



23-097865

Notice of Substitute Trustee's Sale

Notice Concerning Military Duty: 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. Tex. Prop. Code § 51.002(i)

Deed of Trust Date: July 30, 2010	Original Mortgagor/Grantor: KEITH STONE AND STACY D. STONE
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR SUNTRUST MORTGAGE, INC. , ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 A CQUISITION TRUST C/O U.S. BANK TRUST NATIONAL ASSOCIATION
Recorded in: Volume: 1219 Page: 207 Instrument No: 1004186	Property County: WALLER
Mortgage Servicer: SELENE FINANCE LP	Mortgage Servicer's Address: 9990 Richmond Ave, Suite 400 South, Houston, TX 77042

* 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 § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

Secures: Note in the original principal amount of \$322,000.00, executed by KEITH STONE; STACY D STONE and payable to the order of Lender.

Property Address/Mailing Address: 36076 FM 529 RD, PATTISON, TX 77423

Legal Description of Property to be Sold: FIELD NOTES FOR A 12.985 ACRE TRACT OF LAND OUT OF A 118.074 ACRE TRACT (CALLED TRACT 1 IN PARTITION DEED RECORDED IN VOLUME 511, PAGE 182, WALLER COUNTY OFFICIAL PUBLIC RECORDS) OUT OF A 366.2 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 101, PAGE 210, WALLER COUNTY DEED RECORDS SITUATED IN THE A.E. CLOUD SURVEY, ABSTRACT 354, WALLER COUNTY, TEXAS.

BEGINNING AT A 1/2 INCH IRON ROD FOUND IN THE NORTH LINE OF F. M. HIGHWAY 529 FOR THE SOUTHWEST CORNER OF A 118.55 ACRE TRACT (CALLED TRACT 2 IN SAID PARTITION DEED RECORDED IN VOLUME 511, PAGE 182, WALLER COUNTY OFFICIAL RECORDS), THE SOUTHEAST CORNER OF THE SAID 118.074 ACRE TRACT AND THE SOUTHEAST CORNER OF THIS 12.985 ACRE TRACT;



THENCE NORTH 89° 55' 36" WEST A DISTANCE OF 30.00 FEET ALONG THE NORTH LINE OF F.M.

529 AND THE SOUTH LINE OF THE 118.074 ACRE TRACT TO A 1/2 INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF A 25.769 ACRE TRACT (SURVEYED AT THE SAME TIME AS THIS TRACT AND NOT YET RECORDED) AND THE LOWER SOUTHWEST CORNER OF THIS 12.985 ACRE TRACT;

THENCE: NORTH A DISTANCE OF 1323.98 FEET TO A 1/2 INCH IRON ROD SET FOR THE LOWER NORTHEAST CORNER OF THE 25.769 ACRE TRACT AND AN INTERIOR CORNER OF THIS 12.985 ACRE TRACT;

THENCE: NORTH 87° 18' 22" WEST A DISTANCE OF 911.92 FEET TO A 1/2 INCH IRON ROD SET FOR AN

INTERIOR CORNER OF THE 25.769 ACRE TRACT AND THE UPPER SOUTHWEST CORNER OF THIS TRACT;

THENCE: NORTH 19° 02' 11" EAST A DISTANCE OF 177.69 FEET TO A 1/2 INCH IRON ROD SET AT AN ANGLE POINT;

THENCE: NORTH 21° 41' 10" EAST A DISTANCE OF 173.02 FEET TO A 1/2 INCH IRON ROD SET AT A POINT OF CURVATURE;

THENCE: FOLLOWING A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 156.48 FEET, AN ARC LENGTH OF 70.60 FEET AND SUBTENDED BY A CHORD BEARING NORTH 08° 45' 40" EAST A DISTANCE OF 70.00 FEET TO A 1/2 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF A 14.666 ACRE TRACT (SURVEYED AT THE SAME TIME AS THIS TRACT AND NOT YET RECORDED) AND THE NORTHWEST CORNER OF THIS 12.985 ACRE TRACT;

THENCE: SOUTH 87° 18' 22" EAST A DISTANCE OF 200.00 FEET TO A 1/2 INCH IRON ROD SET FOR THE LOWER SOUTHEAST CORNER OF THE 14.666 ACRE TRACT AND AN INTERIOR CORNER OF THIS 12.985 ACRE TRACT;

THENCE: NORTH 48° 11' 20" EAST A DISTANCE OF 816.51 FEET TO A 1/2 INCH IRON ROD SET IN THE COMMON LINE OF THE 118.074 ACRE TRACT AND THE 118.55 ACRE TRACT FOR THE UPPER SOUTHEAST CORNER OF THE 14.666 ACRE TRACT AND THE NORTHEAST CORNER OF THIS 12.985 ACRE TRACT;
THENCE: SOUTH, ALONG SAID COMMON LINE A DISTANCE OF 2299.75 FEET TO THE PLACE OF BEGINNING AND CONTAINING 12.985 ACRES OF LAND.

ALL BEARINGS RECITED HEREIN ARE BASED ON A PORTION OF THE NORTH LINE OF F.M. HIGHWAY 529 RUNNING NORTH 89° 55' 36" WEST.

Date of Sale: May 02, 2023

Earliest time Sale will begin: 1:00 PM

Place of sale of Property: THE FOYER AT THE SOUTH ENTRANCE OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

Appointment of Substitute Trustee: Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 ACQUISITION TRUST C/O U.S. BANK TRUST NATIONAL ASSOCIATION*, the owner and holder of the Note, has requested Megan Randle or Ebbie Murphy whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 ACQUISITION TRUST C/O U.S. BANK TRUST NATIONAL ASSOCIATION* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Megan Randle or Ebbie Murphy whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Megan Randle or Ebbie Murphy whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

Limitation of Damages: If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against Mortgagor, the Mortgagee, or the Mortgagee's attorney.

Megan Randle

SUBSTITUTE TRUSTEE

Megan Randle or Ebbie Murphy, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,
10700 Abbott's Bridge Road, Suite 170, Duluth, Georgia 30097;
PH: (470)321-7112

FILED AND RECORDED

Instrument Number: 23-026

Filing and Recording Date: 03/16/2023 09:46:24 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,



A handwritten signature in cursive script that reads "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.

Donna Jackson, Deputy

Returned To: