

16-067

10/28/2016 09:28:32 AM Total Pages: 3 Fee: 3.00
Debbie Hollan, County Clerk - Waller County, TX



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WALLER County

Deed of Trust Dated: October 29, 2008

Amount: \$212,500.00

Grantor(s): 3 LITTLE BOYS LLC, A TEXAS LIMITED LIABILITY COMPANY, CARLEN CHARLESTON, PERSONALLY AS GUARANTOR AND AS MANAGER FOR 3, CRAIG CHARLESTON, PERSONALLY AS GUARANTOR AND AS MANAGER FOR 3 L and GWENDOLYN LAVALAIS, PERSONALLY AS GUARANTOR

Original Mortgagee: THE FIRST NATIONAL BANK OF BELLVILLE

Current Mortgagee: FIRST NATIONAL BANK OF BELLVILLE

Mortgagee Address: FIRST NATIONAL BANK OF BELLVILLE, P.O. Box 128, Bellville, TX 77418

Recording Information: Document No. 807540, said Deed of Trust was modified by that certain Modification of Real Estate Note and Lien recorded in the office of the County Clerk in Document No. 1307831, WALLER County, Texas; reference to said Deed of Trust and Modification of Real Estate Note and Lien being hereby made for all purposes;

Legal Description: SEE EXHIBIT A

Date of Sale: December 6, 2016 between the hours of 1:00 PM and 4:00 PM.

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the WALLER County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

MEGAN RANDLE-BENDER OR REBECCA BOLTON have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER

KRB

KRISTEN BATES, ATTORNEY AT LAW
HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, Suite 2800
Houston, Texas 77002
Reference: 2016-012641

MEGAN RANDLE-BENDER OR REBECCA BOLTON
c/o Tejas Trustee Services
4100 Midway Rd Ste 1040
Carrollton, TX 75007

EXHIBIT "A"

A TRACT OR PARCEL OF CONTAINING 8.000 ACRES OF LAND, MORE OR LESS, OUT OF THE GEORGE DENNETT SURVEY, ABSTRACT No. 124, WALLER COUNTY, TEXAS, AND BEING OUT OF TRACTS 10 AND 11 IN THE DIVISION OF THE R.L. WILLIAMS ESTATES OF 77.808 ACRES, SAID 8.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING AT A 1-1/4" I.P. FOUND AT THE NORTHEAST CORNER OF A 4.924 ACRE TRACT KNOWN AS TRACT 10 BEING RECORDED IN VOLUME 222 PAGE 59 OF THE DEED RECORDS OF WALLER COUNTY;

THENCE SOUTH 00 DEG. 42 MIN. 00 SEC. EAST, ALONG THE EAST SIDE OF SAID TRACT 10 AND ALONG THE EAST LINE OF A 40 FOOT ROAD EASEMENT A DISTANCE OF 98.58 FEET TO A 1/2" IRON ROD SET FOR THE NORTHEAST CORNER AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED 8.000 ACRE TRACT;

THENCE SOUTH 00 DEG. 42 MIN. 00 SEC. EAST PASSING THE COMMON CORNER OF SAID TRACT 10 AND TRACT 11 (BEING RECORDED IN VOLUME 222 PG. 60 OF THE DEED RECORDS) OF WALLER COUNTY, A DISTANCE OF 420.00 FEET TO A 1-1/4" I.P. FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED 8.000 ACRE TRACT;

THENCE NORTH 89 DEG. 06 MIN. 09 SEC. WEST ALONG THE SOUTH LINE OF SAID TRACT 11 A DISTANCE OF 829.90 FEET TO A 1-1/4" IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID TRACT 11 AND THE HEREIN DESCRIBED 8.000 ACRE TRACT;

THENCE NORTH 00 DEG. 42 MIN. 00 SEC. WEST ALONG THE WEST LINE OF TRACT 11 AND 10 AND ALONG THE WEST LINE OF A REMAINDER PORTION OF A 70 ACRE TRACT OF LAND DESCRIBED IN VOLUME 174 OG, 128 DEED RECORDS OF WALLER COUNTY, TEXAS, A DISTANCE OF 420.00 FEET TO A 1/2" IRON ROD SET IN THE WEST LINE OF SAID TRACT 10 FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 8.000 ACRE TRACT;

THENCE SOUTH 89 DEG. 06 MIN. 09 SEC. EAST A DISTANCE OF 829.90 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.000 ACRES OF LAND, MORE OR LESS.

FILED AND RECORDED

Instrument Number: 16-067

Filing and Recording Date: 10/28/2016 09:28:32 AM Pages: 3 Recording Fee: \$3.00

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

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: