

NOTICE OF ACCELERATION AND NOTICE OF 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.

DEED OF TRUST INFORMATION:

Date: 03/03/2020
Grantor(s): JASON GAINES, A SINGLE MAN
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR GUILD MORTGAGE COMPANY, A CALIFORNIA CORPORATION, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$179,797.00
Recording Information: Instrument 200981
Property County: Austin
Property: (See Attached Exhibit "A")
Reported Address: 417 N MEINECKE ST, BELLVILLE, TX 77418

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: Idaho Housing and Finance Association
Mortgage Servicer: Idaho Housing and Finance Association
Current Beneficiary: Idaho Housing and Finance Association
Mortgage Servicer Address: 565 W. Myrtle, Boise, ID 83702

SALE INFORMATION:

Date of Sale: Tuesday, the 7th day of March, 2023
Time of Sale: 01:00PM or within three hours thereafter.
Place of Sale: AT THE FOYER OF THE AUSTIN COUNTY COURTHOUSE in Austin County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Austin County Commissioner's Court, at the area most recently designated by the Austin County Commissioner's Court.

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Megan Randle or Ebbie Murphy, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Megan Randle or Ebbie Murphy, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.

FILED

2023 JAN 19 PH 3:41

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY TEXAS

2023-0001

9658-0508

2147032669

PG1

POSTPKG

4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Substitute Trustee(s): Megan Randle or Ebbie Murphy, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am Megan C. Randle whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on 01/19/23 I filed and / or recorded 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.

By: Megan C. Randle

Exhibit "A"

ALL THAT TRACT OR PARCEL OF LAND CONSISTING OF 0.200 ACRES LOCATED IN THE JOHN NICHOLS LEAGUE, A-73, "CITY OF BELLVILLE," AUSTIN COUNTY, TEXAS, SUBJECT TRACT BEING THAT SAME TRACT DESCRIBED IN DEED TO CLAYTON WILLIAMS, AND WIFE, JIMMIE ODOM WILLIAMS, RECORDED IN FILE# 074540 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS, SAID TRACT CONSISTING OF 0.200 ACRES AND BEING MORE PARTICULARLY DESCRIBED IN A ATTACHED EXHIBIT "A" INCORPORATED HEREIN FOR ALL PURPOSES.

ALL THAT TRACT OR PARCEL OF LAND CONSISTING OF 0.200 ACRES LOCATED IN THE JOHN NICHOLS LEAGUE, A-73, "CITY OF BELLVILLE," AUSTIN COUNTY, TEXAS, SUBJECT TRACT BEING THAT SAME TRACT DESCRIBED IN DEED TO CLAYTON WILLIAMS, AND WIFE, JIMMIE ODOM WILLIAMS, RECORDED IN FILE# 074540 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS. SAID TRACT CONSISTING OF 0.200 ACRES AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE SOUTH RIGHT-OF-WAY OF GREENHILL STREET (50' R.O.W.) AT ITS INTERSECTION WITH MEINECKE STREET (50' R.O.W.) AND BEING THE NORTHEAST CORNER OF THAT 2,250 SQ. FT. TRACT DESCRIBED IN DEED TO THE CITY OF BELLVILLE RECORDED IN VOLUME 627, PAGE 389 O.R.A.C.T. FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 65D 18' 00" E, PASSING AT 19.54 FT. A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF LOT 1 OF ROBERT MEINECKE SUBDIVISION RECORDED IN VOLUME 371, PAGE 903 DEED RECORDS OF AUSTIN COUNTY, TEXAS AND CONTINUING, A TOTAL DISTANCE OF 116.00 FT. TO A POINT AT AN EXISTING FENCE CORNER POST FOR THE NORTHWEST CORNER OF THE 0.257 ACRE TRACT DESCRIBED IN DEED TO MARTIN L. AND ROBIN A. GESSNER RECORDED IN FILE# 135041 O.R.A.C.T. AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 24D 58' 44" W, WITH THE COMMON LINE WITH THE 0.257 ACRE TRACT, A DISTANCE OF 75.00 FT. TO A POINT FOR CORNER AT AN EXISTING FENCE CORNER POST FOR THE NORTHEAST CORNER OF THE 0.256 ACRE TRACT DESCRIBED IN DEED TO ROBIN D. DONALDSON RECORDED IN FILE# 997143 O.R.A.C.T. AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 65D 17' 57" W, WITH THE COMMON LINE WITH THE 0.256 ACRE ADJOINING TRACT, A DISTANCE OF 117.00 FT. TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE 2,250 SQ. FT. CITY OF BELLVILLE TRACT AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 25D 44' 34" E, WITH THE COMMON LINE WITH THE 2,250 SQ. FT. CITY OF BELLVILLE TRACT, A DISTANCE OF 75.01 FT. TO THE PLACE OF BEGINNING AND CONTAINING 0.200 ACRES.

NOTES: BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF ROBERT MEINECKE SUBDIVISION RECORDED IN VOLUME 371, PAGE 903 O.R.A.C.T.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

FILED

2023 JAN 19 PM 3:41

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY TEXAS

2023-0001

9658-0508

2147032669

PG2

POSTPKG

Notice of Foreclosure Sale

Deed of Trust ("Deed of Trust"):

Dated: July 5, 2017

Grantors: Alfonso Gonzales Soto and spouse, Lorena Caballero

Trustee: Ervin B. Flencher, Jr.

Lender: Citizens State Bank

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

Legal Description:

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

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

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

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

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

Foreclosure Sale:

Date: Tuesday, March 7, 2023

FILED
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.

2023 FEB -7 AM 8: 49

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY TEXAS

2023-0002

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

Tract 1



FRANCIS L. HENSON
TRACT 1
0.254 ACRES

ALL THAT TRACT OR PARCEL OF LAND consisting of 0.254 Acres located in the John W. Fanny Survey, A-214, Austin County, Texas, Subject Tract being a portion of the called 3.371 Acre tract that is described in a Deed to D. M. Simpson, Sr., and wife, Frances L. Simpson as recorded in Volume 322, 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 Kenney as recorded in Volume 177, Page 315 D.R.A.C.T. and said tract consisting of 0.254 Acres and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the Southwest line of Loop 497 and being the East corner of various tracts belonging to Erno U. Mantey, et ux as recorded in Volume 378, 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;

THENCE S 58d 41' 51" E, with the Southwest Right-of-way of Loop 497, a distance of 89.78 Ft. (Called S 57d 44' E, 88.17 Ft.) to a 1/2" iron rod found at a fence corner point and being the North corner of various tracts belonging to Walter Stephen Pawlowski as recorded in Volume 383, Page 48 of the Official Records of Austin County, Texas and being the East corner of the herein described tract;

THENCE S 30d 41' 18" W, with the common line with the Pawlowski Tract and generally with an existing fence line, a distance of 130.13 Ft. (Called S 31d 38' W) to a 1/2" iron rod set for the Southwest and South corner of the herein described tract;

THENCE N 54d 29' 51" W, severing the parent tract, a distance of 98.43 Ft. (In Call) to a 1/2" iron rod found for the South corner of the Mantey Tract and being an "X" corner in the parent tract, for the West corner of the herein described tract;

THENCE N 30d 59' 21" E, with the common line with the Mantey Tract, a distance of 125.07 Ft. (Called N 31d 50' E, 123.28 Ft.) to the PLACE OF BEGINNING and containing 0.254 Acres.

September 8, 2000
 H.S.A. 4231

Page 8 of 8

105E, lhp EQ 50436 lhp, lhp 7741E 979/845914S For 971/8453709

EXHIBIT A

RECORDING'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

FRANCIS E. BARNER

DECEASED

0.784 ACRES (continued)

NOTES: Bearings above herein are based upon the description of the
3.371-acre tract recorded in Volume 122, Page 452 P.R.S.O.R.

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

September 5, 2000
P.D.# 4271

Gary S. Alexander
Registered Professional Land Surveyor, #419



Page 2 of 3

104 E. 11th St. P.O. Box 396 Tallahassee, Florida 32301-0396 Tel: 904/774-1111 Fax: 904/765-5798

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.

2023-0002

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 Deed Records of Austin County, Texas. Subject tract being a portion of the 8.276 Acre tract that is described in a Deed to the Frances Louise Sampson Trust recorded in File# 006496 of the Official Records of Austin County, Texas. Said tract consisting of 4.138 Acres and being more particularly described as follows:

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

THENCE N 42d 36' 47" N, 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" N, 28.01 ft.) to a 1/2" iron rod found at a fence corner post and being an angle point in the 17.943 Acre adjoining tract and being the East corner of a 4.138 Acre tract that has been designated as Tract "A" and having been surveyed and described this day and being an angle point in the herein described tract;

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

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

November 30, 2001
W.O.# 4492

Page 1 of 4

EXHIBIT B



**ALEXANDER SURVEYING
LAND SURVEYORS**

FRANCIS LOUISE SAMPSON TRACT

TRACT 2B

4.138 ACRES (continued)

FENCE 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, as recorded in Volume 375, Page 467 D.R.A.C.T. and being an angle point in the herein described tract;

FENCE S 57d 47' 35" E, with the common line with those various tracts mentioned above and generally with an existing fence line, a distance of 83.46 ft. (Called S 57d 47' 35" E, 83.46 ft.) to a 1/2" iron rod found at a fence corner post and being in the approximate centerline of an abandoned alley and being the Southwest or West corner of the 5.264 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;

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

FENCE S 30d 44' 18" W, with the original East line of the 8.276 Acre parent tract, a distance of 0.85 ft. (Called S 30d 44' 18" W, 0.85 ft.) to a 1/2" iron rod found for an angle point;

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

FENCE 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 O.R.A.C.T. and being an angle point in the parent tract and in the herein described tract;

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

November 30, 2001
W.O.# 4492

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ALEXANDER SURVEYING
LAND SURVEYORS

FRANCIS LOUISE HAMPSON TRACT

TRACT "B"

4.138 ACRES (continued)

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

TRANCE S 56d 03' 59" E, with the approximate centerline of said unnamed road and passing at 68.51 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;

TRANCE 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;

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

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

TRANCE 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 (bear) 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.D.# 4492

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2023-0002



**ALEXANDER SURVEYING
LAND SURVEYORS**

FRANCIS LOUISE SAMSON TRUST

TRACT 889

4.138 ACRES (continued)

the herein described tract)

TRKCR S 37° 15' 31" W, with the West right-of-way of Travis Road (Public Road), a distance of 214.20 ft. (Called S 37° 15' 33" W, 214.20 ft.) to the PLACE OF BEGINNING and containing 4.138 Acres.

NOTES: Bearings shown hereon are based upon the survey and description of the 8.276 Acre tract recorded in files 006495 O.R.A. C-7.

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

November 30, 2001
W.O.# 4492

Glen E. Alexander
Registered Professional Land Surveyor, #1194



Page 4 of 4

2023-0002

LESS AND EXCEPT



CORNER, FILED E. SURVEY

SURVEY, JOHN E. SURVEY

3.355 ACRES

ALL THAT PART OR PARTS OF LAND consisting of 3.355 Acres located in the John E. Survey, A-244, Austin County, Texas. Subject tract being a portion of the 5.276 Acre tract described in a Deed Francis Leslie Simpson Trust recorded in File# 95078 of the official Records of Austin County, Texas. Said tract also being a portion of the "Map of Survey" recorded in Volume "T", Page 215 of the said Records of Austin County, Texas. Said tract measuring 3.355 Acres and being more particularly described as follows:

beginning at a point at a fence corner post (found iron rod destroyed) in the West Right-of-Way of Travis Road (Public Road) and being on the common line with the called 17.943 Acre tract described in a Deed to Russell Neal Howell recorded in File# 98106 D.R.L.C.T. and being an angle point in the Southeast line of the 5.276 Acre tract mentioned above and being the extreme South corner of the herein described tract;

thence N 42° 38' 17" E, departing the Right-of-Way of Travis Road and with the common line with the small tract and generally with an existing fence, a distance of 26.01 ft. (Called P. and 36' 4" E, 24.01 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 Donis Jean Elfrey recorded in File# 95078 D.R.L.C.T. and being an angle point in the Southwest line of the herein described tract;

thence N 44° 03' 56" E, with the common line with the 4.138 Acre adjoining tract, a distance of 268.02 ft. (No Call) to a 1/2" iron rod set at a large fence post and being an angle point in the 4.138 Acre tract and the herein described tract;

thence N 11° 02' 13" E, continuing with the common line with the 4.138 Acre tract, a distance of 623.09 ft. (No Call) to a point at a fence corner post at the North corner of the 4.138 Acre tract and being an angle point in the West line of the herein described tract;

thence N 12° 12' 25" E, generally with an existing fence, a distance of 113.16 ft. (Called N 12° 12' 25" E, 113.50 ft.)

April 12, 2008
S.O. # 18-6112
Page 2 of 4

1052 Main St. P.O. Box 266 P.O. Box 1277418 979/825-9145 Fax 979/845-4788
http://www.alexandersurveying.com

EXHIBIT B-1

RECORDER'S MEMORANDUM

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ALEXANDER SURVEYING
LAND SURVEYORS

OWNER: PAUL S. WILSON

OWNER: CARL S. JOHNSON

0.202 Acres (continued)

to a point at a fence corner post for an angle point in various tracts belonging to Fred D. Mahoney, et al recorded in Volume 375, Page 457 G.L.A.C.S. and being an angle point in the herein described tract;

BEARING S 37d 47' 36" E. continuing with the common line with the Mahoney tract and generally with an existing fence, a distance of 21.45 ft. (called S 37d 47' 36" E. 21.45 ft.) to a point at a fence corner post found in concrete at the Southwest corner of the 0.264 Acre tract that is described in the above mentioned deed to the Francis Louise Sampson Trust and being the Northwest corner of the 0.202 Acre tract which is a portion of the 0.376 Acre parent tract that has been surveyed and described this day, for an angle point in the herein described tract;

BEARING S 30d 10' 29" N. with the common line with the 0.202 Acre tract, a distance of 93.04 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 49d 09' 45" E. with the common line with the 0.202 Acre tract, a distance of 21.75 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 N 30d 44' 17" E. continuing with the common line with the 0.202 Acre tract, a distance of 77.82 ft. (No Call) to a 1/2" iron rod found for an angle point in the 0.216 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' 15" E. with a line, which is South or Southwest of an existing alley by approximately 38 - 20 ft., a distance of 301.26 ft. (called S 58d 09' 15" E. 301.26 ft.) to a 1/2" iron rod found at a chainlink fence corner post and being the occupied Southwest corner of various tracts belonging to James M. Heisser, et al recorded in File# 079021 G.L.A.C.S. and being an angle point in the herein described tract;

BEARING S 30d 54' 41" E. with the common line with the Heisser tract and generally with an existing fence, a distance of 135.16 ft. (called S 30d 54' 41" E. 135.16 ft.) to a 1/2"

April 12, 2018
R.D. # 10-6232
Page 2 of 4

105 E. Main St. P.O. Box 366, Duluth, MN 55811 779/2659145 Fax 779/2654988
Email alexander@alexandersurveyors.com

RECORDER'S MEMORANDUM

At this 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 inclusions, additions and changes were present at the time the instrument was filed and recorded.



OFFICE: BOYD S. KOCKEN

NOTES: JOHN G. BARNETT

3.855 ACRES (continued)

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

MARKER S 564 03' 59" E, with the approximate centerline of said unnamed road and passing at 48.51 ft. a 1/2" iron rod found at the intersection of the centerline of said unnamed road and the called West Right-of-way of Thompson Street (called 70' R.O.W.) and continuing, a total distance of 100.57 ft. (called S 563 03' 39" E, 100.01 ft.) to a point in the approximate centerline of Thompson Street and being an angle point in the herein described tract;

MARKER S 304 45' 31" S, with the approximate centerline of Thompson Street, a distance of 137.98 ft. (called S 304 45' 31" S, 137.98 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 1.275 Acre parcel tract and in the herein described tract;

MARKER S 584 56' 46" E, with the centerline of said Alley, a distance of 151.11 ft. (called S 584 56' 44" E, 151.11 ft.) to a 1/2" iron rod found for an angle point;

MARKER S 114 18' 11" W, passing 91.10 ft. a 1/2" iron rod found at a fence corner post for the Northwest corner of Lot 15 of Block 7 of the "Town of Kenney" belonging to Wm. S. Williamson recorded in Plat 03161 D.R.A.C.T. and continuing generally with an existing fence, a total distance of 123.59 ft. (called S 114 18' 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;

MARKER S 584 23' 28" E, with the South line of Lot 16, 17, 18, 19 and 21 of Block 7, the same being these tracts belonging to Wm. S. Williamson as mentioned above and generally with an existing fence, a distance of 194.46 ft. (called S 584 23' 28" E, 194.46 ft.) to a 1/2" iron rod found in the Northwest Right-of-way of Travis Road and being an angle point in the 1.275 Acre parcel tract and in the herein described tract;

MARKER S 374 15' 33" W, with the Northwest Right-of-way of Travis Road, a distance of 214.20 ft. (called S 374 15' 33" W, 214.20 ft.) to the SEACR of EXAMINERS and containing 3.855 Acres.

April 12, 2010
M.C. & L.S. 2010

Page 3 of 4

1032 Main St. P.O. Box 385 Lubbock, TX 79415 779/845-1145 Fax 779/845-5785
<http://www.alexandersurveying.com>

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.



OWNER: JOHN S. WISDOM
BUYER: JOHN C. BARNETT
CLASS ACTION (continued)

NOTES: Bearings shown herein are based upon the 9.776 Acre tract recorded in Plat 805476 D.R.A.C.S.

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

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

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

John S. Wisdom
 John S. Alexander
 Registered Professional Land Surveyor, P.L.S.

Page 4 of 4



RECORDER'S MEMORANDUM
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FILED

2023 FEB -7 AM 8:49

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY, TEXAS

2023-0002

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 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.

RECITALS:

- A. The undersigned is the current owner and holder of the Promissory Note described below.
- B. The Promissory Note is secured by the Deed of Trust described below.
- C. The Borrower named below is in default under the Promissory Note and the Deed of Trust and the default has not been cured after receiving notice of default and opportunity to cure.
- D. The undersigned has accelerated the indebtedness evidenced by the Promissory Note.

NOTICE OF FORECLOSURE SALE:

Notice is given that the Property described below shall be sold at public auction on the date, at the time, and in accordance with the terms contained in this Notice of Foreclosure Sale and the applicable laws of the State of Texas.

1. Date, Time, and Place of Sale:

Date: The sale shall be held on Tuesday, March 07, 2023.

Time: The sale will begin at 1:00 PM central timezone and will be conducted within three hours thereafter.

Place: In the area designated by the Commissioners Court of such County, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Foreclosure Sale is posted).

2. Terms of Sale:

Because of the default in performance of the obligations secured by the Deed of Trust, the Trustee will sell the property "As Is" by public auction to the highest bidder for cash.

FILED

2023 FEB 13 AM 11:48

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY, TEXAS

2023-0003

3. Instrument to be Foreclosed:

The security instrument to be foreclosed is the Deed of Trust dated June 10, 2022, by Mike & Mike Investments LLC as grantor(s), to Gary Lancaster, as Trustee, for the benefit of Sabine Flipco Financial, LLC as beneficiary, and recorded under #223643 in the official public records of Austin County, Texas.

4. Name and Address of Trustee:

The name of the Trustee is: Gary Lancaster.

The address of the Trustee is: 12140 Wickchester Drive, Suite 111, Houston , Texas 77079.

5. Obligations Secured:

The indebtedness evidenced by the Promissory Note in the original principal amount of Five Hundred Fifty Eight Thousand Dollars and No Cents (\$558,000.00), including all accrued and unpaid interest and all other amounts payable by the debtor[s] as described in the promissory note, any other related documents and all modifications, renewals, and extensions thereof. Sabine Flipco Financial, LLC is the current lien holder of the Deed of Trust and the current owner and holder of the

6. Property to Be Sold:

The property to be sold is described as follows:

See attached Exhibit A incorporated herein as if set forth at length.

7. Additional Provisions:

Default has occurred in the payment of the Promissory Note and in the performance of the obligations of the Deed of Trust. Because of that default, Sabine Flipco Financial, LLC, the owner and holder of the Promissory Note and Deed of Trust, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is given of Sabine Flipco Financial, LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Sabine Flipco Financial, LLC's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

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 Sabine Flipco Financial, LLC 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 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 released or 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 by Sabine Flipco Financial, LLC from the security interest of the Deed of Trust. Prospective bidders are urged to examine the applicable property records to determine the nature and extent of such matters, if any.

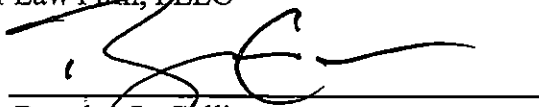
Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical 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 Substitute Trustee.

This Notice of Foreclosure Sale is executed this 10 day of February, 2023.

Lancaster Law Firm, PLLC

By:



Brandon L. Collins
12140 Wickchester Lane, Suite 111
Houston, Texas 77079

LENDER CONTACT:
Warren Taake
wtaake@nu-devco.com

EXHIBIT A

Legal Description to Real Property

[Commonly known as 539 Meadow Creek Road Bellville, Texas 77418 and by Tax Parcel ID No. 52598001]

Lot No. 41, being 13.669 acres, more or less, in Piney Creek Subdivision, Section One, Austin County, Texas, according to the map and plat recorded in Volume 1, Page 23, Plat Records of Austin County, Texas.