuant to the Deeds of Trust and the laws of the State of Texas;

Therefore, I, THEA CLARK, Trustee, hereby give notice, after due publication as required by the Deed of Trust and/or security instruments and the Texas Property Code, that I will, after due posting, publication, and filing of this Notice, and after having given written notice of at least 21 consecutive days by certified mail, return receipt requested, as well as regular mail, to each debtor obligated to pay the Note and indebtedness secured by the Deeds of Trust, at the last known address of each such debtor, according to the records of Beneficiary, as required by the Deed of Trust and the laws of the State of Texas, sell the Property at public auction to the highest bidder or bidders for cash, beginning at 1:00 p.m. on the first Tuesday in **December**, being **December 5, 2023**, in the Lobby of The Austin County Courthouse, located at 1 East Main, Bellville, Texas 77418, or as designated by the County Commissioners Court.

Pursuant to Section 51.002 of the Texas Property Code, the foreclosure sale will begin no earlier than 10:00 a.m. and no later than three hours after that time.

The sale conducted pursuant to this Notice will be made subject to any valid and existing liens and any other title encumbrances affecting title to the property described above or any part of the property that are proved superior to the liens and other rights of Beneficiary under the security instrument or other recorded instruments.

Signed on October 30, 2023.

DOYLE LAW FIRM, PLLC
6710 Stewart Road, Suite 300
Galveston, Texas 77551
Telephone: 409/744-9783
Fax: 409/744-9786

By: 

THEA CLARK, Trustee

THE STATE OF TEXAS

§
§
§

COUNTY OF GALVESTON

This instrument was acknowledged before me on the 30th day of October, 2023, by **THEA CLARK**, Trustee, and in the capacity therein stated.

Toni Garza Miranda
Notary Public in and for the State of Texas

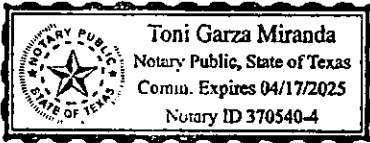


Exhibit A

METES AND BOUNDS
DESCRIPTION
OF
24.858 ACRES
IN THE
JAMES TYLEE SURVEY, ABSTRACT 304
AUSTIN COUNTY, TEXAS

BEING all that certain tract or parcel of land containing 24.858 acres of land, more or less, in the James Tylee Survey, Abstract 304, Austin County, Texas, same being the aggregate of that certain called 0.378 acre parcel as described by instrument recorded in Clerk's File No. 176231 of the Official Records of Austin County, Texas, same being more particularly described by instrument recorded in Volume 370, Page 411 of the Deed Records of Austin County, Texas, that certain called 5.233 acre parcel as described by instrument recorded in Clerk's File No. 176231 of the Official Records of Austin County, Texas, same being more particularly described by instrument recorded in Volume 458, Page 317 of the Deed Records of Austin County, Texas, and that certain called 19.181 acre parcel as described by instrument recorded in Clerk's File No. 176231 of the Official Records of Austin County, Texas, same being more particularly described by instrument recorded in Volume 355, Page 629 of the Deed Records of Austin County, Texas, said 24.858 acre tract being more particularly described by metes and bounds, as follows, to wit:

BEGINNING at a 5/8 inch iron rod found for corner, same being the POINT OF BEGINNING and a southerly interior corner of the tract herein described, same being in the southeasterly line of said called 5.233 acre parcel, same being the most westerly corner of said called 19.181 acre parcel, and same being the most northerly corner of that certain called 22.174 acre parcel as described by instrument recorded in Clerk's File No. 160886 of the Official Records of Austin County, Texas;

THENCE, with said common line, South 44 degrees 08 minutes 32 seconds West, a distance of 256.67 feet (called South 44 degrees 08 minutes 32 seconds West, 256.67 feet) (Basis of Bearings) to a 1/2 inch iron rod found for corner, same being in the northwesterly line of said called 22.174 acre parcel, same being the most southerly corner of the residue of said called 5.233 acre parcel, same being a southeasterly exterior corner in the southeasterly right-of-way of Bernard Road (right-of-way varies), and same being the most westerly southwest corner of the tract herein described;

THENCE, with said southeasterly right-of-way line of Bernard Road and said common line, North 02 degrees 46 minutes 19 seconds East, a distance of 948.96 feet (called North 03 degrees 03 minutes 28 seconds East, 949.00 feet) to a Spike in Tree found for corner, same being a northeasterly exterior corner in said easterly right-of-way line of Bernard Road, same being the most northerly corner of said called 5.233 acre parcel, same being in the southwesterly line of said called 0.378 acre parcel, and same being a northwesterly interior corner of the tract herein described;

THENCE, with said northeasterly right-of-way line of Bernard Road and said common line, North 46 degrees 41 minutes 40 seconds West, a distance of 49.83 feet (called North 44 degrees 46 minutes 00 seconds West, 50.07 feet) to a 3/8 inch iron rod found for corner, same being the most westerly northwest corner of said called 0.378 acre parcel, same being a northwesterly exterior corner of that certain called 18.36 acre parcel as described by instrument recorded in Clerk's File No. 094845 of the Official Records of Austin County, Texas, and same being the most northerly northwest corner of the tract herein described;

↪ Continued
↪ Page 1 of 2



- Page 2 of 2
- Metes and Bounds Description of 24.858 acres in the
- James Tylee Survey, Abstract 304, Austin County, Texas

THENCE, departing said northeasterly right-of-way line of Bernard Road and with said common line, North 88 degrees 52 minutes 12 seconds East, a distance of 28.46 feet (called North 89 degrees 35 minutes 00 seconds East, 28.72 feet) to a 3/8 inch iron rod found for corner, same being a northwesterly interior corner of said called 18.36 acre parcel, same being the most northerly northeast corner of said called 0.378 acre parcel, and same being the most northerly corner of the tract herein described;

THENCE, with said common line, South 47 degrees 25 minutes 22 seconds East, a distance of 758.31 feet (called South 45 degrees 37 minutes 49 seconds East, 758.10 feet) to a 1/2 inch iron rod found for corner, same being the most southerly corner of said called 18.36 acre parcel, same being the most easterly southeast corner of said called 0.378 acre parcel, same being in the northwesterly line of said called 19.181 acre parcel, and same being a northerly interior corner of the tract herein described;

THENCE, with said common line, North 41 degrees 57 minutes 44 seconds East, a distance of 210.73 feet (called North 43 degrees 57 minutes 12 seconds East) to a 1/2 inch iron rod found for corner, same being in a southeasterly line of said called 18.36 acre parcel, same being the most westerly corner of that certain called 19.181 acre parcel as described by instrument recorded in Volume 355, Page 629 of the Deed Records of Austin County, Texas, and more particularly described by instrument recorded in Volume 660, Page 9 of the Official Records of Austin County, Texas, and same being a northerly exterior corner of the tract herein described;

THENCE, with said common line, South 42 degrees 19 minutes 07 seconds East, a distance of 901.28 feet (called South 40 degrees 31 minutes 36 seconds East, 901.02 feet) to a 5/8 inch iron rod found for corner, same being the most southerly corner of said called 19.181 acre parcel, same being the most westerly corner of that certain called 20.516 acre parcel as described by instrument recorded in Clerk's File No. 170909 of the Official Records of Austin County, Texas, same being a northeasterly interior corner of said Parent Tract called 19.181 acre parcel, and same being a northeasterly interior corner of the tract herein described;

THENCE, with said common line, South 47 degrees 16 minutes 23 seconds East, a distance of 310.16 feet (called South 45 degrees 32 minutes 00 seconds East, 310.64 feet) to a 1/2 inch iron rod found for corner, same being the most southerly corner of said called 20.516 acre parcel, same being in the northwesterly line of that certain called 42.82 acre parcel as described by instrument recorded in Probate No. 8062 of the Probate Records of Austin County, Texas, same being the most easterly southeast corner of said Parent Tract called 19.181 acre parcel, and same being the most easterly southeast corner of the tract herein described;

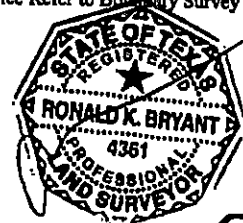
THENCE, with said common line, South 42 degrees 41 minutes 09 seconds West, a distance of 605.63 feet (called South 44 degrees 28 minutes 00 seconds West, a distance of 599.76 feet) to a 1/2 inch iron rod found for corner, same being in the northwesterly line of said called 42.82 acre parcel, same being the most easterly southeast corner of the aforementioned called 22.174 acre parcel, and same being the most southerly corner of said Parent Tract called 19.181 acre parcel, and same being the most southerly corner of the tract herein described;

THENCE, with said common line, North 51 degrees 06 minutes 07 seconds West, a distance of 342.09 feet (called North 51 degrees 06 minutes 07 seconds West, 342.05 feet) to a 5/8 inch iron rod found for corner, same being a northeasterly interior corner of said called 22.174 acre parcel, same being a southwesterly exterior corner of said Parent Tract called 19.181 acre parcel, and same being a southwesterly exterior corner of the tract herein described;

THENCE, with said common line, North 47 degrees 07 minutes 21 seconds West, a distance of 977.61 feet (called North 47 degrees 07 minutes 55 seconds West, 977.69 feet) to the POINT OF BEGINNING of the tract herein described and containing 24.858 acres of land, more or less. For Reference Refer to Boundary Survey Plat, Prepared by A-Survey, Inc., May 21, 2018.

PROJECT NO. 18159A
MAY 21, 2018

COMPILED BY:



19 N. Miller Bellville, Texas 77418

1-979-865-8111 1-800-427-8783

Exhibit B

METES AND BOUNDS
DESCRIPTION
OF
22.174 ACRES
IN THE
JAMES TYLEE HEIRS SURVEY, ABSTRACT 304
AUSTIN COUNTY, TEXAS
PARCEL NO. 1

BEING all that certain tract or parcel of land containing 22.174 acres of land, more or less, in the James Tylee Heirs Survey, Abstract 304, Austin County, Texas, same being out of the residue of that certain called 34.074 acre parcel as described by deed recorded in Clerk's File No. 062259 of the Official Records of Austin County, Texas, said 22.174 acre tract being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a 1/2 inch iron rod found for corner, same being the POINT OF BEGINNING and most southerly exterior corner of the tract herein described, same being a southerly exterior corner of the residue of said called 34.074 acre parcel, same being the most westerly southwest corner of that certain Third Tract called 100.00 acre parcel as described by deed recorded in Volume 355, Page 664 of the Deed Records of Austin County, Texas, same being in the northeasterly margin of Bernard Road (margin varies);

THENCE, with said northeasterly margin of Bernard Road, North 36 degrees 34 minutes 39 seconds West, a distance of 192.98 feet to an old fence angle post found for corner, same being in the northeasterly margin of said Bernard Road, and same being a southwesterly exterior corner of the tract herein described;

THENCE, continuing with said northeasterly margin of said Bernard Road, North 29 degrees 32 minutes 15 seconds West, a distance of 173.42 feet to a 1/2 inch iron rod set for corner, and same being a southwesterly exterior corner of the tract herein described;

THENCE, departing said northeasterly margin of said Bernard Road, North 62 degrees 09 minutes 38 seconds East, a distance of 488.62 feet to a 1/2 inch iron rod set for corner, and same being a southwesterly interior corner of the tract herein described;

THENCE, North 25 degrees 10 minutes 25 seconds West, a distance of 300.44 feet to a 1/2 inch iron rod set for corner, and same being a southwesterly interior corner of the tract herein described;

THENCE, North 82 degrees 36 minutes 50 seconds West, a distance of 302.90 feet to a 1/2 inch iron rod set for corner, and same being a southwesterly interior corner of the tract herein described;

THENCE, South 68 degrees 29 minutes 14 seconds West, a distance of 252.44 feet to a 1/2 inch iron rod set for corner, same being in the northeasterly margin of said Bernard Road, and same being a southwesterly exterior corner of the tract herein described;

THENCE, with said northeasterly margin of Bernard Road, North 24 degrees 37 minutes 22 seconds West, a distance of 26.59 feet to a fence angle post found for corner, and same being a southwesterly exterior corner of the tract herein described;

THENCE, continuing with said northeasterly margin of said Bernard Road, North 19 degrees 42 minutes 51 seconds West, a distance of 441.10 feet to a fence angle post found for corner, and same being a southwesterly exterior corner of the tract herein described;

↓ Continued
↓ Page 1 of 2



- ↓ Page 2 of 2
- ↓ Metes and Bounds Description of 22.174 Acres in the
- ↓ James Tylee Heira Survey, Abstract 304, Austin County, Texas
- ↓ Parcel No. 1

THENCE, continuing with said northeasterly margin of said Bernard Road, North 00 degrees 10 minutes 41 seconds East, a distance of 105.77 feet to a fence angle post found for corner, and same being a northwesterly exterior corner of the tract herein described;

THENCE, continuing with the southeasterly margin of said Bernard Road, North 41 degrees 37 minutes 33 seconds East, a distance of 303.95 feet to a 1/2 inch iron rod found for corner, same being a northwesterly exterior corner of the aforementioned residus of said called 34.074 acre parcel, same being the most southerly corner of that certain called 5.233 acre parcel as described by deed recorded in Volume 458, Page 317 of the Deed Records of Austin County, Texas, and same being a northwesterly exterior corner of the tract herein described;

THENCE, departing said northeasterly margin of said Bernard Road and with said common line, North 44 degrees 08 minutes 32 seconds East, a distance of 256.67 feet (called North 44 degrees 04 minutes 37 seconds East, 256.37 feet) to a 5/8 inch iron rod found for corner, same being a southeasterly exterior corner of said called 5.233 acre parcel, same being the most westerly northwest corner of that certain First Tract called 19.181 acre parcel as described by deed recorded in Volume 355, Page 628 of the Deed Records of Austin County, Texas, same being the most northerly corner of the residus of said called 34.074 acre parcel, and same being the most northerly corner of the tract herein described;

THENCE, with said common line, South 47 degrees 07 minutes 55 seconds East, a distance of 977.69 feet (called South 47 degrees 07 minutes 21 seconds East, 977.61 feet) to a 5/8 inch iron rod found for corner, same being a southwesterly exterior of said First Tract called 19.181 acre parcel, same being a northeasterly interior corner of the residus of said called 34.074 acre parcel, and same being a northeasterly interior corner of the tract herein described;

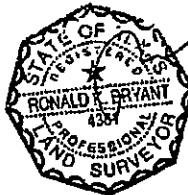
THENCE, continuing with said common line, South 51 degrees 06 minutes 07 seconds East, a distance of 342.05 feet (called South 51 degrees 06 minutes 07 seconds East, 342.09 feet) (Basis of Bearings) to a 1/2 inch iron rod found for corner, same being the most southerly corner of said First Tract called 19.181 acre parcel, same being in the northwesterly line of the aforementioned Third Tract called 100.00 acre parcel, same being the most easterly corner of the residus of said called 34.074 acre parcel, and same being the most easterly corner of the tract herein described;

THENCE, with said common line, South 42 degrees 58 minutes 00 seconds West, a distance of 1,132.73 feet (called South 43 degrees 00 minutes 00 seconds West, 1,133.24 feet) to the POINT OF BEGINNING of the tract herein described and containing 22.174 acres of land, more or less.
Please refer to Boundary Survey, Prepared by A-Survey, Inc., dated December 18, 2012.

PROJECT NO. 12184A - PARCEL NO. 1

DECEMBER 18, 2012

COMPILED BY:



19 N. Miller Bellville, Texas 77418

A-Survey, Inc.

1-979-865-8111 1-800-427-8783

AFTER FILING RETURN TO:

DOYLE LAW FIRM, PLLC

6710 Stewart Road, Suite 300

Galveston, Texas 77551

(409) 744-9783 (office)

(409) 7444-9786 (Facsimile)

NOTICE OF FORECLOSURE SALE

THE STATE OF TEXAS §
COUNTY OF AUSTIN § KNOW ALL PEOPLE BY THESE PRESENTS:
§

The undersigned has been appointed as one of the substitute trustees to foreclose the following described Deed of Trust lien. The original deed of trust was executed by Marlene Janet Sarres, aka Marlene J. Sarres to Herman Torres, Trustee. It was dated November 6, 2019, and executed for the benefit of the Beneficiary, GL&L Holdings LLC, a Texas limited liability company. The deed of trust was duly recorded under Clerk's File No. 195064, of the Official Public Records of Real Property of Austin County, Texas, it was executed to secure the payment of that one certain promissory note in the original principal amount of \$700,000.00. Default has occurred under the note and deed of trust.

Either I, or Meagan L. Randle or Ebbie Murphy will, as Substitute Trustee under said Deed of Trust, in order to satisfy the indebtedness secured thereby, foreclose the deed of trust lien and sell the property (together or in separate parcels) on **Tuesday, December 5, 2023** (that being the first Tuesday of said month). The sale will be at public auction to the highest bidder for cash, (however, the beneficiary will be allowed to make a credit bids). The sale will be held in the area designated by the County Commissioners Court for deed of trust foreclosures, at the hour of 1:00 p.m. or within three hours thereafter of that day. The property is described as follows:

0.611 acre of land, more or less, being all of Lot One (1) and Two (2), and a portion of Lot Three (3) of Block Forty-three (43) of the "Town (City) of Sealy," recorded in Volume "X", Page 6 of the Deed Records of Austin County, Texas, San Felipe De Austin Town Tract, A-5, "City of Sealy", Austin County, Texas; subject tract being the residue of that tract described in Deed to Jerry Mazac and wife, Mary Geraldine Mazac, recorded in Volume 381, Page 876, Deed Records, Austin County, Texas. Said tract of land being more particularly described by metes and bounds in Exhibit "A" attached.

EXECUTED on November 13, 2023.

Andrea Calderon
COUNTY CLERK
AUSTIN COUNTY, CLERK

2023 NOV 14 PM 4:00

FILED

Richard Melamed *Meagan Randle*

Richard Melamed, Substitute Trustee
P.O. Box 3130
Bellaire, Texas 77401
(713) 884-0104
rm@matty.com

2023-0047



4802095

EXHIBIT "A"

0.611 acres and being all of Lot 1 and 2, and a portion of Lot 3 of Block 43 of the "Town (City) of Sealy", recorded in Volume "X", Page 6 of the Deed Records of Austin County, Texas, San Felipe De Austin Town Tract, A-5, "City of Sealy", Austin County, Texas. Subject tract being the residue of that tract described in Deed to Jerry Mazac and wife, Mary Geraldine Mazac, recorded in Volume 381, Page 876, Deed Records, Austin County, Texas.

ALL THAT TRACT OR PARCEL OF LAND consisting of 0.611 Acres and being all of Lot 1 & 2 and a portion of Lot 3 of Block 43 of the "Town (City) of Sealy" recorded in Volume "X", Page 6 of the Deed Records of Austin County, Texas, San Felipe de Austin Town Tract, A-5, "Town (City) of Sealy", Austin County, Texas. Subject tract being the residue of that tract described in Deed to Jerry Mazac, and wife, Mary Geraldine Mazac recorded in Volume 381, Page 876 D.R.A.C.T. Said Tract consisting of 0.611 Acres and being more particularly described as follows:

BEGINNING at a nail found at the intersection of the South Right-of-way of 2nd Street (80 ft. R.O.W.) and the West Right-of-way of Meyers Street (State Highway 36, 80 ft. R.O.W.) and being the Northeast corner of Lot 1 of Block 43 and the Northeast corner of the herein described tract;

THENCE S 12° 27' 55" E, with the West Right-of-way of Meyers Street, a distance of 190.00 ft. to a 1/2 inch iron rod set for the Northeast corner of that tract described as 65' X 110' in Volume 362, Page 87 D.R.A.C.T. and being the Southeast corner of the herein described tract;

THENCE S 77° 32' 05"W, with the North line of various tracts recorded in Volume 362, Page 87 D.R.A.C.T.; Volume 784, Page 865 of the Official Records of Austin County, Texas; Volume 409, Page 983 D.R.A.C.T. and File# 055632 O.R.A.C.T., a distance of 140.00 ft. to a 1/2" iron found in the East Right-of-way of a 20 ft. Alley and being the Northwest corner of the called 2980 Sq. Ft. tract recorded in File# 055632 O.R.A.C.T. and being the Southwest corner of the herein described tract;

THENCE N 12° 27' 55"W, with the East line of said Alley, a distance of 190.00 ft. to a 1/2" iron rod found at the intersection of the East Right-of-way of said Alley and the South Right-of-way of 2nd Street, for the Northwest corner of Lot 1 and the Northwest corner of the herein described tract;

THENCE N 77° 32' 05" E, with the South Right-of-way of 2nd Street, a distance of 140.00 ft. to the **PLACE OF BEGINNING** and containing 0.611 Acres.