

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on January 27, 2015, Kenneth Kellis, signed a Deed of Trust (hereinafter called the "Deed of Trust") conveying to the original Trustee certain real property described in the Deed of Trust, for the purpose of securing the payment of the Deed of Trust Note (Installment Payment) (dated January 27, 2015) (hereinafter called the "Promissory Note" or "Note") in the original amount of \$70,000.00 and payable to the order of United-Bilt Homes, L.L.C., the Deed of Trust having been recorded under Document No. 15-01188, Volume 1726, Pages 128 thru 134, 7 pages, of the Official Public Records of Real Property of Fayette County, Texas (filed on February 19, 2015);

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of the Original Trustee, upon the contingency and in the manner authorized by the Deed of Trust;

WHEREAS, default has occurred in the payment of the Note, which is now wholly due, and United-Bilt Homes, L.L.C. (hereinafter called the "Mortgagee"), as the owner and holder of the Note has requested the undersigned to sell the Real Property to satisfy the indebtedness evidenced by the Note;

WHEREAS, Mortgagee is the holder of the Note and the beneficiary under the Deed of Trustee;

WHEREAS, pursuant to the authority of Section 51.0075(c) of the Texas Property Code ("Substitute Trustee Statute") and in accordance with the terms and conditions of the Deed of Trust, Mortgagee has appointed Stephen D. Fox, with a street address of 1106 Woodall Circle, New Braunfels, TX 78130, who may act alone as the substitute trustee in the place and stead of and to succeed to all of the rights, titles, estates, powers, privileges and authorities granted in the Deed of Trust to the Original Trustee and any previously appointed substitute trustee;

WHEREAS, the Indebtedness is now wholly due and payable;

WHEREAS, Mortgagee has made demand upon Mortgagor to pay to Mortgagee the Indebtedness now due, but Indebtedness has not been paid; and

WHEREAS, Mortgagee, as the beneficiary under the Deed of Trust, has instructed the Substitute Trustee to post, file, and mail, or cause to be posted, filed, and mailed, appropriate notice and to sell the Mortgaged Property to satisfy, in whole or in part, the unpaid Indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, January 3, 2017 at 10:00 A.M.**, or within three hours thereafter, the undersigned, or any other successor Substitute Trustee hereafter appointed, will sell the Real Property at public auction to the highest bidder for cash. Such sale shall be held at the Fayette County Courthouse Bulletin Board located on the edge of the Courthouse Square on West Colorado Street in the area just west of where the straight sidewalk from the North entrance of the Courthouse building meets West Colorado Street outside the Fayette County Courthouse located at 151 North Washington Street, La Grange, Fayette County, TX 78945, or any other area designated by the Commissioners Court of such County for such sales (as such designation is recorded in the Real Property Records of said County), or if no area is so designated, then where this notice is posted.

If such sale or sales do not result in full satisfaction of all of the Indebtedness now due, the lien and security interest of the Deed of Trust shall remain in full force and effect in respect of any of the Mortgaged Property not so sold and any and all other types of real and personal property covered by the Deed of Trust and not described herein.

The Real Property is as described in Exhibit "A" hereto, and made a part hereof for all purposes, and includes all rights, titles, estates, reversions, remainders and other interests with respect thereto as are granted in the Deed of Trust.

ACTIVE MILITARY SERVICE NOTICE

Assert and protect your rights as a member of the armed forces of the United States. If you 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.

IN WITNESS WHEREOF, the Substitute Trustee has signed this notice as of this the 6th of December, 2016.

SUBSTITUTE TRUSTEE:

Stephen D. Fox
STEPHEN D. FOX
Substitute Trustee

Return:

P.O. Box 312104
1106 Woodall Circle
New Braunfels, Texas 78131
(832) 245-2665
Fox.Stephen2011@gmail.com

EXHIBIT A

BEGINNING at an iron rod set along the curving east right-of-way line of State Highway No. 95 for the northwest corner hereof, the southwest corner of a 7.765 acre tract out of said Hobart tract surveyed by the undersigned, from which point, for reference, an iron rod set for the common west corner of said Hobart tract and that tract conveyed as 79.49 acres to Juan Gallegos and Cynthia Gallegos by deed recorded in Volume 1110, Page 286 of said Official Records bears 60.17 feet along the arc to the left of the curving east line of said State Highway No. 95 with a radius of 5794.58 feet, a central angle of 00°35'42" and a chord bearing of N 40°55'46" W, 60.17 feet;

THENCE N 53°25'30" E, 287.14 feet over and across said Hobart tract along a line 60.00 feet south of and parallel to the north line of said Hobart tract to an iron rod set for the northeast corner hereof and an ell corner along the south line of said 7.765 acres;

THENCE S 36°18'27" E, 466.32 feet continuing over and across said Hobart tract to an iron rod set for the southeast corner hereof and a second ell corner along the south line of said 7.765 acres;

THENCE S 53°57'35" W, 270.70 feet continuing over and across said Hobart tract to an iron rod set along the curving east line of said State Highway No. 95;

THENCE 464.13 feet along the arc to the left of the curving east line of said State Highway No. 95 with a radius of 5794.58 feet, a central angle of 04°35'21" and a chord bearing of N 38°20'14" W, 464.00 feet to the POINT OF BEGINNING, containing 2.945 acres of land, more or less and shown on the survey map prepared herewith.

February 19 2015 10:55 AM

STATE OF TEXAS COUNTY OF FAYETTE
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the OFFICIAL RECORDS of Fayette County, Texas as stamped hereon above time.

JULIE KARSTEDT, COUNTY CLERK

Stamps: 7 Page(s) *KS*

FILED
9:55 AM
DEC 06 2016

Julie Karstedt
JULIE KARSTEDT *mk*
CO. CLERK, FAYETTE CO., TEXAS