



## NOTICE OF SUBSTITUTE TRUSTEES SALE

THE STATE OF TEXAS }

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WALLER }

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.

WHEREAS, by that certain Deed of Trust dated December 16, 2013 executed by Santos Alfaro, a single person (the "Grantor") to Keith A Mullins (the "Trustee"), recorded as Document No, 1308165 in the Deed Of Trust Records of Waller County, Texas, reference to which is hereby made for all purposes, Grantor conveyed to the Trustee that certain real property, hereinafter described (the "Property"), which Deed of Trust secures the payment of that certain \$97,000.00 promissory note (the "Note") therein described; and

WHEREAS, that Deed of Trust and all rights contained therein was assigned to Red Feather Ltd, a Texas Limited Partnership, by Assignment dated May 14, 2014 and recorded as Document Numbers 1403002 and 1403003 in the County Clerk's Property Records of Waller County, Texas; and

WHEREAS, Carolyn Marks was named by Beneficiary as Substitute Trustee (the "Substitute Trustee") by instrument dated the 9<sup>th</sup> day of February, 2015 and said instrument of Appointment of Substitute Trustee recorded as Document Number 1500896 in the real property records of Waller County, Texas; and

WHEREAS, Default has occurred under the terms of the Note and Deed of Trust, and the entire unpaid principal balance and accrued interest owing under the note has been accelerated and is now wholly due and the holder of the note has requested the undersigned to sell the property in accordance with Section 51.002 of the Texas Property Code and the Terms of the Deed of Trust, in order to satisfy the indebtedness evidenced by the note and secured by the Deed of Trust.

NOW THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, May 2, 2017, that being the first Tuesday of said month, between 1:00 O'clock PM and 4:00 O'clock PM, the

undersigned Substitute Trustee will sell the property at the West door of the Waller County Courthouse located at 836 Austin Street, Hempstead, Texas 77445, or as otherwise designated by the County Commissioner's Court of Waller County Texas as the area where such sales are to take place. The property Will be sold to the highest bidder for cash.

The real property described as Follows:

Being 3.70 acres, more or less, out of the Unrestricted Reserve of Beacon Estates Subdivision, a Subdivision in the William Slater Survey, Abstract 251 and the Stephen Miller Survey, Abstract 119, in Waller County, Texas and more particularly described in Exhibit "A" attached hereto and made a part hereof.

See exhibit "A"

Executed this 9<sup>th</sup> day of April, 2017

*Carolyn Marks*

Carolyn Marks, Substitute Trustee  
3613 Rock Shelf Ln.  
Round Rock, Texas 78681

## EXHIBIT "A" LEGAL DESCRIPTION

Being 161,208 square feet or 3.70 acres, more or less out of the unrestricted Reserve as shown on the Re-plat of Beacon Estates Subdivision Section One a subdivision in the William Slater Survey, Abstract 251 and the Stephen Miller Survey, Abstract 119, in Waller County Texas according to the map or plat thereof recorded in Volume 3651 Page 872 through 874 of the Plat records of Waller County, Texas

COMMENCING at a 5/8 inch iron rod found at the Northwest corner of Lot One (1), of Block A, of Beacon Estates Subdivision, Section 1;

THENCE South 23 deg. 56 min. 15 sec. East, a distance of 264.13 feet to a 3/4 inch iron pipe found for the corner, being in the West line of West Navigation Street.

THENCE South 66 deg. 03 min. 45 sec. West, a distance of 50.00 feet to a found 3/4 inch iron pipe;

THENCE South 23 deg. 56 min. 15 sec. East, a distance of 100.00 feet to a found 3/4 inch iron pipe;

THENCE North 66 deg. 03 min. 45 sec. East, a distance of 50.00 feet to a 3/4 inch iron rod being at the Southwest right-of-way of West Navigation Street:

THENCE South 23 deg. 56 min. 15 sec. East, along the Southwest line of West Navigation Street a distance of 150.00 feet to a found 5/8 inch iron rod for THE PLACE OF BEGINNING and the Northeast corner of the herein said tract;

THENCE South 23 deg. 56 min. 15 sec. East along the Southwest line of West Navigation Street, a distance of 623.17 feet to a found 5/8 inch iron rod;

THENCE South 27 deg. 49 min. 18 sec. East along the Southwest line of West Navigation Street a distance of 340.91 feet to the intersection of West Navigation Street and the North right-of-way line of Beacon Drive, to a found 3/4 inch iron pipe and being the Southeast corner of the herein described Tract

THENCE South 41 deg. 30 min. 37 sec. West along the North right-of-way line of Beacon Drive a distance of 169.07 feet, to the intersection of Drive and the Northeast right-of-way of FM 359 to a found 3/4 inch pipe and being the Southwest corner of the herein described Tract

THENCE following the Northeast right-of-way of FM 359 North 30 deg. 53 min. 15 sec. West, a distance of 71.32 feet to a found 5/8 inch iron rod;

THENCE following the Northeast right-of-way of FM 359 in a curve to the right, said curve having a radius of 2,814.79 feet and an arc length of 341.44 feet and a tangent length of 341.23 feet to a found 5/8 inch iron rod;

THENCE following the Northeast right-of-way of FM 359 North 23 deg. 56 min. 15 sec. West a distance of 622.15 feet to a 1/2 inch iron rod found for the Northwest corner of tie herein described Tract;

THENCE North 66 deg. 03 min. 45 sec. East a distance of 160.00 feet to THE PLACE OF BEGINNING.

# FILED AND RECORDED

**Instrument Number: 17-036**

Filing and Recording Date: 04/10/2017 10:40:12 AM Pages: 4 Recording Fee: \$4.00

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.

Kim Imhoff, Deputy

Returned To: