

## 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: DESCRIPTION of a 52,818 Square Foot (1.2125 Acre) tract of land being Lots 420, 427 and a portion of Lots 419 and 428, San Felipe de Austin Town Tract, Abstract No. 5, Austin County, Texas and more particularly described by metes and bounds as follows,

BEGINNING at a found 1/2" iron rod at the Northeast corner of said Lot 420 and being the intersection of the South Right of Way of 6th Street and the West Right of Way of Palacios Street,

THENCE, S 25 degrees 00 minutes 00 seconds W, along the West Right of Way of Palacios Street, a distance of 333.24 feet to a found 1/2" iron rod for the Southeast corner of Lot 427 and the tract herein described,

THENCE, N 65 degrees 00 minutes 00 seconds W, along the South line of Lots 427 and 428, a distance of 158.50 feet to a 5/8" iron rod set for the Southwest corner of the tract herein described,

THENCE, N 25 degrees 00 minutes 00 seconds E, a distance of 333.24 feet to a 5/8" iron rod set in the South Right of Way of 6th Street and the Northwest corner of the tract herein described,

THENCE, S 65 degrees 00 minutes 00 seconds E, along the South Right of Way of 6th Street and the North line of Lots 419 and 420, a distance of 158.50 feet to the POINT OF BEGINNING and containing 1.2125 Acre

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 04/23/2008 and recorded in Document 082222 real property records of Austin County, Texas.

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

Date: 06/07/2022

Time: 01:00 PM

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 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 BILLY DAVIS AND SANDRA DAVIS, provides that it secures the payment of the indebtedness in the original principal amount of \$182,141.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Towd Point Master Funding Trust 2021-PM1 is the current mortgagee of the note and deed of trust and CARRINGTON MORTGAGE SERVICES LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Towd Point Master Funding Trust 2021-PM1 c/o CARRINGTON MORTGAGE SERVICES LLC, 1600 South Douglass Road, Suite 200-A, Anaheim, CA 92806 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 MORTGAGE SERVICER.**



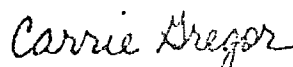


Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Michael Zientz, Attorney at Law  
Lori Liane Long, Attorney at Law  
Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Parkway Office Center, Suite 900  
14160 Dallas Parkway  
Dallas, TX 75254

I am Meagan L. Nandle 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 03/29/22 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.

FILED

2022 MAR 24 AM 10: 21



COUNTY CLERK  
AUSTIN COUNTY TEXAS

**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: 1.60 ACRES OF LAND, MORE OR LESS, OUT OF THE S.M. WILLIAMS LEAGUE (A-103), AUSTIN COUNTY, TEXAS, DESCRIBED IN DEED FROM VLADISLAV JANES, ET UX, TO ALVIN HENRY JANES, DATED APRIL 11, 1963, RECORDED IN VOLUME 271, PAGE 581, DEED RECORDS OF AUSTIN COUNTY, TEXAS. SEE ATTACHED EXHIBIT A.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 04/25/2005 and recorded in Document 053185 real property records of Austin County, Texas.

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

Date: 06/07/2022

Time: 01:00 PM

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 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 BRIAN JANES AND KRISTINA JANES, provides that it secures the payment of the indebtedness in the original principal amount of \$104,800.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Wells Fargo Bank, N.A., as Trustee, for Park Place Securities, Inc. Asset-Backed Pass-Through Certificates, Series 2005-WCW2 is the current mortgagee of the note and deed of trust and SELECT PORTFOLIO SERVICING, INC. is mortgage servicer. A servicing agreement between the mortgagee, whose address is Wells Fargo Bank, N.A., as Trustee, for Park Place Securities, Inc. Asset-Backed Pass-Through Certificates, Series 2005-WCW2 c/o SELECT PORTFOLIO SERVICING, INC., 3217 S. Decker Lake Dr., Salt Lake City, UT 84119 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

**6. Order to Foreclose.** Wells Fargo Bank, N.A., as Trustee, for Park Place Securities, Inc. Asset-Backed Pass-Through Certificates, Series 2005-WCW2 obtained a Order from the 155th District Court of Austin County on 07/20/2021 under Cause No. 2019V-0162 . The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

**7. 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 MORTGAGE SERVICER.**



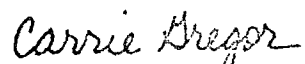
Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Michael Zientz, Attorney at Law  
Lori Liane Long, Attorney at Law  
Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Parkway Office Center, Suite 900  
14160 Dallas Parkway  
Dallas, TX 75254

Certificate of Posting

I am Megan Randle 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 04/12/22 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.

FILED

2022 APR 12 PM 2: 15



COUNTY CLERK  
AUSTIN COUNTY TEXAS



NOTICE OF DEFAULT AND FORECLOSURE SALE

WHEREAS, on February 4, 2012, a certain Adjustable Rate Home Equity Conversion Deed of Trust ("Reverse Mortgage") was executed by LUELLA BOLDEN, as mortgagor in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR SECURITY ONE LENDING, ITS SUCCESSORS AND ASSIGNS, as mortgagee and WILLIAM E. TRASK, as trustee, and was recorded on February 14, 2012 under Clerk's Instrument Number 120706 in the real property records of Austin County, Texas.

WHEREAS, the Reverse Mortgage was insured by the United States Secretary of Housing and Urban Development (the "Secretary") pursuant to the National Housing Act for the purpose of providing single family housing; and

WHEREAS, the beneficial interest in the Reverse Mortgage is now owned by the Secretary, pursuant to an assignment dated July 25, 2016, and recorded on August 15, 2016, under Clerk's Instrument Number 163372 in the real property records of Austin County, Texas; and

WHEREAS, a default has been made in the covenants and conditions of the Reverse Mortgage in that the Mortgagors are now deceased; and

WHEREAS, the entire amount delinquent as of June 7, 2022 is \$111,188.00; and

WHEREAS, by virtue of the default, the Secretary has declared the entire amount of the indebtedness secured by the Reverse Mortgage to be immediately due and payable;

NOW THEREFORE, pursuant to powers vested in me by the Single Family Mortgage Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR part 27, subpart B, and by the Secretary's designation of me as Foreclosure Commissioner, recorded on October 15, 2007 in Dallas County under Clerk's File Number 20070369306, notice is hereby given that on June 7, 2022, at 01:00 PM local time or no later than three hours thereafter, all real and personal property at or used in connection with the following described premises ("Property") will be sold at public auction to the highest bidder:

**LOTS TWELVE (12), THIRTEEN (13), FOURTEEN (14) AND THE WESTERLY 1/2 OF LOTS FOURTEEN (14) AND THIRTY-THREE (33), BLOCK ONE (1) OF THE J.J. WALKER ADDITION TO THE CITY OF SEALY, AUSTIN COUNTY, TEXAS.**

Commonly known as: 539 ANDERSON STREET, SEALY, TX 77474.

The sale will be held in Austin County, Texas at the following location: INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

The Secretary of Housing and Urban Development will bid \$111,188.00.

There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay, at or before closing, his prorated share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale.

When making their bids, all bidders except the Secretary must submit a deposit totaling \$11,118.80 in the form of a certified check or cashier's check made out to the Secretary of HUD. A deposit need not accompany each oral bid. If the successful bid is oral, a deposit of \$11,118.80 must be presented before the bidding is closed. The deposit is nonrefundable. The remainder of the purchase price must be delivered within 30 days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a certified or cashier's check. If the Secretary is the highest bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveying fees, all real estate and other taxes that are due on or after the delivery date of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee of \$500.00, paid in advance. The extension fee shall be in the form of a certified or cashier's check made payable to the Secretary of HUD. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due.

If the high bidder is unable to close the sale within the required period, or within any extension of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit or, at the election of the foreclosure commissioner after consultation with the HUD representative, will be liable to HUD for

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Carrie Gregor

COUNTY CLERK  
AUSTIN COUNTY, TEXAS



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2022-0010

any costs incurred as a result of such failure. The Commissioner may, at the direction of the HUD representative, offer the property to the second highest bidder for an amount equal to the highest price offered by that bidder.

There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant.

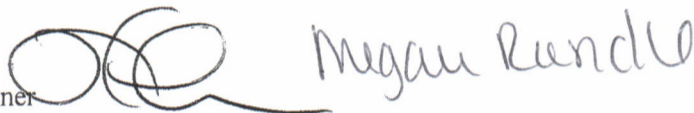
The scheduled foreclosure sale shall be cancelled or adjourned if it is established, by documented written application of the mortgagor to the Foreclosure Commissioner not less than 3 days before the date of sale, or otherwise, that the default or defaults upon which the foreclosure is based did not exist at the time of service of this notice of default and foreclosure sale, or all amounts due under the mortgage agreement are tendered to the Foreclosure Commissioner, in the form of a certified or cashier's check payable to the Secretary of HUD, before public auction of the property is completed.

The amount that must be paid if the mortgage is to be paid in full prior the scheduled sale is \$111,188.00, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred in giving notice, mileage by the most reasonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out-of-pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement.

Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner provided below.

Date: May 2, 2022

L. Keller Mackie  
Foreclosure Commissioner  
Mackie Wolf Zientz & Mann, P.C.  
Parkway Office Center, Suite 900  
14160 Dallas Parkway  
Dallas, TX 75254  
(214) 635-2650  
(214) 635-2686 Fax



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2022 MAY -6 AM 10:11

*Carrie Gregor*

COUNTY CLERK  
AUSTIN COUNTY, TEXAS

22-000006-430-1

2022-0010

**WILSON MICHALIK**  
PLLC  
**ATTORNEYS AT LAW**

A PROFESSIONAL LIMITED LIABILITY COMPANY  
WILSONMICHALIK.COM

16225 Park Ten Place, Suite 500  
Houston, Texas 77084-4996  
Telephone (281) 646-9600  
Fax (979) 413-3533

219 West Main Street  
Bellville, Texas 77418  
Telephone (979) 413-3537  
Fax (979) 413-3533

MARK D. WILSON  
BOARD CERTIFIED IN COMMERCIAL REAL ESTATE  
TEXAS BOARD OF LEGAL SPECIALIZATION

JENNIFER MICHALIK  
PROFESSIONAL MEDIATOR

**Notice of Foreclosure Sale**

May 11, 2022

Deed of Trust:

Dated: December 18, 2014

Grantor: Nelson Amy

Trustee: Mark D. Wilson

Lender: Display Electrographic Corporation

Substitute Trustee: Mark D. Wilson, Jennifer Michalik

Legal Description: See attached Exhibit A

Secures: Real Estate Note dated December 18, 2014 ("Note") in the original principal amount of \$69,000.00, executed by Nelson Amy ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, June 7, 2022

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. and not later than three hours thereafter.

Place: 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.

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2022 MAY 13 AM 10:49

Carrie Gregor  
COUNTY CLERK  
AUSTIN COUNTY TEXAS

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 Display Electrographic Corporation'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, Display Electrographic Corporation, 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 Display Electrographic Corporation's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Display Electrographic Corporation'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 Display Electrographic Corporation 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 Display Electrographic Corporation. 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.**

FILED  
2022 MAY 13 AM 10:49

*Carrie Gregor*

2022-0011

WILSON MICHALIK, PLLC

By: *Judge Michalik*  
Mark D. Wilson, Jennifer Michalik, Trustee  
219 W. Main Street  
Bellville, Texas 77418  
Telephone (979) 413-3537  
Facsimile (979) 413-3533

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2022 MAY 13 AM 10:49  
*Carrie Dregor*  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

2022-0011



Exhibit "A"

4,978.45 square feet, more or less, being the East 58.57 feet of Lot Eight (8), Block Fifty Two (52) and the South 10 feet X the East 58.57 feet of Lot 7, Block 52, in the Town of Sealy, according to the Plat of the Town of Sealy, recorded in Volume X, Page 6, Deed Records of Austin County, Texas.

FIELD NOTES FOR A 4,978.45 SQUARE FOOT PARCEL OF LAND BEING THE EAST 58.57 FEET OF LOT 8, BLOCK 52, AND THE SOUTH 10 FEET X THE EAST 58.57 FEET OF LOT 7, BLOCK 52, IN THE TOWN OF SEALY ACCORDING TO A PLAT OR MAP OF THE TOWN OF SEALY RECORDED IN VOLUME X, PAGE 6, DEED RECORDS, AUSTIN COUNTY, TEXAS.

COMMENCING at a 1/2 inch Iron Pipe set at the point of intersection of the North right-of-way line of Seventh Street based on 80 feet in width with the East right-of-way line of Hardman Street based on 80 feet in width being the Southwest corner of Block 52;

THENCE North 78 degrees 30 minutes East along the North line of Seventh Street, same being the South line of Block 52, 81.43 feet to a 1/2 inch Iron Pipe set on said line for the Southwest corner and Place of Beginning of the herein described 4,978.45 Square Foot Parcel of land, same being the Southeast corner of an adjoining 6,921.55 Square Foot Parcel being a part of Lot 8 and Lot 7 of Block 52, Town of Sealy;

THENCE North 11 degrees 30 minutes West along the common line of the herein described 4,978.45 Square Foot Parcel and the aforementioned adjoining 6,921.55 Square Foot Parcel, at 75.00 feet pass the North line of Lot 8, same being the South line of Lot 7 of Block 52, and continuing for a total distance of 85.00 feet to a 3/4 inch Iron Pipe set for the Northwest corner of the herein described 4,978.45 Square Foot Parcel of land, same being the Northeast corner of the aforementioned adjoining 6,921.55 Square Foot Parcel;

THENCE North 78 degrees 30 minutes East along a line 10 feet from and parallel to the South line of Lot 7, 58.57 feet to a 5/8 inch Iron Rod found on the West line of a 20 foot wide alley for the Northeast corner of the herein described 4,978.45 Square Foot Parcel;

THENCE South 11 degrees 30 minutes East along the West line of said 20 foot wide alley, at 10.00 feet pass the common line of Lot 7 and Lot 8 and continuing for a total distance of 85.00 feet to a 1/2 inch Iron Pipe set at the Southeast corner of Lot 8 for the Southeast corner of the herein described 4,978.45 Square Foot Parcel;

THENCE South 78 degrees 30 minutes West along the South line of Lot 8 being the South line of Block 52 and the North line of Seventh Street, 58.57 feet to the Place of BEGINNING and containing 4,978.45 square feet of land, more or less.

Instrument # 145508  
12/29/2014 2:57 PM

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2022 MAY 13 AM 10:49

*Carrie Gregor*

COUNTY CLERK  
AUSTIN COUNTY, TEXAS

STATE OF TEXAS COUNTY OF AUSTIN  
I certify that this instrument was filed on the  
date and time stamped by me and was recorded in the  
Official Public Records of Austin County, Texas.

Carrie Gregor, County Clerk  
Austin County, Texas

# NOTICE OF FORECLOSURE SALE

April 27, 2022

## Deed of Trust ("Deed of Trust"):

**Dated:** June 5, 2020

**Grantor:** Arturo Martinez, Jr. and Cynthia Guerrero Cecena Martinez

**Trustee:** Caroline Ortego

**Lender:** Hawthorne Ventures, LP

**Recorded in:** Instrument No. 202373 of the real property records of Austin County, Texas

**Legal Description:** Being a 10.200 acre tract of land situated in the Kate Vanwie Survey, Abstract 423, and the H. & T.C. RR. Survey, Abstract Number 237, Austin County, Texas, being a portion of that certain called 309.259 acre tract described in instrument to Hawthorne Ventures, LP, recorded under Clerk's File Number 194401 of the Official Public Records of Austin County, Texas (O.P.R.A.C.T.), said 10.200 acre tract being more particularly described in the attached Exhibit.

**Secures:** Promissory Note ("Note") in the original principal amount of \$168,500.00, executed by Arturo Martinez, Jr. and Cynthia Guerrero Cecena Martinez ("Borrower") and payable to the order of Lender

**Substitute Trustee:** Megan Randle, Debby Jurasek, or Ebbie Murphy

**Substitute Trustee's Address:** c/o Foreclosure Services LLC  
8101 Boat Club Road, Suite 320  
Fort Worth, Texas, 76179

## Foreclosure Sale:

**Date:** Tuesday, June 7, 2022

**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 1:00 P.M. and not later than three hours thereafter.

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2022 MAY 16 AM 11:13

*Carrie Gregor*  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

2022 MAY 5 AM

**Place:** The Foyer of the Austin County Courthouse located at 1 E. Main St., Bellville, Texas 77418, Austin County, Texas, or in the area designated by the Commissioner's Court, pursuant to Section 51.002 of the Texas Property Code.

**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 Hawthorne Ventures, LP'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, Hawthorne Ventures, LP, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Hawthorne Ventures, LP's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Hawthorne Ventures, LP'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, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Hawthorne Ventures, LP 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 Hawthorne Ventures, LP. 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

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2022 MAY 16 AM 11:14

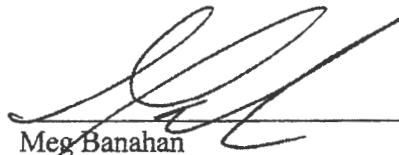
*Carrie Gregor*

COUNTY CLERK  
AUSTIN COUNTY, TEXAS

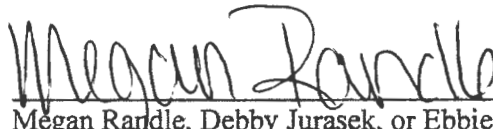
further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

**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.**

**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.**



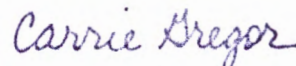
Meg Banahan  
Veronica A. Martinez  
R. Alex Weatherford  
Banahan Martinez Weatherford, PLLC  
1400 Broadfield Blvd., Suite 105  
Houston, Texas 77084  
Telephone (281) 394-3122  
Telecopier (281) 940-2743  
Attorney for Lender



Megan Randle, Debby Jurasek, or Ebbie Murphy  
Substitute Trustee  
c/o Foreclosure Services LLC  
8101 Boat Club Road, Suite 320  
Fort Worth, Texas 76179

FILED

2022 MAY 16 AM 11:14



COUNTY CLERK  
AUSTIN COUNTY, TEXAS

JA 20252



**TEXAS PROFESSIONAL SURVEYING, LLC.**

3032 N. FRAZIER STREET, CONROE, TEXAS 77303  
(936)756-7447 FAX (936)756-7448  
FIRM REGISTRATION No. 100834-00

**FIELD NOTE DESCRIPTION**

**TRACT 3  
10.200 ACRES**

**IN THE KATE VANWIE SURVEY, ABSTRACT NUMBER 423,  
AND THE H. & T.C. RR. SURVEY, ABSTRACT NUMBER 237  
AUSTIN COUNTY, TEXAS**

BEING a 10.200 acre tract of land situated in the Kate Vanwie Survey, Abstract Number 423, and the H. & T.C. RR. Survey, Abstract Number 237, Austin County, Texas, being a portion of that certain called 309.259 acre tract described in instrument to Hawthorne Ventures, LP., recorded under Clerk's File Number 194401 of the Official Public Records of Austin County, Texas (O.P.R.A.C.T.), said 10.200 acre tract being more particularly described by metes and bounds as follows:

**BEGINNING** at a ½ inch iron rod with cap stamped "TPS 100834-00" set in the apparent common line between said H. & T.C. RR. Survey, and the San Felipe De Austin Survey, Abstract Number 5, the southwesterly margin of Beckendorff Road, the northeasterly line of said 309.259 acre tract, being the northerly corner of the herein described 10.200 acre tract, from which a ½ inch iron rod found in the apparent common line between said Austin H. & T.C. RR. Surveys, at the intersection of the southwesterly margin of said Beckendorff Road, with the approximate centerline of Milton Road, for the northerly corner of said 309.259 acre tract, bears North 48°04'19" West, 1832.91 feet;

THENCE South 48°04'19" East, 263.01 feet, with an apparent northeasterly line of said H. & T.C. RR. and Vanwie Surveys, common to a southwesterly line of said Austin Survey, the southwesterly margin of said Beckendorff Road, the northeasterly line of said 309.259 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for the easterly corner of the herein described 10.200 acre tract, from which a ½ inch iron rod found at the intersection of the southwesterly margin of said Beckendorff Road with the northwesterly right-of-way of the A.T. & S.F. Railroad (100 feet wide), for the easterly corner of said 309.259 acre tract, bears South 48°04'19" East, 523.44 feet;

THENCE South 31°52'05" West, 1715.71 feet, severing said 309.259 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for the southerly corner of the herein described 10.200 acre tract;

THENCE North 48°04'19" West, 263.01 feet, continuing across said 309.259 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for the westerly corner of the herein described 10.200 acre tract;

**FILED**

**2022 MAY 16 AM 11:14**

*Carrie Gregor*

**COUNTY CLERK  
AUSTIN COUNTY, TEXAS**

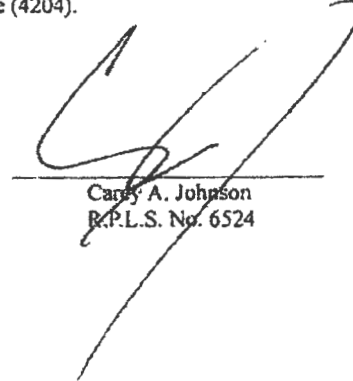
THENCE North 31°52'05" East, 1715.71 feet, continuing across said 10.200 acre tract, to the **PLACE OF BEGINNING;**

CONTAINING a computed area of 10.200 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground in February 12, 2020 by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number H489-02\_Tract3.

Bearings recited hereon are based on GPS observations and are referenced to the North American Datum (NAD) 1983, Texas State Plane Coordinate System, South Central Zone (4204).

February 18, 2020  
Date



Carey A. Johnson  
R.P.L.S. No. 6524

FILED

2022 MAY 16 AM 11:14

*Carrie Gregor*

COUNTY CLERK  
AUSTIN COUNTY TEXAS

# NOTICE OF FORECLOSURE SALE

April 27, 2022

## Deed of Trust ("Deed of Trust"):

**Dated:** September 20, 2021

**Grantor:** Arturo Martinez, Jr. and Cynthia Guerrero Cecena Martinez

**Trustee:** Ethan Gao

**Lender:** Hawthorne Ventures, LP

**Recorded in:** Instrument No. 215465 of the real property records of Austin County, Texas

**Legal Description:** Being called Tract 03A, a 10.100 acre tract of land situated in the H. & T.C. RR. Survey, Abstract Number 237, and the H. & T.C. RR. Survey, Abstract Number 231, Austin County, Texas, being a portion of that certain called 309.259 acre tract described in instrument to Hawthorne Ventures, LP, recorded under Clerk's File Number 194401 of the Official Public Records of Austin County, Texas (O.P.R.A.C.T), said 10.100 acre tract being more particularly describe in the attached Exhibit.

**Secures:** Promissory Note ("Note") in the original principal amount of \$107,495.00, executed by Arturo Martinez, Jr. and Cynthia Guerrero Cecena Martinez ("Borrower") and payable to the order of Lender

**Substitute Trustee:** Megan Randle, Debby Jurasek, or Ebbie Murphy

**Substitute Trustee's Address:** c/o Foreclosure Services LLC  
8101 Boat Club Road, Suite 320  
Fort Worth, Texas, 76179

## Foreclosure Sale:

**Date:** Tuesday, June 7, 2022

**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 1:00 P.M. and not later than three hours thereafter.

FILED  
2022 MAY 16 AM 11:14  
Carrie Gregor  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS

2022-0013

**Place:** The Foyer of the Austin County Courthouse located at 1 E. Main St., Bellville, Texas 77418, Austin County, Texas, or in the area designated by the Commissioner's Court, pursuant to Section 51.002 of the Texas Property Code.

**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 Hawthorne Ventures, LP'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, Hawthorne Ventures, LP, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Hawthorne Ventures, LP's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Hawthorne Ventures, LP'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, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Hawthorne Ventures, LP 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 Hawthorne Ventures, LP. 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

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*Carrie Gregor*

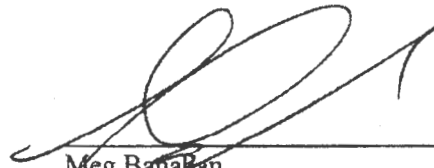
COUNTY CLERK  
AUSTIN COUNTY, TEXAS



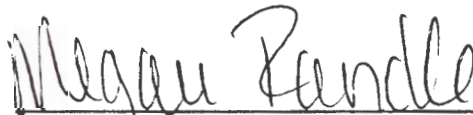
further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

**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.**

**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.**



Meg Banahan  
Veronica A. Martinez  
R. Alex Weatherford  
Banahan Martinez Weatherford, PLLC  
1400 Broadfield Blvd., Suite 105  
Houston, Texas 77084  
Telephone (281) 394-3122  
Telecopier (281) 940-2743  
Attorney for Lender



Megan Randle, Debby Jurasek, or Ebbie Murphy  
Substitute Trustee  
c/o Foreclosure Services LLC  
8101 Boat Club Road, Suite 320  
Fort Worth, Texas 76179

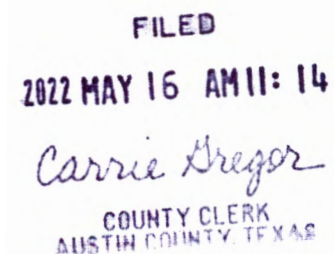


Exhibit A



**TEXAS PROFESSIONAL SURVEYING, LLC.**

3032 N. FRAZIER STREET, CONROE, TEXAS 77303  
(936)756-7447 FAX (936)756-7448  
FIRM REGISTRATION No. 100834-00

**FIELD NOTE DESCRIPTION**

**TRACT 3A  
10.100 ACRES**

**THE H. & T.C. RR. SURVEY, ABSTRACT NUMBER 237,  
AND THE H. & T.C. RR. SURVEY, ABSTRACT NUMBER 231  
AUSTIN COUNTY, TEXAS**

BEING a 10.100 acre tract of land situated in the H. & T.C. RR. Survey, Abstract Number 237, and the H. & T.C. RR. Survey, Abstract Number 231, Austin County, Texas, being a portion of that certain called 309.259 acre tract described in instrument to Hawthorne Ventures, LP., recorded under Clerk's File Number 194401 of the Official Public Records of Austin County, Texas (O.P.R.A.C.T.), said 10.100 acre tract being more particularly described by metes and bounds as follows:

**BEGINNING** at a ½ inch iron rod with cap stamped "TPS 100834-00" set in northwesterly right-of-way of the A.T. & S.F. Railroad, (100 feet wide), the southeasterly line of said 309.259 acre tract, for the easterly corner of the herein described 10.100 acre tract, from which a ½ inch iron rod found for the easterly corner of said 309.259 acre tract bears North 31°52'05" East, 1715.71 feet;

**THENCE** South 31°52'05" West, 460.18 feet, with the northwesterly right-of-way of said Railroad, the southeasterly line of said 309.259 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for the southerly corner of the herein described 10.100 acre tract;

**THENCE** North 39°57'51" West, 1249.03 feet, severing said 309.259 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for the westerly corner of the herein described 10.100 acre tract;

**THENCE** North 31°52'05" East, 281.26 feet, over and across said 309.259 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for the northerly corner of the herein described 10.100 acre tract;

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**2022 MAY 16 AM 11:14**

*Carrie Gregor*

COUNTY CLERK  
AUSTIN COUNTY, TEXAS

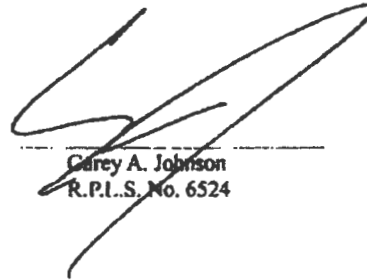
THENCE South 48°04'19" East, 1205.29 feet, continuing across said 309.259 acre tract, to the PLACE OF BEGINNING;

CONTAINING a computed area of 10.100 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground in June 9, 2020 by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number H489-02\_Tract100.

Bearings recited hereon are based on GPS observations and are referenced to the North American Datum (NAD) 1983, Texas State Plane Coordinate System, South Central Zone (4204).

October 18, 2020  
Date



Carey A. Johnson  
R.P.L.S. No. 6524

FILED  
2022 MAY 16 AM 11:14  
Carrie Gregor  
COUNTY CLERK  
AUSTIN COUNTY, TEXAS