

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: 01/04/2022

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

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

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

2. Terms of Sale: The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust. Any conveyance of the property is subject to all matters of record affecting the property.

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

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

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



Notice of [Substitute] Trustee Sale

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

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

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

8. Mortgage Servicer Information: The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the property referenced above. **PHH Mortgage Corporation**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

C/O PHH Mortgage Corporation

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

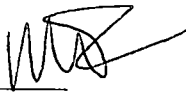

Phone: 877-744-2506

Notice of [Substitute] Trustee Sale

9. Limitation of Damages: If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's attorney.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

Date: November 19, 2021



Camisha Scott, Iman Walcott, Tanesha Humphrey, Claire Buxton, **Glenda Hamilton** – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

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

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

I am Meghan L. Hinkle Certificate of Posting
whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230,
Houston, TX 77056. I declare under penalty of perjury that on 11/23/2021 I filed this Notice of Foreclosure Sale at the office
of the Austin County Clerk and caused it to be posted at the location directed by the Austin County Commissioners Court.

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 4th day of January, 2022
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 Reid Ruple, Kathleen Adkins, Evan Press, Cary Corenblum, Kristopher Holub, Joshua Sanders, Julian Perrine, Amy Oian, Matthew Hansen, Ramiro Cuevas, Jami Hutton, Aleena Litton, Alexis Banks, Auction.com, Dana Dennen, Cindy Dennen, Traci Yeaman, Braden Barnes, Carlos Hernandez-Vivoni, or Tori Jones, 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. Reid Ruple, Kathleen Adkins, Evan Press, Cary Corenblum, Kristopher Holub, Joshua Sanders, Julian Perrine, Amy Oian, Matthew Hansen, Ramiro Cuevas, Jami Hutton, Aleena Litton, Alexis Banks, Auction.com, Dana Dennen, Cindy Dennen, Traci Yeaman, Braden Barnes, Carlos Hernandez-Vivoni, or Tori Jones, 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.

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): Reid Ruple, Kathleen Adkins, Evan Press, Cary Corenblum, Kristopher Holub, Joshua Sanders, Julian Perrine, Amy Oian, Matthew Hansen, Ramiro Cuevas, Jami Hutton, Aleena Litton, Alexis Banks, Auction.com, Dana Dennen, Cindy Dennen, Traci Yeaman, Braden Barnes, Carlos Hernandez-Vivoni, or Tori Jones, 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 Runcle whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on 12/09/2021 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 Runcle

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

2021 DEC -9 AM 11: 17

Carrie Gregor
COUNTY CLERK
AUSTIN COUNTY, TEXAS

2021-0017

9658-0508

2147032669

PG2

POSTPKG

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

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

WHEREAS, on June 3, 2013, **CDR Process Solutions Manufacturing, LLC f/k/a CDR Strainers & Filters, Inc.** ("Maker" or "Borrower"), executed and delivered that certain **Promissory Note** in the original principal amount of SIX HUNDRED TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$625,000.00), payable to Enterprise Bank, and bearing interest as stated therein (the "Note"), said Note being secured by that certain **Deed of Trust, Security Agreement, Financing Statement, and Assignment of Rents** dated June 3, 2013, executed by **CDR STRAINERS & FILTERS, INC, a Texas Corporation** as "Grantor" in favor of Albert M. Dashiell, Trustee, and filed for record on June 5, 2013 in the Official Public Records of Austin County, Texas, under Instrument No. 132852 (the "Deed of Trust") covering and describing the "Property" as such term is defined in the Deed of Trust; and

WHEREAS, default has occurred under the terms and provisions of the referenced Note and Deed of Trust and the same is now wholly due, and Allegiance Bank, successor by merger with Enterprise Bank (the "Mortgagee"), the owner and holder of the Note, has requested the undersigned to sell the Property and Collateral described below; and

WHEREAS, the above named Trustee and any previously appointed Substitute Trustee(s) was removed in accordance with the Deed of Trust and the Mortgagee designated

and appointed **Ted L. Walker, 125 Main Street, PO Box 62, Jasper, Texas 75951**, as Substitute Trustee to enforce the Trust.

NOW, THEREFORE, pursuant to the authority conferred upon me by the Deed of Trust, I hereby give notice that I will sell the Property and Collateral described below at public auction to the highest bidder, for cash, on **Tuesday, January 4, 2022**. The earliest time at which the sale will occur shall be at **11:00 o'clock a.m.** and it may take place not later than 1:00 p.m. The sale shall take place at **Foyer of the Austin County Courthouse or in the area designated by Commissioners Court of said county pursuant to Tex. Prop. Code § 51.002, located at One East Main St., Bellville, Texas 77418**, which has been designated as the area for foreclosure sales to take place. This conveyance will be made subject to any exceptions referenced in the Deed of Trust, if any, to the extent the same are still in effect and shall not cover any part of the Property and Collateral that has been released from the liens of the Deed of Trust. The Property and Collateral that will be sold at the foreclosure sale includes the following:

Property: TRACT 1: A TRACT OF LAND IN AUSTIN COUNTY, TEXAS, AS DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE
 TRACT 2: A TRACT OF LAND IN AUSTIN COUNTY, TEXAS, AS DESCRIBED ON EXHIBIT "A-I" ATTACHED;
 TOGETHER WITH ALL RIGHT, TITLE, INTEREST AND PRIVILEGES OF GRANTOR, WHETHER NOW OWNED OR HEREAFTER ACQUIRED IN AND TO: (I) THE REAL PROPERTY HEREIN DESCRIBED TOGETHER WITH ALL STREETS, WAYS, ROADS, ALLEYS, EASEMENTS, RIGHTS-OF-WAY, LICENSES, RIGHTS OF INGRESS AND EGRESS, VEHICLE PARKING RIGHTS AND PUBLIC PLACES, EXISTING OR PROPOSED, ABUTTING, ADJACENT, USED IN CONNECTION WITH OR PERTAINING TO SUCH REAL PROPERTY OR THE IMPROVEMENTS THEREON; (II) ANY STRIPS OR GORES OF REAL PROPERTY BETWEEN SUCH REAL PROPERTY AND ABUTTING OR ADJACENT PROPERTY; (III) ALL WATER AND UTILITY RIGHTS AND CAPACITY (INCLUDING WITHOUT LIMITATION, ANY AND ALL REIMBURSEMENT RIGHTS RELATING TO ANY UTILITIES), MINERAL AND MINERAL RIGHTS, TIMBER AND CROPS PERTAINING TO SUCH REAL PROPERTY; (IV) ALL APPURTENANCES AND ALL REVERSIONS AND REMAINDERS IN OR TO SUCH REAL PROPERTY; (V) ANY AND ALL BUILDING MATERIALS, FIXTURES, IMPROVEMENTS, EQUIPMENT, GOODS, PERSONAL PROPERTY AND OTHER PROPERTY DESCRIBED IN THE DEED OF TRUST; (VI) ALL PLANS AND SPECIFICATIONS, PERMITS AND LICENSES FOR DEVELOPMENT OF OR CONSTRUCTION OF

IMPROVEMENTS ON THE PROPERTY; (VII) ALL CONTRACTS AND SUBCONTRACTS RELATING TO THE DEVELOPMENT OF OR CONSTRUCTION OF IMPROVEMENTS ON THE PROPERTY; (VIII) ALL FRANCHISES, CERTIFICATES AND OTHER RIGHTS AND PRIVILEGES OBTAINED IN CONNECTION WITH THE PROPERTY.

Collateral: ALL BUILDINGS AND IMPROVEMENTS NOW EXISTING OR HEREAFTER CONSTRUCTED OR PLACED ON THE PROPERTY, INCLUSIVE OF, BUT NOT LIMITED TO, MANUFACTURED HOMES, AND ALL BUILDING MATERIAL, MACHINERY, APPARATUS, EQUIPMENT, INVENTORY, PERSONAL PROPERTY, APPLIANCES, AND FIXTURES, OF EVERY KIND AND NATURE, WHATSOEVER, NOW IN, A PART OF, AFFIXED TO, DELIVERED TO OR USED IN CONNECTION WITH SUCH IMPROVEMENTS, INCLUSIVE OF ALL GOODS WHICH ARE OR ARE TO BECOME FIXTURES, NOW OR HEREAFTER LOCATED IN OR ABOUT SUCH IMPROVEMENTS, INCLUDING SPECIFICALLY, WITHOUT LIMITATION, ALL HEATING, AIR CONDITIONING, VENTILATING, PLUMBING, ELECTRICAL FIXTURES AND WIRING, REPLACEMENTS THEREOF AND ADDITIONS THERETO.

ACTIVE MILITARY SERVICE NOTICE

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE 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. To determine if you are entitled to and what protections may be afforded you under the Servicemembers Civil Relief Act, you may call the toll-free telephone numbers for Military One Source: From the United States: 1-800-342-9647. From outside the United States (where available): 1-800-342-6477. International collect: 484-530-5747.

THE SALE OF THE PROPERTY AND COLLATERAL IS "AS-IS" AND "WHERE-IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. THE SUBSTITUTE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE COMPLIANCE WITH THE LAWS, RULES, AGREEMENTS OR

SPECIFICATIONS, CONDITION, QUALITY, CAPACITY, A DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY AND COLLATERAL, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

Dated: November 29, 2021

/s/ Ted L. Walker
Ted L. Walker, Substitute Trustee
PO Box 62
Jasper, Texas 75951
Phone (409) 384-8899
Facsimile (409) 384-9899
Email twalker@walker-firm.com

R VALLEGIANCE BANK\60-82 CDR Strainers\Foreclosure\JanFCSale\2021-11-29 NotSubTRSale.AustinCo.wpd



FRANK
SURVEYING COMPANY INC
2205 Walnut Street - Columbus, TX 78934
Ph: 979.732.5114 - Fax: 979.732.5271
www.franksurveying.com

EXHIBIT:A

AUSTIN COUNTY, TEXAS
WILLIAM SMEATHERS SURVEY, ABSTRACT NO. 90

DESCRIPTION OF AN 18.42 ACRE TRACT OF LAND OUT OF THE WILLIAM SMEATHERS SURVEY, ABSTRACT NO. 90, AUSTIN COUNTY, TEXAS AND BEING ALL OF THAT CALLED 18.40 ACRE TRACT OF LAND DESCRIBED IN A SUBSTITUTE TRUSTEE'S DEED DATED JUNE 5, 2012 FROM MARY E. TIDHOLM, SUBSTITUTE TRUSTEE TO SUNTRUST BANK, RECORDED IN CLERK FILE NO. 122651, OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS FOR WHICH REFERENCE IS MADE AND THE SAID 18.42 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch Iron rod found (Grid Coordinates: N 13,843,147.63 USft E 2,802,998.50 USft) in the Southeast line of State Highway No. 159 for the upper Northerly corner of the herein described tract, being the common Westerly corner of a called 4.004 acre tract of land described in a deed dated September 7, 1989 from Joe Coulter, et ux to Roland Lyle, et ux, recorded in Volume 608, Page 80, Austin County Official Records;

THENCE South 30° 48' 29" East (called South 27° 57' 24" East) with the Southwest line of said 4.004 acre tract, being a common Northeast line of the herein described tract a distance of 884.69 feet (called 884.73') to a 1/2 inch iron rod found for the Southerly corner of said 4.004 acre tract, being a common interior corner of the herein described tract;

THENCE North 61° 38' 36" East (called North 64° 30' 35" East) with the Southeast line of said called 4.004 acre tract and at 197.36 feet passing a 1/2 inch iron rod found for the Easterly corner of said 4.004 acre tract, being the common Southerly corner of a called 8.008 acre tract described in a deed dated November 10, 2003 from Theresa M. Council, et al to Julio Rodriguez, et ux, recorded in Clerk File No. 037570, Austin County Official Records, and continuing with the Southeast line of said 8.008 acre tract, the Southeast line of a called 4.001 acre tract described in a deed dated July 13, 2004 from Julio Rodriguez, et ux to Stacie Lynn Stech, recorded in Clerk File No. 044551, Austin County Official Records, being the common Northwest line of the herein described tract, being that same line as described in a boundary line agreement recorded in Clerk File No. 076137, Austin County Official Records for a total distance of 789.58 feet (called 789.53') to a 1/2 inch iron rod found for the Easterly corner of said 4.001 acre tract, being the common Westerly corner of a called 0.46 acre tract described in a deed dated October 8, 2008 from Belal Jarun, et al to Apex Properties of Texas, LLC., recorded in Clerk File No. 085550, Austin County Official Records, being the common Southerly corner of the residue tract of a called 4.248 acre tract described in a deed dated August 7, 2007 from Marcus Haysud to Jose Aldapa and Juan Aldapa, recorded in Clerk File No. 074492, Austin County Official Records;

THENCE South 30° 50' 53" East (called South 27° 58' 43" East) with the Southwest line of said 0.46 acre tract, being the common Southwest line of a called 1.00 acre tract of land described in a deed dated May 18, 1963 from George E. Jackson to Inez Phillips, recorded in Volume 286, Page 538, Austin County Deed Records a distance of 311.06 feet (called 310.93') to a 1/2 inch iron rod found for the Southerly corner of said 1.00 acre tract, being a common Easterly corner of the herein described tract, said corner being in the Northwest line of a called 2.00 acre tract of land described in a deed dated October 18, 1994 from Ronald Blair Woodley, et ux to The Woodley Living Trust, recorded in Volume 715, Page 677, Austin County Official Records;

THENCE South 43° 27' 38" West (called South 46° 16' 47" West) with the Northwest line of said 2.00 acre tract a distance of 169.45 feet (called 169.52') for the Westerly corner of said 2.00 acre tract, being a common interior corner of the herein described tract;

2021-0019

THENCE South 30° 12' 31" East (called South 27° 19' 20" East) with the Southwest line of said 2.00 acre tract, being a common Northeast line of the herein described tract a distance of 208.63 feet (called 208.63') to a 1/2 inch iron rod found for the Southerly corner of said 2.00 acre tract, being a common Easterly corner of the herein described tract, said corner being in the Northwest line of a called 4.356 acre tract of land described in a deed dated June 30, 1995 from Thelma J. Chapman to Billie J. Lewis, recorded in Volume 731, Page 107, Austin County Official Records;

THENCE South 43° 00' 24" West (called South 45° 54' 21" West) with the Northwest line of said 4.356 acre tract, the common Southeast line of the herein described tract and at 118.57 feet passing a 5/8 inch iron rod found for the Westerly corner of said 4.356 tract, being the common Northerly corner of a called 2.79 acre tract of land described in a deed dated April 15, 1995 from Herbert Allen Frank, et al to Charles Edward Quinton, et ux, recorded in Volume 726, Page 578, Austin County Official Records and continuing with the Northwest line of said 2.79 acre tract and the Northwest line of a called 33.24 acre tract of land described in a deed dated March 16, 1999 from W.J. Jozwiak to Kevin Howard, recorded in Clerk File No. 991534, Austin County Official Records, being the common Southeast line of the herein described tract for a total distance of 598.25 feet (called 597.57') to a 1/2 inch iron rod found for the Southerly corner of the herein described tract, being the common Easterly corner of a called 90.672 acre tract of land described in a deed dated October 5, 2005 from Mary Wietstruck Miller, et al to Waller Betka, LTD., recorded in Clerk File No. 056233, Austin County Official Records;

THENCE North 47° 14' 02" West (called North 44° 22' 55" West) with the Northeast line of said 92.672 acre tract, being the common Southwest line of the herein described tract a distance of 1740.38 feet (called 1739.93') to a 1/2 inch iron rod found for the Westerly corner of the herein described tract, being the common Northerly corner of said 90.672 acre tract;

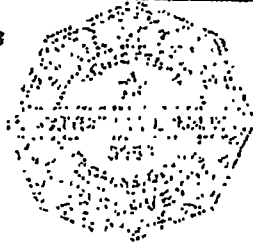
THENCE North 61° 35' 02" East (called North 64° 26' 23" East) with the Southeast line of State Highway No. 159, the common Northwest line of the herein described tract a distance of 443.27 feet (called 442.94') to the POINT OF BEGINNING, containing 18.42 acres of land, more or less.

- Bearing Basis: Texas Lambert Grid, Texas South Central Zone, NAD 83/2011 (EPOCH: 2010)
- All distances are surface values, to obtain grid values multiply surface distances by a Combined Scale Factor of 0.99993120

This metes and bound description and plat attached hereto represent an on-the-ground survey made under my supervision on May 6, 2013 and May 13, 2013.

Matthew W. Loessin
Registered Professional Land Surveyor No. 5953
Frank Surveying Co., Inc.
Project No. 201304092
Word File: 201304092 - 18.42 acre m&b.docx
ACAD File: 201304092.dwg

Date: 05/15/2013



Matthew W. Loessin



ALEXANDER SURVEYING
LAND SURVEYORS

OWNER: DELLA MARIE MALER

TRACT TWO:

19.892 ACRES

ALL THAT TRACT OR PARCEL OF LAND consisting of 19.892 Acres located in the James Cummings Hacienda, A-31, Austin County, Texas, Subject tract being that same tract, called 19.89 Acres, described in Deed from Dixie Lee Steck to James R. Maler, and wife, Della M. Maler recorded in Volume 464, Page 920 of the Deed Records of Austin County, Texas and being that same tract described in an Executor's Deed to Della Marie Maler recorded in File# 083008 of the Official Records of Austin County, Texas. Said tract consisting of 19.892 Acres, of which 1.242 Acres are within an Area of Conflict and Deed Overlap with the called 78.60 Acre tract described in Deed to Mark Switzer, et ux recorded in File# 095037 O.R.A.C.T. and said 19.892 Acre tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the East Right-of-way of F. M. Highway 331 (100' R.O.W.) and being the Southwest corner of the 1.108 Acre tract consisting of a 30 ft. Strip described in Volume 210, Page 336 O.R.A.C.T. and File# 084557 O.R.A.C.T. and being the Northwest corner of the called 19.89 Acre tract mentioned above, and the Northwest corner of the herein described tract;

THENCE S 69d 35' 00" E, with the common line with said 1.108 Acre Strip and generally with an existing fence, a distance of 1365.00 ft. (Called S 69d 28' 49" E, 1365.45 ft.) to a 1/2" iron rod found for an "L" corner in said strip and in the herein described tract;

THENCE N 23d 39' 09" E, continuing with the common line with the 1.108 Acre Strip and generally with an existing fence, a distance of 230.27 ft. (Called N 23d 40' 43" E, 230.61 ft.) to a 1/2" iron rod found for the Southwest corner of the 50.671 Acre tract described in Deed to Jesus M. Valasquez recorded in File# 084557 O.R.A.C.T., the same being an angle point in the 1.108 Acre Strip, for an angle point in the North line of the herein described tract;

April 26, 2011
W.O.# 11-6420

EXHIBIT A-1

105 E. Lwin P.O. Box 386 Bokeville, Texas 77418 979/865-9145 Fax 979/865-5988

2021-0019



ALEXANDER SURVEYING
LAND SURVEYORS

OWNER: DELLA MARIE MALER

19.892 ACRES (continued)

THENCE S 69d 43' 29" E, with the common line with the 50.671 Acre adjoining tract and generally with an existing fence, a distance of 487.86 ft. (Called S 69d 43' 44" E, 487.47 ft.) to a 3/8" iron rod found with a Frank Surveying Cap next to a flat iron and being the Southeast corner of the 50.671 Acre adjoining tract, the same being the Southwest corner of the called 47.7702 Acre tract described in Deed to Joe Ray Krenek, et al recorded in File# 050914 O.R.A.C.T. and being an upper North corner of the 78.60 Acre Switzer tract mentioned above for the Northeast corner of the herein described tract;

THENCE S 23d 46' 45" N, with the common line with the 78.60 Acre Switzer tract and generally with an existing fence, a distance of 642.76 ft. (Called S 23d 46' 40" N, 643.37 ft.) to a 5/8" iron rod found at a fence corner post and being an angle point in the 78.60 Acre adjoining tract and being the Southeast corner of the herein described tract;

THENCE N 69d 33' 45" N, continuing with the common line with the 78.60 Acre adjoining tract and passing at 1205.86 ft. a 5/8" iron rod found for the East corner of the 1.242 Acre Area of Conflict Deed Overlap with the 78.60 Acre tract and continuing with the fenced, used, occupied, apparent lines and Deed Line to the subject tract, a total distance of 1824.48 ft. (Called N 69d 28' 49" N, 1026.23 ft.) to a 5/8" iron rod found with a Frank Surveying Cap in the East Right-of-way of F. M. Highway 331 and being the Southwest corner of the Area of Conflict tract and the Southwest corner of the herein described tract;

THENCE N 19d 54' 14" E, with the East Right-of-way of F. M. Highway 331 and passing at 174.90 ft. a 1/2" iron rod found for the Northwest corner of the Area of Conflict tract, the same being the Northwest corner of the 78.60 Acre adjoining tract and continuing, a total distance of 409.90 ft. (Called N 19d 56' E, 410.00 ft.) to the PLACE OR BEGINNING and containing 19.892 Acres, of which 1.242 Acres is overlapped by the called 78.60 Acre tract mentioned above.

NOTES: Bearings shown hereon are based upon Grid North as determined from G.P.S. Observation, State Plane Coordinates, South Central Zone.

April 26, 2011
W.O.# 11-6420

EXHIBIT A-1



ALEXANDER SURVEYING
LAND SURVEYORS

OWNER: DELLA MAHLE MALER

19.892 ACRES (continued)

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

April 26, 2011
W.O. # 11-6420

Glen S. Alexander
Registered Professional Land Surveyor, #4194

EXHIBIT A-1

105 E. Luhn P.O. Box 384 Bellville, Texas 77418 979/865-9145 Fax 979/865-5988

FILED

2021 DEC 13 PM 3: 17

Carrie Gregor

COUNTY CLERK
AUSTIN COUNTY TEXAS

2021-0019