

**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:** The sale is scheduled to be held at the following date, time, and place:

Date: **Tuesday, January 2, 2024**

Time: The sale will begin at 10:00 A.M. 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 COURT**

2. **Property to be Sold:** The property to be sold is the real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described as follows:

**TRACT ONE:** 0.333 acre of land located in the J. P. Borden Survey, A-126, and the R. M. Williamson Survey, A-105, Austin County, Texas, being the same land described in a deed from Houston Lighting & Power Company to Mable Rushing, et vir, dated July 23, 1975, recorded in Volume 372, at Page 677 of the Deed Records of Austin County, Texas, and being further described as Tract One in a deed from Mable Rushing, et al, to Peggy J. Teague, dated April 10, 1997, recorded in Volume 776, at Page 532 of the Deed Records of Austin County, Texas.

**TRACT TWO:** 0.333 acre of land located in the J. P. Borden Survey, A-126, and the R. M. Williamson Survey, A-105, Austin County, Texas, being the same land described in a deed from Houston Lighting & Power Company to Cecil Verm, et ux, dated July 23, 1975, recorded in Volume 372, at Page 679 of the Deed Records of Austin County, Texas, and being further described as Tract Two in a deed from Mable Rushing, et al, to Peggy J. Teague, dated April 10, 1997, recorded in Volume 776, at Page 532 of the Deed Records of Austin County, Texas.

**TRACT THREE:** 0.333 acre of land located in the J. P. Borden Survey, A-126, and the R. M. Williamson Survey, A-105, Austin County, Texas, being the same land described in a deed from Houston Lighting & Power Company to Margaret F. Toellner, et vir, dated July 23, 1975, recorded in Volume 372, at Page 682 of the Deed Records of Austin County, Texas, and being further described as Tract Three in a deed from Mable Rushing, et al, to Peggy J. Teague, dated April 10, 1997, recorded in Volume 776, at Page 532 of the Deed Records of Austin County, Texas.

1998 Woodland Park double-wide manufactured home, Label Nos. RAD1075857 and RAD1075858, Serial Nos. TXFLW86800571WP11 and TXFLW86A00571WP11, located on the above described real property.

**Property Address:** 3072 Mixville Road, Sealy, Austin County, Texas 77474

3. **Instrument to be Foreclosed:** The instrument to be foreclosed is the Deed of Trust dated August 21, 2018, from JAMES DOUGLAS TEAGUE, SR., to BRADLEY BURTTSCHELL, Trustee,

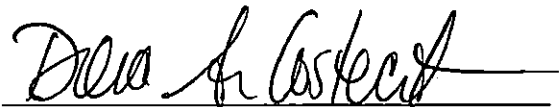
2023-0048

recorded in Clerk's File No. 184037 of the Official Public Records of Austin County, Texas, securing the payment of the indebtedness in the original principal amount of \$55,207.26, and obligations therein described including but not limited to the promissory note, and all modifications, renewals, and extensions of the promissory note. CITIZENS STATE BANK, Sealy, Texas, is the Lender (Mortgagee) and current Holder of the note and deed of trust.

4. **Appointment of Substitute Trustee:** In accordance with Texas Property Code Section 51.0076, the undersigned authorized agent for the Lender has named and appointed, and by these presents does name an appoint, DORA ANN GOSTECNIK, whose address is P. O. Box 449, 3811 Ave. H, Pattison, Texas 77466, Substitute Trustee, to act under and by virtue of said Deed of Trust.
5. **Terms of the Sale:** This public Foreclosure Sale will sell all property 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, to the highest cash bidder, with the exception of the Lender, who will be allowed to bid credit against the amount owed under the obligation secured in the Deed of Trust. The above described Deed of Trust may encumber both real and personal property. This document constitutes formal notice by the Lender to foreclose and sell the property as described in the Deed of Trust in accordance with the terms of the Texas Business and Commerce Code and the Deed of Trust. If there is any postponement or rescheduling of the Foreclosure Sale, additional notice will be posted and filed in accordance with the terms of the Deed of Trust and applicable Texas law. Potential purchasers are reminded that this sale of property is made subject to the exceptions to conveyance and warranties of the Deed of Trust, all prior liens and defects to title, and any rights of recession as set forth in the Texas Property Code. Potential purchasers should examine the property records describing the property within the Deed of Trust for further assurances. The Substitute Trustee will establish conditions for the Foreclosure Sale as are deemed reasonable and in accordance with the Texas Property Code. Any conditions beyond what are listed in this document will be disclosed prior to the opening of bidding on the day of the Foreclosure Sale.
6. **Default.** A default has occurred in the payment of the indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness. Due to the default under the terms of the Deed of Trust, the Lender directed, by and through agents, the Substitute Trustee to administer the trust provisions.
7. **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 Mortgagee, the Mortgagee, or the Mortgagee's attorney.

**THIS DOCUMENT ASSIGNS DORA ANN GOSTECNIK AS THE SUBSTITUTE TRUSTEE IDENTIFIED TO CARRY OUT THE SALE OF PROPERTY IDENTIFIED IN THE SECURITY INSTRUMENT AS SET FORTH IN THIS NOTICE OF FORECLOSURE SALE. THE SIGNER OF THIS DOCUMENT IS THE DULY AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

DATE: November 28, 2023.



DORA ANN GOSTECNIK, Substitute Trustee,  
Attorney at Law – The Gostecnik Law Firm, P.C.  
P. O. Box 449 – 3811 Ave. H  
Pattison, TX 77466-0449  
(281) 934-4141  
(281) 934-4142 - fax  
doraann@gostecniklaw.com

2023-0048

FILED

2023 NOV 29 PM 2: 25

Andrea Cardenas  
COUNTY CLERK  
AUSTIN COUNTY, CLERK

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.

Andree Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK

2023 NOV 14 PM 4:00

FILED

Richard Melamed, Substitute Trustee
Megan Randle

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.

**Notice of Foreclosure Sale**

December 11, 2023

Deed of Trust ("Deed of Trust"):

Dated: September 28, 2023

Grantor: Jani Group LLC

Trustee: Ori Vaisbort

Lender: OVE LLC

Recorded in: Deed of Trust of the real property records of Harris County, Texas, being in renewal and extension of Deed of Trust recorded in the real property records of Austin County, Texas

Legal Description: Lot 9, Block 5, BRAZOS COUNTRY, SECTION 4, City of Brazos Country, Austin County, Texas according to the map or plat thereof recorded in Volume 1, Page 55, Plat Records of Austin County, Texas. Being the same property described in Deed dated June 11, 1998, executed by Sidney A. Bergoon and Tommie A. Bergoon to Bret A. Barclay and Laura L. Barclay, husband and wife, recorded under Clerk's File No. 984800, Official Public Records of Austin County, Texas.

Commonly known as: 506 Pecan Grove. Rd. Sealy, Texas 77474

commonly known as: Multiple

Secures: PROMISSORY NOTE ("Note") in the original principal amount of \$100,000.00, executed by Jani Group LLC ("Borrower") and payable to the order of Lender

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

FILED

2023 DEC 12 PH 4: 02

*Andrea Cardenas*  
COUNTY CLERK  
AUSTIN COUNTY, CLERK

2023-0050

**Foreclosure Sale:**

**Date:** Tuesday, January 2, 2024

**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. and not later than three hours thereafter.

**Place:** Bayou City Event Center, 9401 Knight Road, Houston, Texas 77045 in the large ballroom in the designated area outlined in the Commissioner's Court Order or as designated by the county commissioners.

**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 OVE LLC'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, OVE LLC, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of OVE 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 OVE LLC'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, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If OVE 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 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 OVE LLC. 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, Substitute 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.

**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.**

**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.**



\_\_\_\_\_  
Ori Vaisbort