



**PURSUANT TO TEXAS TAX CODE SECTION 32.06, THE FORECLOSURE SALE REFERRED TO IN THIS DOCUMENT IS A SUPERIOR TRANSFER TAX LIEN SUBJECT TO RIGHT OF REDEMPTION UNDER CERTAIN CONDITIONS. THE FORECLOSURE IS SCHEDULED TO OCCUR ON TUESDAY, JULY 2, 2019**

**NOTICE OF FORECLOSURE SALE**

WHEREAS, on or about June 7, 2010 multiple Affidavits Certifying Transfer of Tax Lien, or other Transfer of Lien document (regardless of actual title, herein called the "Transfer Affidavit") was recorded by the applicable Tax Assessor-Collector (the "Tax Assessor"), Deputy or Agent, recorded in/under Documents No. 1002976-89, 1002991, 1003002 and 103004, of the Real Property Records of, Waller County, TX, transferring the tax lien referred to therein to Tax Rescue II, LLC (the "Lienholder") for the ad valorem property taxes assessed against the following real property (the "Property"):

**Property means - All that certain tract or parcel of land (together with all improvements thereon, if any) situated in Waller County, Texas, being more particularly described as Lot 62, 63, 64, 65, 66, 68, 70, 71, 72, 73, and 74 of LEGENDARY OAKS, a Subdivision located in L. Abbott Survey, Abstract I and partly in James Hall Survey, abstract 32, City of Hempstead, Waller County, Texas, according to the replat recorded in Volume 648 of Page 829 off the Official Public Records in Waller County, Texas (more particularly described in the Loan Documents).**

WHEREAS, on or about May 5, 2010, Legendary Oaks Development Corporation, A Texas Corporation ("Owners", whether one or more) executed a tax lien promissory note (the "Note") in the original principal amount of \$153,563.98 payable to the order of the Lienholder, evidencing the obligations of the Owners to re-pay the Lienholder for advancing funds to pay the ad valorem taxes owed on the Property to the Tax Assessor. The Note provides for a schedule of repayment with which the Owners agreed to comply.

WHEREAS, of even date with the said Note, in order to secure the re-payment of the Note, Owners executed, together with the Lienholder, a Contract for Foreclosure of Tax Lien or Deed of Trust- Tax Lien (the "Tax Lien Contract/Deed of Trust"), recorded in/under clerk's file No. 1002500 and Corrected In the Official Public Records of real property of Waller County No 1501549, Real Property Records of Waller County, TX, wherein the Owners, among other provisions, (i) consented to the Lienholder paying the ad valorem taxes on the Property, (ii) granted to the Lienholder a lien against the Property, which, which lien was subrogated to the lien priority and foreclosure rights against the Property granted by law to the Tax Assessor, (iii) granted to the Lienholder a power of sale, which allows the Lienholder to non-judicially foreclose on the Property for non-payment of the Note, and (iv) consented to foreclosure of the said lien by the Lienholder within one (1) year after the recording of the lien as provided in Sec.32.06(i) of the Texas Property Tax Code; and

WHEREAS, Tax Rescue II, LLC, is representing the Lienholder under a servicing agreement with the Lienholder, The Lienholder is the Mortgagee. The name and address of the mortgage servicer are: Tax Rescue II, LLC, is P.O. Box 741109, Houston, Texas 77274-1109; and,

WHEREAS, default has occurred in the payment of said debt and the same is now due, and the Lienholder as the legal owner and the holder thereof, has demanded payment thereof and has requested the undersigned to enforce the

power of sale set forth in the Tax Lien Contract/Deed of Trust and to sell said property pursuant to the terms of said Tax Lien Contract/Deed of Trust; and,

WHEREAS, the undersigned (the "Trustee") was appointed either in the Tax Lien Contract/Deed of Trust or subsequently as Trustee or Substitute Trustee in accordance with the provisions of said Tax Lien Contract/Deed of

Trust to sell the Property, and Whereas the Trustee filed and furnished to Grantor, all persons obligated on the Note, and all Guarantors, if any, and the mortgage lien holder, if any, copies of this Notice of Foreclosure Sale in accordance with Sec. 32.06 and Sec. 32.065 of the Texas Property Tax Code, Sec. 51.002 of the Texas Property Code and the Tax Lien Contract/Deed of Trust;

THEREFORE, NOTICE is given that the undersigned or such other person appointed as Trustee or Substitute Trustee in accordance with the provisions of said Tax Lien Contract/Deed of Trust will sell the Property on TUESDAY, JULY 2, 2019 that being the first Tuesday in said month, beginning 1:00 PM, at the Waller County Courthouse at the place designated by the Commissioner's Court of Waller County, Texas, at Public Sale to the highest bidder for cash.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER THE BENEFICIARY NOR THE TRUSTEE/SUBSTITUTE TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO 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.

#### 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 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.

Trustee or Substitute Trustee:

*Megan Randle*  
Megan Randle, or Debby Jurasek or Ebbie Murphy or  
David Cerda or Jose Martinez or Gabriela  
Espinoza or Less Longoria or Luis Esqueda or Lucia  
Mendez 6101 Southwest Fwy., Suite 400, Houston, Texas  
77057  
06/11/2019

## FILED AND RECORDED

**Instrument Number: 19-054**

Filing and Recording Date: 06/11/2019 10:13:24 AM Pages: 3 Recording Fee: \$5.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



A handwritten signature in black ink that reads "Debbie Hollan". The signature is written in a cursive style.

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Debbie Hollan, County Clerk  
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Marlene Arranaga, Deputy

Returned To: