



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

THE STATE OF TEXAS                   §

COUNTY OF WALLER                   §       KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated November 10, 2001, JAMES M. O'CONNOR and wife, TERESA O'CONNOR, of Waller County, Texas, conveyed to JOHN K. GRESHAM, TRUSTEE, the property situated in Waller County, Texas, described as follows, to-wit:

TRACT 1:     17.106 Acres of Land, more or less (Tract E), being a portion of a 50.139 Acre Tract being the most westerly portion of the Meadow Acres, Inc. 245.188 Acre Tract (Volume 469, Page 223; Deed Records of Waller County, Texas) being in the John C. White Survey, Abstract No. 275, Waller County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof; and,

TRACT 2:     Lot Twenty (20), Section Nine (9) of WEST MAGNOLIA FOREST, a recorded subdivision in Waller County, Texas, according to the plat thereof at Volume 215, Page 66 1/2 Deed Records of Waller County, Texas,

(herein called the "Property") to secure that one certain Promissory Note therein described of even date therewith in the original principal amount of \$70,000.00, executed by JAMES M. O'CONNOR and wife, TERESA O'CONNOR, and made payable to C. MICHAEL SCHERER (herein called "Note"), which such Deed of Trust is filed for record in the office of the County Clerk of Waller County, Texas on December 17, 2001, under Clerk's File No. 017714, recorded in Volume 0712, Page 329, of the Official Public Records of Waller County, Texas (herein called "Deed of Trust"); and

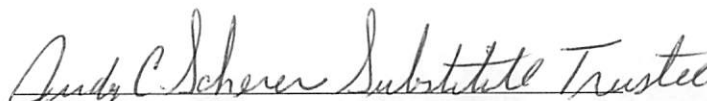
WHEREAS, the undersigned has been appointed as Substitute Trustee in the place and stead of JOHN K. GRESHAM, in the aforesaid Deed of Trust, said appointment being in the manner authorized by the Deed of Trust; and

WHEREAS, default has occurred under the terms of the Note secured by the Deed of Trust, the indebtedness evidenced therein is now wholly due, and C. MICHAEL SCHERER, the current owner and holder of said indebtedness, whose mailing address is 304 Jackson Street, Richmond, Texas 77469, has requested the undersigned, whose mailing address is 304 Jackson Street, Richmond, Texas 77469, to sell the Property to satisfy same.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, the 6th day of August, 2019, I will sell for cash, the Property to the highest bidder. The foreclosure sale will be conducted in the area of the Waller County Courthouse, Hempstead, Texas, designated by the Commissioners' Court pursuant to Section 51.002 of the Texas Property Code as the area where foreclosure sales are to take place which is "THE FOYER AT THE SOUTH ENTRANCE OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE". The sale will begin at 10:00 o'clock a.m. at the earliest time or not later than three hours after that time.

**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 military duty service to the sender of this notice immediately.**

WITNESS MY HAND this 8th day of July, 2019.

  
 JUDY C. SCHERER, Substitute Trustee

**KELLY R. KALUZA & ASSOCIATES, INC.**  
Consulting Engineers & Surveyors  
101 Southwestern Boulevard, Suite #202, Sugar Land, Texas 77478  
(713) 491-1550 ■ FAX (713) 491-0423

March 1, 1995

Tract E

A FIELD NOTE DESCRIPTION of 17.106 Acres of Land being a portion of a 50.139 Acre Tract of Land being the most Westerly portion of the Meadow Acres, Inc. 245.188 Acre Tract (Volume 469, Page 223; Deed Records of Waller County, Texas) being in the John C. White Survey, Abstract No. 275, Waller County, Texas.

BEGINNING at a concrete monument found for the Southwest corner of said 50.139 Acre Tract; Said corner being the most Westerly Southwest corner of said 245.188 Acre Tract and being in the Easterly line of Lot No. 18 of West Magnolia Forest Replat of Section No. 9 Subdivision (Volume 215, Page 66-1/2; Deed Records of Waller County, Texas); Said corner being the Southwest corner of and PLACE OF BEGINNING for this 17.106 Acre Tract;

THENCE; North 00° 01' 30" East - 661.03 feet along the Westerly line of said 50.139 Acre Tract, along the most Westerly line of said 245.188 Acre Tract, and along the Easterly line of said West Magnolia Forest Replat of Section 9 Subdivision to a point for the Northwest corner of this 17.106 Acre Tract; Said corner being the Northeast corner of Lot No. 20 of said West Magnolia Forest Replat of Section 9 Subdivision from which a 5/8 inch iron rod found for reference bears North 15° 29' 45" East - 1.16 feet; Said corner being the Southwest corner of Tract "A" - 13.818 Acre Tract;

THENCE; North 89° 33' 40" East - 961.94 feet along the Southerly line of said 13.818 Acre Tract to a point for the Northeast corner of this 17.106 Acre Tract; Said corner being the Southeast corner of said 13.818 Acre Tract and being in the centerline of Walnut Creek;

THENCE; Southeasterly, along the meanders of the centerline of said Walnut Creek, with the following courses and distances:

South 21° 32' 51" East - 142.28 feet to a point for corner;

South 30° 27' 52" East - 211.76 feet to a point for corner;

EXHIBIT "A"

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Field Note Description  
17.106 Acres of Land - Tract E  
March 1, 1995  
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South 38° 50' 31" East - 90.36 feet to a point for corner;

South 29° 28' 13" East - 126.15 feet to a point for corner;

South 15° 01' 41" East - 85.91 feet to a point for corner;

South 01° 46' 38" West - 76.46 feet to a point for the Southeast corner of this 17.106 Acre Tract; Said corner being in the Southerly line of said 50.139 Acre Tract from which a 1-1/4 inch iron pipe found for the Southeast corner of said 50.139 Acre Tract bears North 89° 16' 23" East - 163.54 feet;

THENCE; Southwesterly, along the Southerly line of said 50.139 Acre Tract being along the most Westerly South line of said 245.188 Acre Tract with the following courses and distances:

South 89° 16' 23" West - 29.79 feet to a 1-1/4 inch iron pipe found for angle point corner;

South 89° 20' 49" West - 622.29 feet to a 1-1/4 inch iron pipe found for angle point corner;

South 89° 23' 29" West - 608.45 feet to the PLACE OF BEGINNING of and containing 17.106 Acres of Land.


  
C. Tim Griffith, R.P.L.S. #4349



EXHIBIT "A"

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## FILED AND RECORDED

**Instrument Number: 19-059**

Filing and Recording Date: 07/08/2019 11:27:47 AM Pages: 4 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:  
C MICHAEL SCHERER