



27722 Morton Rd, Katy, TX 77493

23-016599

**NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE**

**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.**

**1. Date, Time, and Place of Sale.**

Date: 03/05/2024

Time: Between 1:00 PM – 4:00 PM and beginning not earlier than 1:00 PM and ending not later than three hours thereafter.

Place: The area designated by the Commissioners Court of Waller County, pursuant to §51.002 of the Texas Property Code as amended: if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

**2. Terms of Sale. Highest bidder for cash.**

**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated February 7, 2006 and recorded in the real property records of Waller County, TX and is recorded under Clerk's Book 0941, Page 719 with Janet Christian (grantor(s)) and Mortgage Electronic Registration Systems, Inc., as nominee for Mila, Inc., D/B/A Mortgage Investment Lending Associates, Inc. mortgagee to which reference is herein made for all purposes.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by Janet Christian, securing the payment of the indebtedness in the original amount of \$120,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. U.S. Bank National Association, as Trustee for SPECIALTY UNDERWRITING AND RESIDENTIAL FINANCE TRUST MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2006-BC3 is the current mortgagee of the note and Deed of Trust or Contract Lien.

**5. Property to be Sold.** BEING A TRACT OF LAND, A PART OF A CERTAIN 31-1/9 ACRES TRACT OF LAND OUT OF THE SOUTHWEST 1/4 OF SECTION 127, BLOCK 1, H.&T.C.RR.CO. SURVEY, ABSTRACT 205 IN WALLER COUNTY, TEXAS, BEING THE SAME LAND AWARDED TO MYRA WEINMAN SUMNER IN A PARTITION DEED OCTOBER 29, 1943 BY AND BETWEEN WILHELM F. WEINMANN ET AL AS RECORDED IN VOL. 95, PG. 612 OF THE DEED RECORDS OF WALLER COUNTY (D.R.W.C.), TEXAS, AND BEING THE SAME TRACT AS RECORDED IN VOL. 330, PG. 523 D.R.W.C AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: (BASIS OF BEARINGS: VOL. 330, PG. 523 D.R.W.C).

BEGINNING AT THE POINT IN THE SOUTH LINE OF SAID 31-1/9 ACRES TRACT, BEING ALSO IN THE SOUTH LINE OF SAID SECTION 127, SAID POINT BEING 341 FEET EAST OF THE SOUTHWEST CORNER OF SAID 31-1/9 ACRES TRACT AND BEING THE SOUTHEAST CORNER OF A CERTAIN TRACT CONVEYED TO BILL F. ROBERTS BY MYRA W. SUMNAR;

THENCE, NORTH, ALONG THE EAST LINE OF A CALLED 0.90 ACRE TRACT RECORDED IN THE NAMES OF JUDITH MCELROY AND WILLIAM H. MCELROY EST., PASSING AT A DISTANCE OF 30.0 FEET A POINT IN THE NORTHERN LINE OF MORTON ROAD FROM WHICH A 5/8 INCH IRON ROD FOUND BEARS NORTH 13 DEGREES 42'41" EAST, A DISTANCE OF 1.74 FEET, AND CONTINUING FOR

A TOTAL DISTANCE OF 230.00 FEET TO A POINT FOR NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT FROM WHICH A 5/8 INCH IRON ROD FOUND BEARS NORTH 16 DEGREES 17'02" WEST, A DISTANCE OF 0.77 FEET, SAME BEING THE NORTHEAST CORNER OF SAID ROBERT TRACT;

THENCE, EAST, PARALLEL TO THE SOUTH LINE OF SAID 31-1/9 ACRES TRACT, WITH THE SOUTH LINE OF A CALLED 28.45 TRACT AS RECORDED IN VOL. 558, PG. 925 D.R.W.C., A DISTANCE OF 172.40 FEET TO A POINT IN THE EAST LINE OF SAID 31-1/9 ACRES TRACT FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT FROM WHICH A 5/8 INCH IRON ROD FOUND BEARS NORTH 28 DEGREES 22'02" EAST, A DISTANCE OF 0.59 FEET;

THENCE, SOUTH, ALONG THE EAST LINE OF SAID 31-1/9 ACRES TRACT, BEING THE WEST LINE OF A CALLED 31.111 ACRE TRACT AS RECORDED IN THE NAME OF PATSY L. SWOGETINSKY, PASSING AT A DISTANCE OF 200.00 FEET A 5/8 INCH IRON ROD FOUND IN THE NORTHERN LINE OF MORTON ROAD AND CONTINUING FOR A TOTAL DISTANCE OF 230.00 FEET TO THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND IN THE SOUTH LINE OF SAID SECTION 127;

THENCE, WEST, ALONG SAID SOUTH LINE OF SAID SECTION 127, A DISTANCE OF 172.40 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.9103 ACRES OF LAND.

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.002, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. Nationstar Mortgage LLC d/b/a Mr. Cooper, as Mortgage Servicer, is representing the current Mortgagee whose address is:

U.S. Bank National Association, as Trustee for SPECIALTY UNDERWRITING AND RESIDENTIAL FINANCE TRUST MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2006-BC3  
8950 Cypress Waters Blvd  
Coppell, TX 75019

7. **Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code §51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint Kirk Schwartz, Esq or Candace Sissac, Esq OR Megan L. Randle, Ebbie Murphy, Debby Jurasek, Jennyfer Sakiewicz, Pete Florez whose address is 1320 Greenway Drive, Suite 300, Irving, TX 75038 OR AUCTION.COM OR Megan L. Randle, Ebbie Murphy, Debby Jurasek, Jennyfer Sakiewicz, Pete Florez, Debby Jurasek, Jennyfer Sakiewicz, Pete Florez whose address is 750 Highway 121 BYP, Ste 100, Lewisville, TX 75067, Substitute Trustee to act under and by virtue of said Deed of Trust.

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

January 24, 2024

Executed on \_\_\_\_\_

/s/ Kirk Schwartz

James E. Albertelli, P.A.  
Kirk Schwartz, Esq.  
Candace Sissac, Esq.  
2201 W. Royal Ln, Suite 200  
Irving, TX 75063

1/25/24

Executed on \_\_\_\_\_

Megan L. Randle

**SUBSTITUTE TRUSTEE**  
Agency Sales & Posting  
Megan L. Randle, Ebbie Murphy, Debby Jurasek,  
Jennyfer Sakiewicz, Pete Florez OR AUCTION.COM  
1320 Greenway Drive, Suite 300  
Irving, TX 75038

**CERTIFICATE OF POSTING**

My name is \_\_\_\_\_, and my address is 1320 Greenway Drive, Suite 300, Irving, TX 75038. I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the Waller County Clerk and caused to be posted at the Waller County courthouse this notice of sale.

Declarants Name: \_\_\_\_\_

Date: \_\_\_\_\_

# FILED AND RECORDED

**Instrument Number: 24-009**

Filing and Recording Date: 01/25/2024 02:26:59 PM 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,



A handwritten signature in black ink that reads "Debbie Hollan". The signature is written in a cursive style.

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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.

Stephanie Tompkins, Deputy

Returned To: