

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

THE STATE OF TEXAS    )  
  )  
COUNTY OF WALLER     )

KNOW ALL MEN BY THESE PRESENTS:

Date of Notice:                   February 13, 2017

Deed of Trust:

Dated:                            November 1, 2011

Grantor:                         Thomas Oyer

Grantor's Address:    1740 Bowler Road  
  Waller, Texas 77484

Original and Current  
Beneficiary:            THER, Inc., whose address is 15838 Telge  
  Road, Cypress, Texas 77429

Trustee:                         Judson T. Tucker

Substitute Trustee: Rex L. Kesler, Anthony D. Caridi and  
  William D. Kee were appointed Substitute  
  Trustees by that certain Appointment of  
  Substitute Trustee duly recorded on or  
  about January 13, 2017, in the Official  
  Public Records of the County Clerk of  
  Waller County, Texas

Recorded In:                    Said Deed of Trust having been duly  
  recorded in the Real Property Records of  
  Waller County, Texas, under Clerk's File  
  No. 1106005

Property:                        That certain tract or parcel of real  
  property and improvements commonly known  
  as 1740 Bowler Road, Waller, Waller  
  County, Texas 77484, and being more  
  particularly described as being 5.00  
  acres of land, more or less, designated  
  as Tract 11-C of WALNUT CREEK, an  
  unrecorded subdivision in Waller County,  
  Texas, being out of a certain 765.63  
  acre tract of land in the Owen Wingfield  
  Survey, Abstract No. 269, in Waller  
  County, Texas, said 5.00 acres of land  
  being more particularly described by the  
  metes and bounds on Exhibit "A" attached  
  hereto (the "Property")

Date of Sale: Tuesday, March 7, 2017

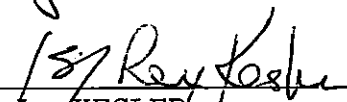
Time of Sale: Sale shall take place at 1:00 o'clock p.m., and no earlier than that time, nor later than 3 hours after that time.

Place of Sale: At the foyer of the south entrance of the Waller County Courthouse located at 836 Austin Street, Hempstead, Texas 77445, or if the preceding area is no longer the designated area, then at the area most recently designated by the Waller County Commissioner's Court, or as further designated by the County Commissioners

Because of default in the performance of the obligations of the Deed of Trust, the Substitute Trustee will sell the Property by Public Auction to the highest bidder, for cash or cash equivalent, at the place and date specified, to satisfy in whole or in part the debt secured by the Deed of Trust, and subject to any prior or superior liens, claims or encumbrances, including but not limited to ad valorem taxes.

IN ADDITION TO THE ANY AND ALL OTHER LIMITATIONS ON WARRANTY PROVIDED BY LAW OR STATUTE, THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER THE LENDER NOR THE 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.

EXECUTED this 13 day of February, 2017.

  
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REX L. KESLER  
Substitute Trustee

## FILED AND RECORDED

**Instrument Number: 17-015**

Filing and Recording Date: 02/14/2017 10:25:24 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,



*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.

Jenifer Deutrich, Deputy

Returned To: