

2021 SEP 23 PM 12:53

NOTICE OF FORECLOSURE SALE

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OR ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

1. *Property to Be Sold.* The property to be sold is described as follows: 0.522 ACRE OUT OF AND A PART OF THE A.E. GOSSETT SURVEY, A-425 IN HOUSTON COUNTY TEXAS, AND ALSO BEING THE SAME LAND CONVEYED TO OTLE MAY BEARD IN A DEED RECORDED IN THE HOUSTON COUNTY DEED RECORDS, WHICH 0.522 ACRE OR MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING ON A IRON PIPE FOUND FOR THE NORTHWEST CORNER OF THIS TRACT THE SOUTHWEST CORNER OF THE J. BOX 0.5 ACRE TRACT AND ALSO BEING THE EAST LINE OF U.S. HWY. NO. 287 AND ALSO BEING 7.56 FEET BACK OF CURB OF SAID HIGHWAY;

THENCE NORTH 72 DEGREES 11 MINUTES EST 222.0 FEET TO IRON ROD SET FOR CORNER;

THENCE SOUTH 3 DEGREES 54 MINUTES EAST 105.0 FEET TO IRON ROD SET FOR CORNER;

THENCE SOUTH 72 DEGREES 34 MINUTES 17 SECONDS WEST, 22.567 FEET TO IRON ROD SET FOR CORNER, SAME BEING IN THE EAST LINE OF SAID HIGHWAY AND ALSO BEING 7.5 FEET BACK OF SAID CURB;

THENCE NORTH 0 DEGREES 45 MINUTES WEST 105.0 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.522 ACRE OF LAND, MORE OR LESS AS SURVEYED ON THE GROUND BY C.R. HODGES, REGISTERED SURVEY NO. 1645, STATE OF TEXAS, OCTOBER 23, 1978.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 07/05/2016 and recorded in Document 1602348 real property records of Houston County, Texas.

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

Date: 12/07/2021

Time: 01:00 PM

Place: Houston County, Texas at the following location: AT THE EASTSIDE OF THE HOUSTON COUNTY COURTHOUSE, UNLESS INCLEMENT WEATHER, THEN THE FIRST FLOOR LOBBY OF THE HOUSTON COUNTY COURTHOUSE, OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

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

5. *Obligations Secured.* The Deed of Trust executed by CHAFFIN PATTERSON III, provides that it secures the payment of the indebtedness in the original principal amount of \$180,750.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. FINANCE OF AMERICA REVERSE LLC is the current mortgagee of the note and deed of trust and FINANCE OF AMERICA REVERSE LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is FINANCE OF AMERICA REVERSE LLC c/o FINANCE OF AMERICA REVERSE LLC, 3900 Capital City Blvd., Lansing, MI 48906 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Substitute Trustee(s) Appointed to Conduct Sale.* In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

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

Certificate of Posting

I am Sharon St. Pierre 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 September 29, 2021 I filed this Notice of Foreclosure Sale at the office of the Houston County Clerk and caused it to be posted at the location directed by the Houston County Commissioners Court.

Sharon St. Pierre

114 Briar Lane, Crockett, TX 75835

21-006688

2021 OCT 21 PM 12: 21

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

1. Date, Time, and Place of Sale.

Date: 12/07/2021

Time: Between 1pm-4pm and beginning not earlier than 1pm-4pm or not later than three hours thereafter.

Place: The area designated by the Commissioners Court of Houston 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 03/29/2013 and recorded in the real property records of Houston County, TX and is recorded under Clerk's File/Instrument Number, 1301747 with Bobby J. Minter and Kathryn L. Minter (grantor(s)) and Reverse Mortgage of Texas mortgagee to which reference is herein made for all purposes.

4. Obligations Secured. Deed of Trust or Contract Lien executed by Bobby J. Minter and Kathryn L. Minter, securing the payment of the indebtedness in the original amount of \$123,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WILMINGTON SAVINGS FUND SOCIETY, FSB, not individually but solely as trustee for FINANCE OF AMERICA STRUCTURED SECURITIES ACQUISITION TRUST 2019-HB1 is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to be Sold. LOT NO. 18 OF CRESTWOOD ADDITION TO THE CITY OF CROCKETT, PART OF THE HENRY MASTERS SURVEY, A-53, HOUSTON COUNTY, TEXAS, AS DESCRIBED BY PLAT OF RECORD IN BOOK 1, PAGE 119 OF THE HOUSTON COUNTY PLAT RECORDS, AND BEING THE LOT CONVEYED BY RICHARD W, VARLEY ET US TO H.E. WELLS BY DEED DATED FEBRUARY 1, 1971, RECORDED IN BOOK 471, PAGE 367, HOUSTON COUNTY DEED RECORDS.



4736525

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. Compu-Link Corporation, d/b/a Celink, as Mortgage Servicer, is representing the current Mortgagee whose address is:

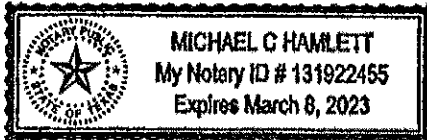
WILMINGTON SAVINGS FUND SOCIETY, FSB, not individually but solely as trustee for FINANCE OF AMERICA STRUCTURED SECURITIES ACQUISITION TRUST 2019-HB1
2900 Esperanza Crossing
Austin, TX 78758

Sharon Pierre
SUBSTITUTE TRUSTEE
~~Sheryl LaMont, Robert LaMont, Harriett-Fletcher, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard~~
1320 Greenway Drive, Suite 300
Irving, TX 75038

STATE OF TEXAS
COUNTY OF CHEROKEE

Before me, the undersigned authority, on this day personally appeared Sharon St. Pierre, as Substitute Trustee, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and who acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 21ST day of OCTOBER, 2021.



Michael C. Hamlett
NOTARY PUBLIC in and for

CHEROKEE COUNTY
My commission expires: MARCH 8, 2023
Print Name of Notary:
MICHAEL C. HAMLETT

CERTIFICATE OF POSTING

My name is Sharon St. Pierre, and my address is 1320 Greenway Drive, Suite 300, Irving, TX 75038. I declare under penalty of perjury that on October 21, 2021 I filed at the office of the Houston County Clerk and caused to be posted at the Houston County courthouse this notice of sale.

Sharon Pierre
Declarants Name: Sharon St. Pierre
Date: October 21, 2021

Notice of Foreclosure Sale

HOUSTON COUNTY
CLERK OF COURTS

THE STATE OF TEXAS
COUNTY OF HOUSTON

2021 NOV 15 PM 11:20

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THIS NOTICE OF FORECLOSURE IS GIVEN pursuant to Tex. Tax Code Chapter 34, and Tex. R. Civ. P. 21a. by virtue of an Order of Sale issued on September 2, 2021, pursuant to the Judgment rendered on July 12, 2019 by the 3rd Judicial District Court in Houston County, Texas, in Cause No. 19-0003 styled PROPEL FINANCIAL SERVICES, LLC AND PROPEL FINANCIAL SERVICES, LLC, AS AGENT AND ATTORNEY IN FACT FOR TLF NATIONAL TAX LIEN TRUST 2017-1 vs. DAISY A. FRAZIER A/K/A DAISY AMIE FRAZIER A/K/A DAISY THERESIA AMIE, et al, on [*_11/01/2021), I levied, against all legal interest and/or right of all defendants subject to said Judgment, upon the following described tracts or parcels of land:

TRACT I:

BEING 18.5 ACRES OF LAND, A PART OF AND OUT OF THOSE CERTAIN TWO TRACTS CALLED 48 ACRES AND 58 ACRES IN THE ELIZABETH MARION SURVEY, A-720 IN HOUSTON COUNTY, TEXAS, AND DESCRIBED AS FIRST TRACT AND SECOND TRACT IN A DEED OF RECORD IN VOL. 652, PAGE 116 OF THE HOUSTON COUNTY DEED RECORDS; WHICH 18.5 ACRE OF LAND IS DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING ON A 1/2" IRON PIPE SET FOR THE SOUTHEAST CORNER OF THIS TRACT, SAME BEING THE SOUTHEAST CORNER OF THE TRACT CALLED 48 ACRES AND THE MOST SOUTHERLY SOUTHWEST CORNER OF A 144.43 ACRE TRACT SURVEYED MARCH 9, 1987;

THENCE N 00°24'59" E, 741.29 FEET TO A 3/8" IRON PIPE SET FOR THE NORTHEAST CORNER OF THIS TRACT, SAME BEING AN INTERIOR CORNER OF SAID 144.43 ACRE TRACT AND IN THE EAST LINE OF THE TRACT CALLED 58 ACRES, FROM WHICH A 10" ELM, MARKED /X//, BEARS N 87°37' E, 15.0 FEET AND A 14" ASH, MARKED /X//, BEARS N 9° 33' W, 13.2 FEET;

THENCE S 89°50'09" W, 717.79 FEET TO A 1/2" IRON PIPE SET FOR THE MOST NORTHERLY NORTHWEST CORNER OF THIS TRACT, SAME BEING A CORNER OF SAID 144.43 ACRE TRACT AND THE SOUTHEAST CORNER OF TRACT A-4, FROM WHICH A 24" PIN OAK, MARKED /X//, BEARS N 2°29' E, 28.1 FEET AND A 12" PIN OAK MARKED /X//, BEARS N 88° 21' E, 27.7 FEET;

THENCE S 01°33'30" W, 535.83 FEET TO AN 18" SWEET GUM ON CORNER, MARKED /X//, SET A 1/2" IRON ROD AT THE SOUTH BASE OF SAID SWEET GUM 1.20 FEET FROM CORNER AND A 10" ASH, MARKED /X//, BEARS N 72° 31' W, 8/2 FEET;

THENCE S 89° 25' 00" W, 1,488.47 FEET, A POINT IN A COUNTY ROAD FOR THE MOST WESTERLY NORTHWEST CORNER OF THIS TRACT, SET A 1/2" IRON ROD FOR REFERENCE BEARING N 89° 25' 00" E, 18.55 FEET;

THENCE S 01°08'58" W, 125.93 FEET TO A POINT FOR THE SOUTHWEST CORNER OF THIS TRACT, SAME BEING THE SOUTHWEST CORNER OF THE TRACT CALLED 48 ACRES AND THE NORTHWEST CORNER OF A 2 ACRE TRACT, (FOUND) A CONCRETE MONUMENT FOR REFERENCE AT A FENCE CORNER BEARING S 89°35'34" E, 20.00 FEET;

THENCE S 89°35'34" E, 835.18 FEET ALONG A FENCE TO A 1/4" IRON ROD (FOUND) AT A FENCE CORNER FOR THE NORTHEAST CORNER OF SAID 2 ACRE TRACT, FROM WHICH A 16" PIN OAK, MARKED /X//, BEARS S 3°12' W, 16.8 FEET AND A 20" PIN OAK, MARKED /X//, BEARS S 32°15' W, 7.4 FEET;

THENCE S 02° 03'38" E, 96.34 FEET ALONG A FENCE TO A 1/4" IRON ROD (FOUND) AT A FENCE CORNER, SAME BEING THE SOUTHEAST CORNER OF SAID 2 ACRE TRACT, FROM WHICH A 20" ELM, MARKED /X//, BEARS S 60°16' E, 12.7 FEET AND A 16" PIN OAK, MARKED /X//, BEARS N 38°41' W, 8.5 FEET;

THENCE ALONG THE SOUTH LINE OF THIS TRACT N 8°21'07" E, AT 646.45 FEET, SET A 1/2" IRON ROD, FROM WHICH A 15" SYCAMORE, MARKED /X//, BEARS N 45°20' W, 15.1 FEET AND A 14" ELM, MARKED /X//, BEARS N 15°46' E, 28.1 FEET, AT 977.07 FEET, SET A 1/2" IRON ROD, AT 1,379.84 FEET, TOTAL DISTANCE, THE PLACE OF BEGINNING, CONTAINING 18.5 ACRES OF LAND, AS SURVEYED MARCH 9, 1987, BY WILLIAM B. DABNEY, REGISTERED PUBLIC SURVEYOR NO. 1513, TEXAS.

LESS AND EXCEPT:

6.00 ACRES OF LAND, A PART OF AND OUT OF THAT CERTAIN TRACT CALLED 18.5 ACRES IN THE ELIZABETH MARION SURVEY, A-720 IN HOUSTON COUNTY, TEXAS SURVEYED MARCH 9, 1987 AND MORE PARTICULARLY OUT OF THAT TRACT CALLED 48 ACRES DESCRIBED AS 1ST TRACT OF RECORD IN VOL. 652, PAGE 116 OF THE HOUSTON COUNTY DEED RECORDS; WHICH 6.00 ACRES OF LAND IS DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF A COUNTY ROAD FOR THE SOUTHWEST CORNER OF THIS TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID 18.5 ACRE TRACT, THE SOUTH-WEST CORNER OF THE TRACT CALLED 48 ACRES AND THE NORTHWEST CORNER OF A RACT CALLED 2 ACRES, (FOUND) A CONCRETE MONUMENT FOR REFERENCE AT A FENCE CORNER BEARING S 89 DEG. 35 MIN. 34 SEC. E, 20.00 FEET;

THENCE S 89 DEG. 35 MIN. 34 SEC. E, 835.18 FEET ALONG A FENCE TO A 1/4" IRON ROD (FOUND) AT A FENCE CORNER FOR THE NORTHEAST CORNER OF SAID 2 ACRE TRACT, FROM WHICH A 16" PIN OAK, MARKED /X//, BEARS S 3 DEG. 12 MIN. W, 16.8 FEET AND A 20" PIN OAK, MARKED /X//, BEARS S 32 DEG. 15 MIN. W, 7.4 FEET;

THENCE S 02 DEG. 03 MIN 38 SEC. E, 96.34 FEET ALONG A FENCE TO 1/4" IRON ROD (FOUND) AT A FENCE CORNER, SAME BEING THE SOUTHWEST CORNER OF SAID 2 ACRE TRACT, FROM WHICH A 20" ELM, MARKED /X//, BEARS S 60 DEG. 16 MIN. E, 12.7 FEET AND A 16" PIN OAK, MARKED /X//, BEARS N 38 DEG. 41 MIN. W, 8.5. FEET;

THENCE N 88 DEG. 21 MIN. 07 SEC. E, 646.45 FEET, SET A 1/2" IRON ROD FOR THE SOUTHEAST CORNER OF THIS TRACT, FROM WHICH A 15" SYCAMORE, MARKED /X//, BEARS N 45 DEG. 20 MIN. W, 15.1 FEET AND A 14" ELM, MARKED /X//, BEARS N 15 DEG. 46 MIN. E, 28.1 FEET;

THENCE N 01 DEG. 33 MIN. 30 SEC. W, 224.76 FEET TO AN 18" SWEET GUM CORNER, MARKED /X//, SET A 1/2" IRON ROD AT THE SOUTH BASE OF SAID SWEET GUM 1.20 FEET FROM CORNER AND A 10" ASH, MARKED /X//, BEARS N 72 DEG. 31 MIN. 2, 8.2 FEET;

THENCE S 89 DEG. 25 MIN. 00 SEC. W, 1,488.47 FEET, A POINT IN A COUNTY ROAD FOR THE NORTHWEST CORNER OF THIS TRACT, SET A 1/2" IRON ROD FOR REFERENCE BEARING N 89 DEG. 25 MIN. 00 SEC. E, 18.55 FEET;

THENCE S 01 DEG. 08 MIN. 58 SEC. W, 125.93 FEET ALONG SAID CENTERLINE TO THE PLACE OF BEGINNING, CONTAINING 6.00 ACRES OF LAND, AS SURVEYED MARCH 9, 1987 BY WILLIAM B. DABNEY, REGISTERED PUBLIC SURVEYOR NO. 1513 TEXAS.

TAX ID: 22618

TRACT II:

11.364 ACRES OUT OF AND A PART OF THE FRANCIS MARCHALK SURVEY, A-750, HOUSTON COUNTY, TEXAS AND BEING OUT OF AND A PART OF THE SAME LAND DESCRIBED IN A DEED FROM MATTIE KENNEDY, A FEME SOLE, TO GEORGE E. SCURLOCK ET UX; BERTHA, RECORDED IN VOL. 203, PAGE 354 OF THE HOUSTON COUNTY DEED RECORDS, WHICH 11.364 ACRES MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING ON AN IRON ROD SET FOR THE NORTH EAST CORNER OF THIS TRACT, SAME BEING THE NORTH WEST CORNER OF TRACT NO. 1, ALSO A 11.364 ACRE TRACT AND BEING ON OR NEAR THE NORTH BOUNDARY LINE OF SAID FRANCIS MARCHALK SURVEY, A-750, AND THE SOUTH BOUNDARY LINE OF F. MARION SURVEY, A-720, AND ALSO BEING WEST, 261.27 FEET FROM THE NORTH EAST CORNER OF ORIGINAL SAID GEORGE E. SCURLOCK TRACT;

THENCE S 1°01'54" E. 2501.96 FEET TO CORNER IN CENTER OF A PUBLIC ROAD, SAME BEING THE SOUTH WEST CORNER OF SAID TRACT NO. 1, AND ALSO BEING THE NORTH LINE OF SAM SCURLOCK EST, 72.2 ACRE TRACT, SET IRON ROD FOR REFERENCE CORNER IN THE NORTH FENCE LINE OF SAID PUBLIC ROAD;

THENCE S 88°52'15" W WITH THE CENTER OF SAID PUBLIC ROAD, 197.70 FEET TO CORNER IN SAME, SAME BEING THE SOUTH EAST CORNER OF TRACT NO. 3, ALSO A 11.364 ACRE TRACT AND BEING IN THE NORTH LINE OF SAID SAM SCURLOCK EST 72.2 ACRE TRACT, SET IRON ROD FOR REFERENCE CORNER IN THE NORTH FENCE LINE OF SAID PUBLIC ROAD;

THENCE N 1°01'54" W 2505.86 FEET TO IRON ROD SET FOR CORNER, SAME BEING THE NORTH EAST CORNER OF SAID TRACT NO. 3, AND ALSO BEING ON OR NEAR THE SOUTH BOUNDARY LINE OF SAID E. MARION SURVEY, A-720, THE NORTH BOUNDARY LINE OF SAID E. MARCHALK SURVEY, A-750; THENCE EAST, 197.73 FEET TO THE PLACE OF BEGINNING AND CONTAINING 11.364 ACRES OF LAND MORE OR LESS.

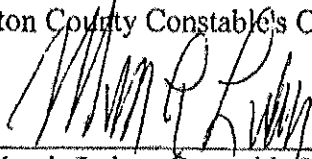
TAX ID: 23931

On December072021, being the first Tuesday of said month, between the hours of 10:00 am and 4:00 pm, beginning at 2:00 P.M; at the East side of the Courthouse or first-floor lobby of the Courthouse, in case of inclement weather, Crockett, Texas, I will offer for sale and sell at public auction, for cash, all the right, title, and interest of all defendants subject to said Judgment, in and to said tracts or parcels of land, as provided for by the Texas Tax Code, to satisfy said Judgment for delinquent property taxes, accrued penalties, interests, and attorney's fees, totaling \$18,462.37, plus all post judgment interest, court costs and costs of sale awarded therein or

pursuant to the Texas Tax Code, due on said tracts or parcels of land. I hereby verify, certify and declare under penalty of perjury that I delivered a true and correct copy of this Notice of Foreclosure Sale by Certified Mail and First-Class Mail through the United States Postal Service, return receipt requested, to each of the defendant named in said Judgment.

Dated at Houston County, Texas this 01 day of NOVEMBER, 2021.

Houston County Constable's Office Precinct 1, Texas



By: Morris Luker, Constable Houston County Precinct 1, Texas

Notice of Foreclosure Sale
December 7, 2021

FILED
HOUSTON COUNTY
COUNTY CLERK

2021 NOV 16 AM 10:58

TERRI MEADOWS

Deed of Trust ("Deed of Trust"):

Dated: January 30, 2020
Borrower: **Arthur Kimble and Cassandra Kimble**
Trustee: R.C. (Chris) von Doenhoff
Lender: **Roy J. Duggan and Margie A. Duggan**
Recorded in: 2000489, in the Image Records of Houston County, Texas
Legal Description: **5.12 acres of land out of and a part of the Marcus P. Mead Survey A-717, situated in Houston County, Texas; and being more particularly described by metes and bounds in Exhibit A attached hereto and made a part hereof**
Secures: Note in the original principal amount of \$65,000.00, executed by Arthur Kimble and Cassandra Kimble ("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
Trustee's Address: P.O. Box 1322, Crockett, Texas, 75835

Foreclosure Sale:

Date: Tuesday, **December 7, 2021**
Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M.
Place: Houston County Court House; East side
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 **Roy J. Duggan and Margie A. Duggan'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, **Roy J. Duggan and Margie A. Duggan**, 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 **Roy J. Duggan and Margie A. Duggan's** election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with **Roy J. Duggan and Margie A. Duggan'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 **Roy J. Duggan and Margie A. Duggan** 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 **Roy J. Duggan and Margie A. Duggan**. 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.

THIS INSTRUMENT APPOINTS THE TRUSTEE 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.

R.C. (Chris) von Doenhoff, *Trustee*
P.O. Box 1322; Crockett, Texas 75835
936.544.2091; Fax: 936.544.2411
rvondoenhoff@yahoo.com

STATE OF TEXAS §

COUNTY OF HOUSTON §



This instrument was acknowledged before me on November 16, 2021, by R.C. (Chris) von Doenhoff, *Trustee*.

Notary Public of the State of Texas

RCvD/20-002/sp

BEING all that certain tract or parcel of land lying and situated in Houston County, Texas, out of the MARCUS P. MEAD SURVEY, ABSTRACT NO. 717 and being all that certain called 2.978 acre tract conveyed to Jerry Al Brown, et ux in the document recorded in Document No. 044360 of the Image Records of Houston County, Texas, and being all that certain called 2.2452 acre tract (FIRST TRACT) conveyed to Jerry Al Brown, et ux in the document recorded in Document No. 031479 of the said Image Records, to which references are hereby made for all purposes and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point on the North right-of-way line of FM 228 for the Southwest corner of the aforesaid referred to 2.978 acre tract and the Southeast corner of a called 0.95 acre tract conveyed to James Calvin Ivey in the document recorded in Volume 794 on Page 509 of the Official Records of the said County, from which a ½" iron pipe found for reference bears S 09 deg. 14' 21" E 5.52 feet;

THENCE along the West boundary line of the said 2.978 acres tract and the West boundary line of the aforesaid referred to 2.2452 acre tract and the East boundary line of the said 0.95 acre tract, N 09 deg. 14' 21" W 542.17 feet a ½" iron pin found for the Northwest corner of the tract conveyed to James L. McFadden, et ux in the document recorded in Volume 1081 on Page 92 of the said Official Records;

THENCE along the common boundary line of the said 2.2542 acre tract and the said 5.6126 acre tract, N 80 deg. 44' 28" E, at 403.97 feet pass on line a ½" iron pin found for the reference, at 433.97 feet a point in the centerline of Berri Lane, for the Northeast corner of the said 2.2542 acre tract and the Southeast corner of the said 5.6126 acre tract;

THENCE along the common boundary line of the said 2.2542 acre tract and the said 2.978 and the said centerline of Berri Lane the following two (2) courses;

- 1.) S 09 deg. 36' 42" E 224.98 feet an angle point from which a ½" iron pin found for reference bears S 80 deg. 45' 19" W 30.00 feet;
- 2.) S 08 deg. 06' 03" E at 2.63.65 feet a point for corner at the intersection of the said centerline of Berri Road and the curving North ROW of the said FM 228 from which a ½" iron pin found for reference bears S 84 deg. 06' 40" E 30.78 feet;

THENCE across the said 2.978 acre tract and along the North ROW the said FM 228 the following two (2) courses:

- 1.) 128.93 feet along a 01 deg. 57' 32" curve to the left having a radius of 2924.79 feet, a central angel of 02 deg. 31' 33" and a long chord bearing S 74 deg. 31' 36" W a distance of 128.92 feet to a point for corner at the end of a curve from which a water meter bears S 31 deg. 08' W 15.3 feet;
- 2.) S 73 deg. 15' 49" at 304.64 feet the POINT AND PLACE OF BEGINNING and containing 5.12 acres of land, more or less, of which 0.337 acre lines within Berri Lane.

The bearings for this tract are based on the West boundary line of the said 2.2542 acre tract.