

2019 SEP 10 PM 3:57

NOTICE OF FORECLOSURE SALE

DATE: SEPTEMBER 10, 2019

DEED OF TRUST

DATE: JULY 14, 2010

GRANTOR: PAUL E. ERICKSON and KAREN S. ERICKSON

BENEFICIARY: DOMINY, FORD & ASSOCIATES, INC., PROFIT SHARING PLAN

TRUSTEE: A. A. DAVIS, JR.

SUBSTITUTE TRUSTEE: DENNIS J. ALBRIGHT

RECORDING INFORMATION: recorded in the Office of the County Clerk under Clerk's Instrument #1002768 in the Real Property Records of Houston County, Texas.

PROPERTY:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, FOR ALL PURPOSES.

DATE AND TIME OF FORECLOSURE SALE: (first Tuesday of month) between the hours of 10:00 a.m. and 1:00 p.m.): **OCTOBER 1, 2019**

PLACE OF FORECLOSURE SALE (including county) At the East side 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 Commissioners Court.

TERMS OF FORECLOSURE 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 Beneficiary'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 described in the Deed of Trust and in the performance of the obligations of the Deed of Trust. Because of that default, Beneficiary, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Beneficiary 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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

Dennis J. Albright _____

Dennis J. Albright - Substitute Trustee
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4.134 acres out of and a part of the G. DANIELS SURVEY, A-1297, in Houston County, Texas, and being the same land described in a deed to Howard Meador and Karon B. Walsh, from Ruby Lee Thompson recorded in Document No. 070280 of the Image Records of Houston County, Texas, which 4.134 acres more particularly described by metes and bounds as follows:

BEGINNING on a ½ inch Iron Rod found for the North East corner of this tract and the North West corner of the now or formerly Craig Wilson, called 5.16 acres tract, recorded in Document No. 001466 of the Image Records of Houston County, Texas and being in the South East line of the now or formerly Manual Cordova called 20.64 acres tract, recorded in Document No. 002154 of the Image Records of Houston County;

THENCE South 19 deg 40' 22" East 395.32 feet to a 1-1/4 inch Iron Pipe found for corner, same being the South West corner of the said Craig Wilson called 5.16 acres tract, and being in the North line of the now or formerly Dorothy Shorter called 1.03 acres tract, records in Volume 911, Page 50 of the Official Records of Houston County;

THENCE South 74 deg 21' 28" West 423.88 feet to a 3/4 inch Iron Pipe found for corner;

THENCE South 74 deg 37' 16" West 94.41 feet to a ½ inch Iron Rod set for corner, same being the South East corner of the now or formerly Betty Newman et al called 1.0 acre tract, recorded in Volume 1137, Page 221 of the Official Records of Houston County and being in the North line of the now or formerly Laura Collins called 1.03 acre tract, recorded in Volume 973, Page 305 of the Official Records of Houston County;

THENCE North 33 deg 52' 09" West 264.1 feet to a ½ inch Iron Rod set for corner, same being the North East corner of the said 1.0 acre tract and being in the South East line of the said now or formerly Manuel Cordova tract;

THENCE North 60 deg 20' 26" East 590.16 feet to the Place of beginning and containing 4.134 acres of land, more or less.

TOGETHER WITH an easement for ingress and egress and regress purposes, including but not limited to vehicular and pedestrian traffic, said easement being more particularly described by metes and bounds as follows:

EXHIBIT "A", page 2 of 2 pages

BEGIN all that certain tract or parcel of land lying and situated in Houston County, Texas out of the G. DANIELS SURVEY, A-1297 and the P. HALLMARK SURVEY, A-492, and being a part or portion of that certain called 10.315 acres tract conveyed to Betty Lou Thompson Newman, et al in the document recorded in Volume 1137, Page 221 of the official Records of Houston County, Texas, and being a part or portion of that certain called 183.35 acres tract conveyed to Edward D. Fleeks in the document recorded in Volume 310, Page 259 of the Deed Records of the said County, and being a part or portion of that certain called 1.031 acre tract conveyed to Dorothy J. Shorter in Document No. 00000004185 of the Image Records of the said County to which references are hereby made for all purposes and being more particularly described by metes and bounds as follows, to-wit:

COMMENCING at a 3-inch Fence Corner Post found for the Northeast of the aforesaid referred to 1.031 acre tract and the Northwest corner of a called 1.031 acre tract conveyed to Dorothy Scott in the document recorded in Volume 911, Page 50 of the said Official Records, on the South boundary line of the aforesaid referred to 10.315 acres tract;

THENCE, along the common boundary line of the said Shorter tract and the said Scott tract, South 21 deg 38' 33" West at 76.5 feet the Point of Beginning of the herein described centerline;

THENCE, across the said Shorter tract and the said 10.315 acres tract and the said 183.25 acres tract the following (10) courses:

- S 87 deg 10' W 95.1 feet;
- N 73 deg 45' W 106.6 feet;
- S 89 deg 50' West 64.7 feet;
- S 64 deg 32' W 126.7 feet;
- S 74 deg 29' West 83.2 feet;
- N 81 deg 52' W 33.7 feet;
- N 65 deg 52' W 38.0 feet;
- N 55 deg 42' W 82.7 feet;
- N 71 deg 15' W 80.6 feet;

S 84 deg 04' W 110.2 feet to the Point of Terminus of the herein described centerline in the approximate centerline of County Road No. 4527.
