

15486 WEST LOOP DRIVE  
PLANTERSVILLE, TX 77363

0000006183172

## NOTICE OF [SUBSTITUTE] TRUSTEE'S 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 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.**

1. **Date, Time, and Place of Sale.**

Date: December 06, 2016

Time: The sale will begin at 1:00PM or not later than three hours after that time.

Place: THE FOYER AT THE SOUTH ENTRANCE OF THE WALLER COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated June 25, 2009 and recorded in Document VOLUME 1166, PAGE 472; AS AFFECTED BY LOAN MODIFICATION AGREEMENT CLERK'S FILE NO. 1507624 real property records of WALLER County, Texas, with SAM M TOUKAN AND MARY E TOUKAN, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS"), AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by SAM M TOUKAN AND MARY E TOUKAN, securing the payment of the indebtednesses in the original principal amount of \$123,626.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WELLS FARGO BANK, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. WELLS FARGO BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o WELLS FARGO BANK, N.A.  
3476 STATEVIEW BLVD  
FORT MILL, SC 29715



MEGAN L. RANDLE-BENDER, AMY BOWMAN, REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, KRISTIE ALVAREZ, JULIAN PERRINE, DOUG WOODARD, MATT WOLFSON, OR CHRIS DEMAREST

Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
4004 Belt Line Road, Suite 100  
Addison, Texas 75001

## Certificate of Posting

My name is Megan L. Randle-Bender, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on 09/27/16 I filed at the office of the WALLER County Clerk and caused to be posted at the WALLER County courthouse this notice of sale.

Declarant's Name: Megan L. Randle-Bender  
Date: 09/27/16

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| EXHIBIT "A" |
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BEING A 1,240 ACRE TRACT OF LAND OUT OF AND A PART OF LOTS 1,2,14 AND 15 IN BLOCK 1 OF MILL CREEK ESTATES - SECTION SIX (6), AN ADDITION IN WALLER COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 221, PAGE 501 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS, SAID 1.240 ACRE IS HEREAFTER REFERRED TO AS "THE SUBJECT TRACT" AND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD SET AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF WEST DUNCASTER DRIVE (60 FOOT R-O-W), AND THE EAST RIGHT-OF-WAY LINE OF WEST LOOP DRIVE (60 FOOT R-O-W). SAID POINT MARKS THE SOUTHWEST CORNER OF SAID LOT 15 AND THE SUBJECT TRACT;

THENCE NORTH 00°39'53" WEST, WITH THE EAST LINE OF WEST LOOP DRIVE, A DISTANCE OF 220.55 FEET TO AN OLD 1/2 INCH IRON PIPE FOUND MARKING THE NORTHWEST CORNER OF SAID LOT 15, THE SOUTHWEST CORNER OF SAID LOT 1, AND A SLIGHT ANGLE POINT IN THE WEST LINE OF THE SUBJECT TRACT;

THENCE NORTH 00°30'46" WEST (REFERENCE BEARING BASED ON THE ABOVE-REFERENCED MAP OF MILL CREEK ESTATES — SECTION 6), WITH THE EAST LINE OF WEST LOOP DRIVE AND THE WEST LINE OF SAID LOT 1, A DISTANCE OF 109.70 FEET TO A 3/8 INCH IRON ROD SET TO MARK THE NORTHWEST CORNER OF THE SUBJECT TRACT;

THENCE SOUTH 84°30'06" EAST, DEPARTING THE EAST LINE OF WEST LOOP DRIVE AND THE WEST LINE OF SAID LOT 1, A DISTANCE OF 145.19 FEET TO A 1/2 INCH IRON ROD SET TO MARK THE UPPER NORTHEAST CORNER OF THE SUBJECT TRACT;

THENCE SOUTH 13°52'41" EAST, A DISTANCE OF 87.86 FEET TO A 1/2 INCH IRON ROD SET IN THE NORTH LINE OF SAID LOT 14, IN THE SOUTH LINE OF SAID LOT 2, AND MARKING AN INTERIOR CORNER OF THE SUBJECT TRACT;

THENCE NORTH 86°13'44" EAST, WITH THE NORTH LINE OF SAID LOT 14 AND THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 12.23 FEET TO A 1/2 INCH IRON ROD SET TO MARK THE LOWER NORTHEAST CORNER OF THE SUBJECT TRACT;

THENCE SOUTH 00°37'47" EAST, A DISTANCE OF 220.06 FEET TO A 1/2 INCH IRON ROD SET IN THE NORTH LINE OF SAID WEST DUNCASTER DRIVE, IN THE SOUTH LINE OF SAID LOT 14, AND MARKING THE SOUTHEAST CORNER OF THE SUBJECT TRACT;

THENCE SOUTH 86° 11'11" WEST, WITH THE NORTH LINE OF WEST DUNCASTER DRIVE, A DISTANCE OF 177,06 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.240 ACRES OF LAND.

## FILED AND RECORDED

**Instrument Number: 16-062**

Filing and Recording Date: 09/27/2016 01:02:44 PM 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,



*Debbie Hollan*

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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.

Stephanie Tompkins, Deputy

Returned To: