

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

FILED
HOUSTON COUNTY
COUNTY CLERK
2019 SEP -9 PM 3:19
TERRELL

THE STATE OF TEXAS §
 §
COUNTY OF HOUSTON §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on June 8, 2017, **Salar Enterprises, Inc., a Texas corporation**, ("Grantor") executed and delivered a Deed of Trust, Security Agreement and Assignment of Rents (the "Deed of Trust") conveying to **David Zalman**, as Trustee, the hereinbelow described property to secure **Prosperity Bank** in the payment of an indebtedness (the "Note") therein described, the Deed of Trust being filed and recorded under Clerk's File No. 1702006, in the Official Public Records of Real Property of Houston County, Texas, to which reference is hereby made for all purposes; and

WHEREAS, default has occurred in the payment of the Note and the same is now wholly due, and **Prosperity Bank** (the "Beneficiary"), the owner and holder of the Note, has requested the undersigned to sell the Property to satisfy the Note; and

WHEREAS, the above named Trustee and any previously appointed Substitute Trustee was removed under and in accordance with the Deed of Trust and the Beneficiary designated and appointed **L. David Smith, Michel J. Smith, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, David Sims, Allan Johnston and Ronnie Hubbard, any of whom may act independently** as Substitute Trustee to enforce the Trust, and any of whom may conduct the sale of the Property and may be contacted as indicated on the signature block below.

NOW, THEREFORE, pursuant to the authority conferred upon me by the Deed of Trust, I, **Michael J. Smith**, hereby give notice that I or one of the other Substitute Trustees whose names and addresses are set out below, will sell the Property at public auction to the highest bidder, for cash, on **Tuesday, October 1, 2019**. The earliest time at which the sale will occur shall be at **1:00**

o'clock P.M. and it may take place not later than three hours after said time, and the sale shall take place in the area which has been designated as the area for foreclosures to take place, being the area located on the east side of the courthouse, 401 East Houston Avenue, Crockett, Houston County, Texas, (if weather is bad the first floor lobby of the Courthouse) which designated area is more particularly described in the Houston County Commissioner's Court Designation, recorded on October 30, 1987, Volume 870, Page 188, in the Official Real Property Records of Houston County, Texas, or any other area which has been designated by the Houston County Commissioner's Court as the area for foreclosures to take place. This conveyance will be made subject to any exceptions referenced in the Deed of Trust to the extent the same are still in effect and shall not cover any part of the Property that has been released from the liens of the Deed of Trust. The Property that will be sold at the foreclosure sale includes the following described real property, together with all improvements and fixtures thereon and appurtenances thereto and all goods, equipment, inventory and other tangible personal property located on the Land:

Tract 1: 1.225 acres out of and a part of the FRANK JOHNSON SURVEY, A-46, in the City of Crockett, Houston County, Texas, and also being out of and a part of a 1.371 acre tract conveyed to W.F. Adler from Bernice Brimberry and also being a part of the Smith Brothers Estate Addition, which 1.225 acre more particularly described by metes and bounds in **Exhibit "A"**, attached hereto and incorporated herein as if repeated verbatim.

Tract 2: 0.434 acres of land located in the A. E. GOSSETT SURVEY, A-423, City of Crockett, Houston County, Texas, and being further being the same tract of land conveyed to Tenneco Oil Company as described in Vol. 683, Page 124, Deed Records of Houston County, Texas; said 0.434 acres being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein as if repeated verbatim.

THE SALE OF THE PROPERTY 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, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

SUBSTITUTE TRUSTEES

NOTICE IS HEREBY PROVIDED THAT ONE OF THE FOLLOWING NAMED SUBSTITUTE TRUSTEES WHOSE ADDRESS AND CONTACT INFORMATION FOR PURPOSES HEREOF IS AS FOLLOWS MAY CONDUCT THE SALE:

L. David Smith, Michel J. Smith, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, David Sims, Allan Johnston and Ronnie Hubbard

c/o CHERNOSKY, SMITH, RESSLING & SMITH, PLLC

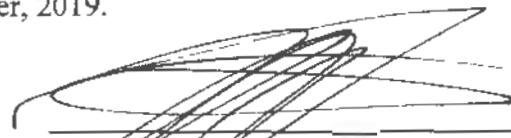
Attention: **Michael J. Smith**
700 Gemini Ave., Suite 120
Houston, Texas 77058
Telephone: (713) 800-8604
Email: msmith@csrslaw.com

c/o CHERNOSKY, SMITH, RESSLING & SMITH, PLLC

Attention: **L. David Smith**
3664 Walnut Bend Lane, Bldg. B
Houston, Texas 77042
Telephone: (713) 800-8604
Email: smith@csrslaw.com

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.

Dated this 6th day of September, 2019.



Michael J. Smith, Substitute Trustee
Chernosky, Smith, Resslering & Smith, PLLC
700 Gemini Ave., Suite 120
Houston, Texas 77058
Telephone: (713) 800-8608
Email: msmith@csrslaw.com

Sharon St. Pierre
Sharon St. Pierre 9-9-19

EXHIBIT "A"

(Legal Description)

Tract 1:

1.225 acres out of and a part of the FRANK JOHNSON SURVEY, A-44, in the City of Crockett, Houston County, Texas, and also being out of and a part of a 1.372 acre tract conveyed to W. F. Adler from Beruise Brimberry and also being a part of the Smith Brothers Estate Addition, which 1.315 acre more particularly described by map and bounds as follows:

BEGINNING on a concrete monument found for the Southeast corner of this tract, same being the Southeast corner of the said original 1.372 acre tract and also being in the West line of State Hwy. No. 19 and the North line of Austin Street;

THENCE N 76 deg. 00' W 134.3 feet to iron rod set for corner, same being in the North line of said Austin Street and being the Southeast corner of a 0.140 acre lot;

THENCE N 76 deg. 00' W 81.3 feet to iron rod set for corner to the West line of the said 1.372 acre tract;

THENCE N 14 deg. 19' E 72.0 feet to stake for corner;

THENCE N 76 deg. 00' W 7.5 feet to stake for corner;

THENCE N 14 deg. 19' E 100.0 feet to corner, same being S 76 deg. 00' E 0.9 feet from a concrete monument found;

THENCE S 76 deg. 00' E 131.3 feet to iron rod set for corner;

THENCE N 14 deg. 19' E 3.0 feet to iron rod found for corner, same being in the South boundary line of Dr. Harkins' tract;

THENCE S 76 deg. 00' E 91.4 feet to iron rod found for corner, same being in the West line of State Hwy. No. 19;

THENCE S 14 deg. 19' W 253.0 feet to the Place of Beginning and containing 1.225 acres of land, more or less.

Tract 2:

0.434 acres of land located in the A. E. GOSSETT SURVEY, A-423, City of Crockett, Houston County, Texas, and being further being the same tract of land conveyed to Tennessee Oil Company as described in Vol. 683, Page 134, Deed Records of Houston County, Texas; said 0.434 acres being more particularly described as follows:

BEGINNING at a found chiseled "X" marking the intersection of the northerly line of Fazzin Street with the westerly line of South 4th Street;

THENCE S 89 deg. 34' 34" West along the northerly line of said Fazzin Street, a distance of 134.00 feet, to a found 1/2 inch iron rod for corner;

THENCE N 80 deg. 49' 07" West, leaving the northerly line of said Fazzin Street, a distance of 140.01 feet, to a found 1 inch iron rod for corner;

THENCE N 89 deg. 34' 30" East, a distance of 136.09 feet to a found chiseled "X" for corner; said "X" further being located in the westerly line of said South 4th Street;

THENCE : 00 deg. 00' 00" East along the westerly line of said South 4th Street, a distance of 160.00 feet, to the point of beginning and containing 0.434 acres of land, more or less.