



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

THE STATE OF TEXAS            §  
  §  
COUNTY OF WALLER           §

WHEREAS, on March 11, 2011, by instrument recorded under County Clerk's File No. 1101569 in the Official Public Records of Real Property of Waller County, Texas, 290 and West Ltd., executed a Deed of Trust (hereinafter called "**Security Instrument**") to Mark R. Evans Trustee, covering the property described therein, which Security Instrument was executed for the purpose of securing the payment of a certain indebtedness, more particularly described in the Security Instrument; and

WHEREAS, Bergen Group, LLC (hereinafter called "**Beneficiary**"), as owners and holders of the indebtedness secured by the Security Instrument and beneficiary thereunder, appointed the undersigned, Juanita Culver, as Substitute Trustee under the Security Instrument, by Appointment dated March 10, 2017; and

WHEREAS, after default in the payment of the indebtedness described in the Security Instrument and pursuant to the specific provisions of the Security Instrument, Beneficiary has requested that the Security Instrument be enforced in accordance with the terms and provisions thereof;

NOW, THEREFORE, NOTICE IS GIVEN that I, the undersigned Substitute Trustee, will sell at public sale to the highest bidder or bidders for cash, at the area of the Waller County Courthouse in the City of Hempstead, Waller County, Texas, designated by the Waller County Commissioner's Court pursuant to the order recorded in the Real Property Records of Waller County, Texas, at 1:00 p.m. or not later than three (3) hours after that time on Tuesday, February 6, 2018, the property described in the Security Instrument and more particularly described as:

Tract One:

The South 1/2 of Lot 9 and all of Lot 10 in Block 474 and all of Lot 1 and the adjoining North 1/2 of Lot 2, in Block 525, of the Town of Hempstead, Waller County, Texas, according to the map or plat thereof, recorded in Volume 106, Page 306 of the Deed Records of Waller County, Texas; and

Tract Two:

Lot 19 in Block 3 of Alta Vista Addition, Section 1, a subdivision located in the George A. Dennett Survey, Abstract 124, City of Hempstead, Waller County, Texas, according to the map or plat thereof, recorded in Volume 144, Page 164 of the Deed Records of Waller County, Texas (collectively, the "**Property**");

The sale will be made subject to all matters which are prior to the Security Instrument, which affect title thereto, and which are a superior interest in and to the above described property. The sale shall not cover any property that has been released from the lien of the Security Instrument.


Prior to the foreclosure sale, Beneficiary may appoint another person as Substitute Trustee to conduct the sale. Since the terms of the sale will be for cash, on the day of sale, those desiring to purchase the property will need to demonstrate their ability to pay cash.

The Security Instrument permits Beneficiary to postpone, withdraw, or reschedule the sale for another day. In such case, I need not appear at the date, time and place of the scheduled sale to announce the postponement, withdrawal or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiling may be after the date originally scheduled for this sale.

The Security Instrument covers both real and personal property. Notice is given of Beneficiary's election to proceed as to both the real and personal property in accordance with Beneficiary's rights and remedies in respect of the real property, pursuant to § 9.604 (a) of the Texas Business and Commerce 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 IMMEDIATELY.**

WITNESS MY HAND this 17<sup>th</sup> day of January, 2018.



**Juanita Culver**

Substitute Trustee

O'Connor & Craig

2825 Wilcrest Dr., Suite 261

Houston, Texas 77042

(713) 266-3311

(713) 953-7513 (Fax)

## FILED AND RECORDED

**Instrument Number: 18-004**

Filing and Recording Date: 01/12/2018 01:47:41 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,



A handwritten signature in black ink that reads "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: