

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: 05/06/2025

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 September 16, 2011 and recorded in the real property records of Austin County, TX and is recorded under Clerk's Instrument No. 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. THE FOLLOWING DESCRIBED PROPERTY SITUATED IN AUSTIN COUNTY, TEXAS:

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 DEGREES 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,

FILED

2025 FEB 27 PM 3: 50


COUNTY CLERK
AUSTIN COUNTY, TEXAS

2025-0004

THENCE, N 62 DEGREES 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 DEGREES 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 DEGREES 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.

2025-0004

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.
11625 N Community House Rd
Charlotte, NC 28277

7. **Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code §51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint Kirk Schwartz Esq. OR Carson Emmons, Esq. OR AWEST 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, Megan Randle, Ebbie Murphy, Robert Randle, whose address is 1320 Greenway Drive, Suite 300, Irving, TX 75038 OR AUCTION.COM, 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.

2/25/2025

Executed on

/s/ Carson T. H. Emmons

James E. Albertelli, P.A.
Kirk Schwartz, Esq.
Carson Emmons, Esq.
6565 N. MacArthur, Suite 470
Irving, TX 75039

2/25/25
Executed on

Megan L. Randle
SUBSTITUTE TRUSTEE
Agency Sales & Posting
Megan L. Randle, Ebbie Murphy, Robert Randle OR
AUCTION.COM
1320 Greenway Drive, Suite 300
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: _____

2025-004

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: 05/06/2025

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: 415 N HUNT ST, BELLVILLE, TX 77418-1328

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 08/30/2016 and recorded 08/31/2016 in Document 163688, real property records of Austin County, Texas, with **NATHANIEL J. HALE AND FELICIA N. FALK, HUSBAND AND WIFE** grantor(s) and **PRIMELENDING, A PLAINSCAPITAL 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 **NATHANIEL J. HALE AND FELICIA N. FALK, HUSBAND AND WIFE**, securing the payment of the indebtedness in the original principal amount of \$113,386.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **PHH MORTGAGE CORPORATION** is the current mortgagee of the note and deed of trust or contract lien.

FILED

2025 MAR 20 AM 9:31

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:

A LOT OF 125 FEET BY 182.2 FEET, SITUATED IN AUSTIN COUNTY, TEXAS, BEING A PART OF THE JOHN NICHOLS LEAGUE, LYING IN THE CITY OF BELLVILLE, TEXAS, BEING PART OF A 1.56 ACRE TRACT OF LAND CONVEYED BY MRS. META UECKERT, ET AL TO GUY P. LYNCH, ET UX BY DEED DATED AUGUST 18, 1950 AND RECORDED IN VOLUME 184, PAGE 254, DEED RECORDS, AUSTIN COUNTY, TEXAS, ALL AS DESCRIBED IN DEED DATED JANUARY 28, 1957, FILED FEBRUARY 23, 1957, RECORDED IN VOLUME 230, PAGE 492, OFFICIAL RECORDS, 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:

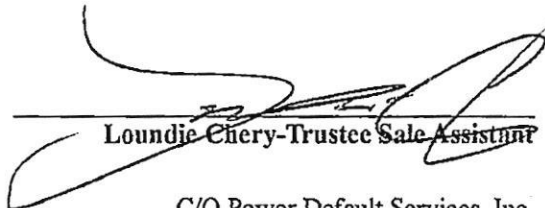
**C/O PHH Mortgage Corporation
PO BOX 24605
West Palm Beach, FL 33416-4605
Phone: 877-744-2506**

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: March 17th, 2025



Loundie Chery-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

For additional sale information visit: www.hubzu.com or (855) 882-1314

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.

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 OF SALE

PURSUANT TO AUTHORITY conferred upon the Trustee by that certain Deed of Trust dated August 9, 2018, executed by **STACIE JOANN DEWALD A/K/A STACIE J. DEWALD AND RICHARD FRANKLIN DEWALD A/K/A RICHARD F. DEWALD, A MARRIED COUPLE**, ("Mortgagor") to Tim Williams, Trustee, for the benefit of **21ST MORTGAGE CORPORATION** ("Mortgagee"), filed for record under Instrument No. 183747, Official Public Records of Austin County, Texas, Mortgagee appoints K. Clifford Littlefield, Alexander J. Tiffany or Norma Jean Hesseltine, whose address is listed below, or Megan Randle, Robert Randle or Ebbie Murphy, whose business address is 14800 Landmark Blvd., Suite 850, Dallas, Texas 75254, under said Deed of Trust, in order to satisfy the indebtedness secured thereby and at the request of the holder of said indebtedness, default having been made in the covenants of the Deed of Trust, to sell on **Tuesday, May 6, 2025**, (that being the first Tuesday of the month), at public auction to the highest bidder for cash, at the Austin County Courthouse at the place designated by the Commissioner's Court for such sales in Austin County, Texas, (on the steps of the county courthouse or as designated by the County Commissioner), the sale to begin at 1:00 o'clock p.m. or not later than three (3) hours after such time on that date, selling all of the property as an entirety or in such parcels as the Trustee acting may elect the property offered for sale, more particularly described on Exhibit "A" attached hereto and made a part hereof, together with any and all improvements constructed upon, affixed to or located upon the above described real property, including but not limited to the 2018 Clayton Manufactured Home, Serial No. CW2019260TXAB.

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.

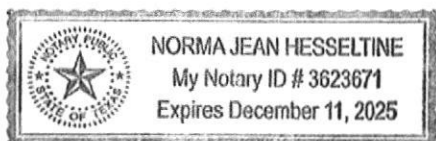
EXECUTED this 18 day of March, 2025.



K. CLIFFORD LITTLEFIELD, Mortgagee Attorney
UPTON, MICKITS & HEYMANN, L.L.P.
802 N. Carancahua, Suite 450
Corpus Christi, Texas 78401
Telephone: (361) 884-0612
Facsimile: (361) 884-5291
Email: clittlefield@umhlaw.com

THE STATE OF TEXAS §
COUNTY OF NUECES §

SUBSCRIBED and SWORN TO BEFORE ME, the undersigned Notary Public, by **K. CLIFFORD LITTLEFIELD**, this 18 day of March, 2025, to certify which witness my hand and official seal.




NOTARY PUBLIC, STATE OF TEXAS

2025 MAR 20 PM 3: 53


COUNTY CLERK
AUSTIN COUNTY, TEXAS

2025-0011

EXHIBIT "A"

AUSTIN COUNTY, TEXAS.
JAMES BELL SURVEY, ABSTRACT NO. 129

DESCRIPTION OF A 3.00 ACRE TRACT OF LAND OUT OF THE JAMES BELL SURVEY, ABSTRACT NO. 129, AUSTIN COUNTY, TEXAS AND BEING THE RESIDUE OF THAT CALLED 5.50 ACRE TRACT OF LAND DESCRIBED IN A DEED DATED AUGUST 16, 2017 FROM STEVEN KEITH GLAESER TO STACIE JOANN DEWALD, AS RECORDED IN CLERK FILE NO. 174274, OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS REFERENCE IS MADE AND THE SAID 3.00 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8 inch iron rod found (Grid Coordinates: N 13,879;006.90 USft E 2,770,119.99 USft) in a curve of the Northeast line of F.M. Highway No. 1094 [100' R.O.W.] for the Westerly corner of the herein described tract, being the common Southerly corner of a called 2.50 acre tract of land described in a deed dated December 28, 2017 from Stacie Joann Dewald to Adam Rebel, as recorded in Clerk File No. 180052, Austin County Official Records, from which a point in an oak tree found for the Westerly corner of said 2.50 acre tract bears North 65° 33' 06" West a distance of 201.93 feet;

THENCE North 40° 34' 23" East [called North 40° 34' 23" East, Clerk File No. 180052, O.R.A.C.T.] with the Southeast line of said 2.50 acre tract, being the common Northwest line of the herein described tract a distance of 531.26 feet [called 531.26'] to a 5/8 inch iron rod found in the Southwest line of a called 32.39 acre tract of land described in a deed dated August 16, 2017 from Stacie Joann Dewald to Steven Keith Glaeser, as recorded in Clerk File No. 174275, Austin County Official Records, from which a 5/8 inch iron rod found for the Northerly corner of said 2.50 acre tract, being the common Westerly corner of said 32.39 acre tract bears North 49° 26' 13" West a distance of 193.98 feet;

THENCE with the Southwest line of said 32.39 acre tract, being the common Northeast line of the herein described tract the following:

- South 49° 26' 13" East [called South 49° 26' 13" East] a distance of 55.31 feet to a 5/8 inch iron rod found for an exterior corner of the herein described tract, being an common interior corner of said 32.39 acre tract;
- South 40° 34' 03" West [called South 40° 34' 03" West] a distance of 201.77 feet [called 201.77'] to a 5/8 inch iron rod found for an interior corner of the herein described tract, being an common exterior corner of said 32.39 acre tract;
- South 73° 20' 48" East [called South 73° 20' 48" East] a distance of 323.20 feet [called 323.20'] to a 5/8 inch iron rod found for the Easterly corner of the herein described tract, being an common interior corner of said 32.39 acre tract;

THENCE South 22° 30' 18" West [called South 22° 30' 18" West] with a Northwest line of said 32.39 acre tract, being a common Southeast line of the herein described tract a distance of 260.81 feet [called 260.81'] to a point in a pine tree found in the Northeast line of F.M. Highway No. 1094 for the Southerly

corner of the herein described tract, being an common exterior corner of said 32.39 acre tract, from which a point in a fence post found for the southerly corner of said 32.39 acre tract bears South 78° 15' 00" East a distance of 101.79 feet;

THENCE North 78° 15' 00" West (called North 78° 15' 00" West) with the Northeast line of F.M. Highway No. 1094, being the common Southwest line of the herein described tract a distance of 208.31 feet (called 208.31') to a 5/8 inch iron rod found at the beginning of curve;

THENCE along said curve to the right having an arc length of 273.54 feet, a radius of 1679.73 feet, a central angle of 09° 19' 50", and a chord bearing of North 73° 39' 47" West a distance of 273.24 feet to the POINT OF BEGINNING, containing 3.00 acres of land, more or less.

1. Bearing Basis: Texas Lambert Grid, Texas South Central Zone, NAD 83/2011 (EPOCH: 2010)
2. All distances are surface values, to obtain grid values multiply surface distances by a Combined Scale Factor of 0.99989595.
3. Any reference to a 5/8" iron rod set w/cap is a 5/8" iron rebar 24" inches long and set with a 2" aluminum cap stamped "FSC INC - TX FIRM #10000100".

This metes and bound description and plat attached hereto represent an on-the-ground survey made under my supervision on April 26, 2018.

Matthew W. Loessin
Registered Professional Land Surveyor No. 5953
Project No. 2018041049
Word File: 2018041049_3.00_acre_m&b.docx
ACAD File: 2018041049.dwg

Date: 04/27/2018



A handwritten signature in black ink, appearing to read "M. Loessin", written over a horizontal line.

County of Austin

State of Texas

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.

Notice of Foreclosure Sale Under Deed of Trust

As recorded in Correction Deed of Trust recorded under Instrument No. 251441 in the Official Public Records of Austin County, Texas.

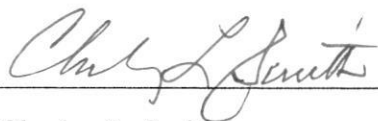
Under and by virtue of the power of sale contained in the above-referenced Correction Deed of Trust, the undersigned (substitute) Trustee will offer for sale at public auction to the highest bidder for cash at 1:00 pm, on the 6th of May, 2025, in lobby of the Courthouse, the following described property:

All that certain .822 acre tract of land in the John Nichol League, A-73 of Austin County, Texas described by metes and bounds in Exhibit "A" attached hereto.

The property address is as follows: 1264 Mill Creek Road, Bellville, Texas 77418

The above-described property will be sold subject to unpaid county and city ad valorem taxes, including those for the year 20, and also city assessments, if any.

This 8th day of April, 2025



Charley L. Smith
Substitute Trustee
Smith & Associates Lawyers, PLLC
PO Box 865
Bellville, Texas 77418
(979) 865-5905

FILED

2025 APR -8 PM 3: 21



COUNTY CLERK
AUSTIN COUNTY, TEXAS

2025-0012



ALEXANDER SURVEYING
LAND SURVEYORS

WAYNE BROWNING

0.822 ACRES

ALL THAT TRACT OR PARCEL OF LAND consisting of 0.822 Acres located in the John Nichols League, A-73, Austin County, Texas. Subject tract being a portion of the 1.000 Acre tract described in Deed to Wayne Browning, recorded in File# 174527 of the Official Records of Austin County, Texas. Said tract consisting of 0.822 Acres and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the existing driveway in the Easterly or Southeasterly Right-of-way of Mill Creek Road (Public Road) and being an angle point in the West line of the 1.000 Acre parent tract;

THENCE N 38° 55' 55" E, with the Southeast Right-of-way of Mill Creek Road, a distance of 116.64 ft. to a 1/2" iron rod found for the Southwesterly corner of the 0.127 Acre tract, which is also a portion of the 1.000 Acre parent tract that was surveyed and described for Wayne Browning by a survey dated July 9, 2020 and said rod being the North corner of the herein described tract. From said rod, a 5/8" iron rod found at a fence corner post, Brs. S 49° 25' 51" E, 4.40 ft.;

THENCE S 49° 25' 51" E, with the common line with the 0.127 Acre tract mentioned above and passing at 146.74 ft. a 1/2" iron rod found for the South corner of said 0.127 Acre tract, the same being the Westerly corner of the 0.051 Acre tract (believed to be the same tract called 0.0508 Acre Less Tract described in the above mentioned Deed to Wayne Browning, recorded in File# 174527 O.R.A.C.T.) and is thought to be that area described in Deed from Hattie Jewel Browning to Ronnie Jackson and Latoya Browning, recorded in File# 122398 O.R.A.C.T. but no Exhibit is attached to said Deed and continuing with that 0.051 Acre tract, a total distance of 209.13 ft. to a 1/2" iron rod found for an angle point in the 1.740 Acre Browning tract, recorded in File# 072247 O.R.A.C.T. for the South corner of the 0.051 Acre tract and the East corner of the herein described tract;

THENCE S 41° 41' 57" W, with the common line between the 1.000 Acre parent tract and the 1.740 Acre Browning tract and generally with an existing fence, a distance of 173.85 ft. to a 1/2" iron rod found for an angle point in the 1.740 Acre Browning tract, the South corner of the parent tract and the South corner of the herein described tract;

September 25, 2020
W.O.# 19-7758

Page 1 of 2

2025-0012



**ALEXANDER SURVEYING
LAND SURVEYORS**

WAYNE BROWNING

0.822 ACRES (continued)

TRENC N 48° 18' 29" W, continuing with the common line with the 1.740 Acre Browning tract and passing at 51.44 ft. an angle point in the North line of the 1.740 Acre Browning tract, the same being an Easterly corner of the 1.000 Acre tract belonging to the Betty Browning Hood Estate, recorded in File# 982494 O.R.A.C.T. and continuing with the common line with the Betty Browning Hood Estate, a total distance of 221.93 ft. to a 1/2" iron rod set in the Southeast Right-of-way of Mill Creek Road, for the West corner of the parent tract and the West corner of the herein described tract;

THENCE N 60° 49' 42" E, with the Southeast Right-of-way of Mill Creek Road, a distance of 55.37 ft. to the **PLACE OF BEGINNING** and containing 0.822 Acres.

NOTES: Bearings shown hereon are based upon Grid North as determined from G.E.S. Observation, State Plane Coordinates, Texas South Central Zone, NAD 83.

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

All 1/2" iron rods set are capped with yellow cap Mkd "RPLS 4194".

September 25, 2020
W.O.# 19-7758

Glen S. Alexander

Glen S. Alexander
Registered Professional Land Surveyor, #4194



Page 2 of 2

2025-0012

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

AUSTIN County

Deed of Trust Dated: February 2, 2017

Amount: \$144,229.00

Grantor(s): ARIEL MONTOYA and OFELIA MONTOYA

Original Mortgagee: AMCAP MORTGAGE, LTD

Current Mortgagee: AMCAP HOLDINGS, LLC

Mortgagee Address: AMCAP HOLDINGS, LLC, 9999 BELLAIRE BLVD, STE 700, HOUSTON, TX 77036

Recording Information: Document No. 170599

Legal Description: SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES

Whereas, an Order to Proceed was entered on October 27, 2020 under Cause No. 2019V-0152 in the 155th Judicial District Court of AUSTIN County, Texas

Date of Sale: May 6, 2025 between the hours of 1:00 PM and 4:00 PM.

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the AUSTIN County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

EBBIE MURPHY OR MEGAN L. RANDLE, ROBERT RANDLE, REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, CHRISTIAN BROOKS, MICHAEL KOLAK, CARY CORENBLUM, KRISTOPHER HOLUB, JOSHUA SANDERS, JULIAN PERRINE, JAMI GRADY, AMY OIAN, MATTHEW HANSEN, RAMIRO CUEVAS, JAMI HUTTON, ALEENA LITTON, CRYSTAL KOZA, DANA DENNEN, CINDY DENNEN, MOLLIE MCCOSLIN, ROBERT LAMONT, SHERYL LAMONT, HARRIETT FLETCHER, SHARON ST. PIERRE, PETE FLOREZ, DEBBY JURASEK, JENNYFER SAKIEWICZ OR TRACI YEAMAN, BRIAN HOOPER, MIKE JANSTA, MIKE HAYWARD, ANGELA ANDERSON, AND JAY JACOBS have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust. 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. 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.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. **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.**

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.



Anthony Adam Garcia, ATTORNEY AT LAW
HUGHES, WATERS & ASKANASE, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2019-006988



Printed Name: Megan L. Randle

c/o Tejas Trustee Services

14800 Landmark Blvd, Suite 850
Addison, TX 75254

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COUNTY CLERK
AUSTIN COUNTY, TEXAS

2025-0014

EXHIBIT "A"

Being a 1.83 acre parcel of land, more or less, situated in the T. Westall Survey, Abstracts 99 & 100, Austin County, Texas, and consisting of Lots 278, 279, 280, 281, 282, and 283 in Lazy River Subdivision as recorded in Volume 318, Page 200 of the Deed Records of Austin County, and a 0.0210 acre tract as recorded in Austin County Clerk's File 153273, and also a 0.1741 acre tract as recorded in A.C.C.F. 153273, with the basis of bearings being said plat, and being more particularly described as follows:

BEGINNING at a ½" iron rod found in the southeastern right of way of Riverbend Drive (50' R.O.W.) for the north corner of Lot 284, the west corner of Lot 283, and marking the most southwestern corner of the herein described parcel;

THENCE, North 45 00' 00" East, a distance of 162.28 feet along the eastern right of way of Riverbend Drive to a point for corner from which a ½" iron rod bears North 18 54' 43" West, a distance of 0.64 feet for the beginning of a curve to the left, and marking an angle point in the western line of the herein described parcel;

THENCE, northwesterly along the eastern right of way of Riverbend Drive, and a curve to the left having a radius of 60.00 feet, an arc length of 120.86 feet, and a chord bearing North 12 42' 20" West, 101.44 feet a ½" iron rod set with plastic cap marking an angle point in the western line of the herein described parcel;

THENCE, North 70 24' 40" West, a distance of 24.64 feet along the eastern right of way of Riverbend Drive to a ½" iron rod set with plastic cap for the south corner of Lot 277, the west corner of Lot 278, and marking an angle point in the western line of the herein described parcel;

THENCE, North 45 00' 00" East, a distance of 177.21 feet along the southeastern line of Lot 277 to a point for corner in the centerline of a creek for the east corner of Lot 277, the south corner of Lot 272, the west corner of Lot 271, and marking the most northern corner of the herein described parcel;

THENCE, the following courses and distances along the centerline of a creek, and the southwestern line of that Tract being part of Lots 267, 268, 269, and 270:

- South 46 43' 00" East, a distance of 81.56 feet;
- South 56 44' 10" East, a distance of 24.40 feet;
- North 34 25' 46" East, a distance of 43.96 feet;
- South 77 03' 13" East, a distance of 26.91 feet;
- South 26 34' 28" East, a distance of 46.35 feet;
- South 87 48' 36" East, a distance of 30.97 feet;
- North 60 13' 02" East, a distance of 49.59 feet;
- North 60 13' 02" East, a distance of 3.12 feet;
- South 88 34' 57" East, a distance of 23.44 feet;
- South 38 14' 48" East, a distance of 20.26 feet to a point for corner in the northwest line of the called 20.01 acres as recorded in A.C.C.F. 154493 for the northeast corner of the called 0.0210 acres, and marking the most northeast corner of the herein described parcel;

EXHIBIT "A" Continued

THENCE, South 45 02' 40" West, a distance of 36.04 feet along the northwestern line of the called 20.01 acres to a 1/2" iron rod set for the southeast corner of the called 0.0210 acres, the northeast corner of the called 0.1741 acres, and marking an angle point in the eastern line of the herein described parcel;

THENCE, South 45 02' 40" West, a distance of 65.00 feet along the western line of the called 20.01 acres to a 1/2" iron rod set with plastic cap for the southeast corner of the called 0.1741 acres, the east corner of Lot 280, and marking an angle point in the eastern line of the herein described parcel;

THENCE, South 45 02' 40" West, a distance of 418.00 feet along the western line of the called 20.01 acres and the called 3.9992 acres as recorded in A.C.C.F. 984422 to a 1/2" iron rod set with plastic cap for the east corner of Lot 284, the south corner of Lot 283, and marking the most south corner of the herein described parcel;

THENCE, North 45 00' 00" West, a distance of 129.38 feet along the northeastern line of Lot 284 back to the POINT OF BEGINNING and containing 1.83 acres of land, more or less.