



NOTICE OF NON-JUDICIAL FORECLOSURE SALE

WHEREAS, on May 11, 2022, Layne Facility Services LLC ("Mortgagors", whether one or more), executed that certain deed of trust ("Deed of Trust") in favor of Steven Kaufman, Trustee which deed of trust secures the payment of that certain promissory note of even date therewith in the original amount of \$826,000.00, payable to the order of ZEUSLENDING.COM, which Deed of Trust is recorded in the Real Property Records of Waller County, Texas, and covers all of the real property, personal property, and fixtures described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit:

A TRACT OR PARCEL OF LAND CONTAINING 11.9211 ACRES. (519,283 SQUARE FEET), SITUATED IN THE MCLIN BRACEY SURVEY ABSTRACT NUMBER 15, WALLER COUNTY TEXAS BEING OUT OF AND A PART OF THAT CERTAIN CALLED 32.745 ACRE TRACT OF LAND AS CONVEYED TO CAMILLE BARNES BY INSTRUMENT RECORDED IN VOLUME 51, PAGE 298, OF THE DEED RECORDS OF WALLER COUNTY, TEXAS, SAID 11.9211 ACRE TRACT OF LAND BEING THAT CERTAIN CALLED 10.9069 ACRE TRACT OF LAND AND THAT CERTAIN CALLED 1.01 ACRE TRACT OF LAND AS CONVEYED TO UNITED STATES OF AMERICA BY INSTRUMENT RECORDED IN DOCUMENT NO. 2105327 OF THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS, SAID 11.9211 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEARING BASIS: DOCUMENT NO. 2105327 OF THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS)

COMMENCING at a 5/8" iron rod found on the south line of a 60 foot wide road easement as designated by instrument recorded in Volume 222, Page 108, Volume 505 Pages 481 and 483, and Volume 551, Page 17, of the Deed Records of Waller County, Texas, same being the common line of the remainder of that certain called 12.406 acre tract of land as conveyed to Elmer Ray Chapman, Et Ux by instrument recorded in Volume 266, Page 275, of the Deed Records of Waller County, Texas for the southwest corner of said 32.745 Acre Tract, same being the southwest corner of that certain called 43.587 acre tract of land as conveyed to Donald Gene McCullough and Sandra Sue McCullough by instrument recorded in Volume 556, Page 151, of the Deed Records of Waller County, Texas;

Thence, N 86deg 56'16" E, along the south line of said 60 foot wide road easement, same being the common line of the remainder of said 12.406 Acre Tract and said 43.587 Acre Tract, a distance of 255.74 feet to a point for the southeast corner of said 43.587 Acre Tract, same being the southwest corner and the POINT OF BEGINNING of the herein described tract, from which a 3/4" iron pipe found for reference bears, N 53deg 11'23" E, distance of 0.79 feet;

Thence, N 00deg 24'56" W, along the common line of said 43.587 Acre Tract, a distance of 1,633.14 feet, (Call 1,634.74 feet), to a point on the common line of that certain called 29.942 acre tract of land as conveyed to Donald Gene McCullough and Sandra Sue McCullough by instrument recorded in Volume 772, Page 454, of the Deed Records of Waller County, Texas; for the northeast corner of said 43.587 Acre Tract, same being the northwest corner of the herein described tract, from which a 3/4" iron pipe found for reference bears, N 40deg 13'-36" E, distance of 4.47 feet;

Thence, N 85deg 09'20" E, along the common line of said 29.942 Acre Tract, a distance of 75.23 feet to a an angle point in the common line of said 29.942 Acre Tract; same: being a corner of the herein described tract;

Thence, N 89deg 50'18" E, along the common line of said 29.942 Acre Tract, a distance of 215.75 feet to a point for the northwest corner of that certain called 9.527 acre tract of land as conveyed to Kim McCullough and Stacie Turner McCullough by instrument recorded in Volume 603, Page 593, of the Deed Records of Waller County, Texas, same being the northeast corner of the herein described tract, from which a 3/4" iron pipe found for reference bears, N 32deg 36'25" E, distance of 5.67 feet;

Thence, S 00deg24'56" E, along the common line of said 9.527 Acre Tract, a distance of 1,422.91 feet to a 1/2" iron rod found for the southwest corner of said 9.527 Acre Tract, same being the northwest corner of said 1.01 Acre Tract same being a corner of the herein described tract;

Thence, N 88deg05'21" E, along the common line of said 9.527 Acre Tract, distance of 292.75 feet, (Call 293.61 feet), to a capped, (Precision Surveyors), iron rod set on the common line of that certain called 22.932 acre tract of land a conveyed to Frank John Carlin and Barbara Lee Carlin by instrument recorded in Volume 530, Page 11, of the Deed Records of Waller County, Texas, for the southeast corner .of said 9.527 Acre Tract, same being the northeast corner of said 1.01 Acre Tract, same being a corner, of the herein described tract;

Thence, S 00deg30'39" E. along the common line of said 22.932 Acre Tract, a distance of 150.00 feet to a capped, (Precision Surveyors), iron rod set for the northeast corner of said 60.00 foot wide road easement, same being the southeast corner of said 1.01 Acre Tract, same being a corner of the herein described tract;

Thence, S 88deg10'01" W, along the north line of said 60.00 foot wide road easement, same being the common line of said 1.01 Acre Tract, a distance of 292.99 feet to a capped, (Precision Surveyors), iron rod set on the common line of said 10.9069 Acre Tract for the southwest corner of said 1.01 Acre Tract, same being a corner of the herein described tract;

Thence, S 00deg24'56" E, along the common line of said 10.9069 Acre Tract, a distance of 60.00 feet to a 3/4" iron pipe found on the south line of said 60.00 foot wide road easement, same being the common line of that certain called 5.998 acre tract of land as conveyed to Lyle L. Hassell, Et Ux by instrument recorded in Volume 383, Page 750, of the Deed Records of Waller County, Texas, for the southeast corner of said 10.9069 Acre Tract, same being a corner of the herein described tract;

Thence, S 87deg40'36" W, along the common line of said 5.998 Acre Tract, a distance of 23.09 feet to a point for the northwest corner of said 5.998. Acre Tract, same being the northeast corner the remainder of said 12,406 Acre Tract, same being a corner of the herein described tract;

Thence, S 88deg 39'42" W, along the common line of the remainder of said 12.406 Acre Tract, same being the common line of said 10.9069 Acre Tract, a distance of 199.81 feet to a point for a corner of said 10.9069 Acre Tract and the remainder of said 12.406 Acre Tract, same being a corner of the herein described Tract;

Thence, S 88deg20'02" W, along the common line of the remainder of said 12.406 Acre Tract same being the common line of said 10.9069 Acre Tract, a distance of 67.91 feet, (Call 67.96 feet) to the POINT OF BEGINNING and containing 11,921.1 acres or 519,283 square feet of land, more or less, commonly known as 27774 Muckelroy Road, Hampstead, Texas, 77445; and

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **Megan Randle, Pete Florez, Ebbie Murphy, Florence Rosas, David Garvin, Clifford D. Harmon, Kelly Goddard and Turrie Silva** or any one of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and **New York Mutual, LLC**, the legal holder of such indebtedness and the liens securing same, has requested any one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust;


NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **TUESDAY, January 02, 2024**, being the first Tuesday of such month, at the county courthouse of **Waller County, Texas**, the Substitute Trustee will sell the Property at public vendue to the highest bidder for cash; provided that the owner of the indebtedness secured by the Deed of Trust may bid a credit against such indebtedness. The sale will take place at the **Waller County Courthouse**, or at such other

location as set by the Commissioners Court of such county from time to time, which is the area designated by such Commissioners' Court for sales of real property under a power of sale conferred by a deed of trust or other contract lien.

NOTICE IS FURTHER GIVEN that the foreclosure sale will occur at **1:00 p.m.**, or not later than three (3) hours after such time; such time being between the hours of 10:00 a.m. and 4:00 p.m. on said **TUESDAY, January 02, 2024**.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made without any representations or warranties whatsoever, express or implied.

WITNESS my hand as of December 12, 2023.



Signature

Pete Florez, Substitute Trustee
Printed Name

Matter No. 1869

FOR INFORMATION CONTACT: Clifford D. Harmon, 14860 Montfort, Suite 111, Dallas, Texas 75254

FILED AND RECORDED

Instrument Number: 23-096

Filing and Recording Date: 12/12/2023 01:45:05 PM 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

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: