

18-063

08/23/2018 04:40:07 PM Total Pages: 3 Fee: 5.00  
Debbie Hollan, County Clerk - Waller County, TX



**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE**

**DEED OF TRUST INFORMATION:**

Date: 12/31/2010  
Grantor(s): KATHY JO STARUSKA, A SINGLE PERSON  
Original Mortgagee: WELLS FARGO BANK, N.A.  
Original Principal: \$73,291.00  
Recording Information: Book 1242 Page 404 Instrument 1100464  
Property County: Waller  
Property:

A TRACT OR PARCEL OF LAND CONTAINING 1.0000 ACRE OUT OF AND A PART OF THE ORIGINAL 5.000 ACRE TRACT CONVEYED TO HENRY J STARUSKA AND MARILYN J. STARUSKA DESCRIBED IN INSTRUMENT DATED MAY 6, 1963 AND RECORDED IN VOLUME 176, PAGE 628 OF THE WALLER COUNTY DEED RECORDS

OUT OF THE R. HARVEY SURVEY, ABSTRACT 141 IN WALLER COUNTY, TEXAS, SAID 1.0000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO-WIT:

COMMENCING AT A 1 INCH IRON BAR FOUND AT A FENCE POST MARKING THE NORTHWEST CORNER OF SAID STARUSKA 5.000 ACRE TRACT IN THE EAST RIGHT-OF-WAY LINE OF PENICK COUNTY ROAD (VARIABLE WIDTH).

THENCE SOUTH WITH THE EAST RIGHT-OF-WAY LINE OF SAID PENICK ROAD AND WITH THE WEST BOUNDARY OF SAID 5 ACRE TRACT A DISTANCE OF 152.92 FT TO A 5/8 INCH IRON ROD SET MARKING THE NORTHWEST CORNER AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED 1.0000 ACRE TRACT AND MARKING THE UPPER SOUTHWEST CORNER OF THE REMAINDER 4 ACRE STARUSKA PORTION:

THENCE NORTH 89 DEG 51 MIN 14 SEC EAST, A DISTANCE OF 339.83 FT TO A 5/8 INCH IRON ROD FOUND MARKING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED 1.000 ACRE TRACT AND MAKING A RE-ENTRANT CORNER OF SAID REMAINDER 4 ACRE TRACT DESCRIBED IN VOLUME 176 PAGE 628 OF THE WALLER COUNTY DEED RECORDS,

THENCE SOUTH PARALLEL TO THE EAST RIGHT-OF-WAY LINE OF SAID PENICK ROAD A DISTANCE OF 128.18 FT TO A 5/8 INCH ROD FOUND AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT MARKING A RE-ENTRANT CORNER OF SAID REMAINDER 4 ACRE TRACT;

THENCE SOUTH 89 DEG 51 MIN 14 SEC WEST PARALLEL TO THE NORTH BOUNDARY OF SAID 1.0000 ACRE TRACT A DISTANCE OF 339.83 FT. TO A 5/8 INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED 1.000 ACRE TRACT AND MARKING THE LOWER NORTHWEST CORNER OF SAID

REMAINDER TRACT IN THE EAST RIGHT-OF-WAY LINE OF SAID PENICK ROAD, THENCE NORTH WITH THE EAST BOUNDARY OF SAID PENICK ROAD A DISTANCE OF 128.18 FT TO THE PLACE OF BEGINNING AND CONTAINING 1.0000 ACRE OF LAND AND BEING KNOWN AS 17322 PENICK ROAD, WALLER, TEXAS 77484.

Reported Address: 17322 PENICK ROAD, WALLER, TX 77484

**MORTGAGE SERVICING INFORMATION:**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: Wells Fargo Bank, N.A.

Mortgage Servicer: Wells Fargo Bank, N. A.

Current Beneficiary: Wells Fargo Bank, N.A.

Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

**SALE INFORMATION:**

Date of Sale: ~~Tuesday, the 2nd day of October, 2018~~

**Time of Sale:** 1:00PM or within three hours thereafter.

**Place of Sale:** AT THE FOYER AT THE SOUTH ENTRANCE TO THE COURTHOUSE in Waller County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Waller County Commissioner's Court.

**Substitute Trustee(s):** Amy Bowman, Reid Ruple, Kathleen Adkins, Evan Press, Kristie Alvarez, Julian Perrine, Doug Woodard, Renee Thomas, Ian Moser, Reva Rouchon- Harris, Rebecca Bolton, Debby Jurasek, Megan Randle, Amy Jurasek, Michael Burns, Elizabeth Hayes, Carlos R. HernandezVivoni, Sammy Hooda, or Suzanne Suarez, any to act

**Substitute Trustee Address:** 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Amy Bowman, Reid Ruple, Kathleen Adkins, Evan Press, Kristie Alvarez, Julian Perrine, Doug Woodard, Renee Thomas, Ian Moser, Reva Rouchon- Harris, Rebecca Bolton, Debby Jurasek, Megan Randle, Amy Jurasek, Michael Burns, Elizabeth Hayes, Carlos R. Hernandez-Vivoni, Sammy Hooda, or Suzanne Suarez, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Amy Bowman, Reid Ruple, Kathleen Adkins, Evan Press, Kristie Alvarez, Julian Perrine, Doug Woodard, Renee Thomas, Ian Moser, Reva Rouchon- Harris, Rebecca Bolton, Debby Jurasek, Megan Randle, Amy Jurasek, Michael Burns, Elizabeth Hayes, Carlos R. Hernandez-Vivoni, Sammy Hooda, or Suzanne Suarez, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Very truly yours,

Bonial&Associates, P.C.

*Megan Randle*

## FILED AND RECORDED

**Instrument Number: 18-063**

Filing and Recording Date: 08/23/2018 04:40:07 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,



*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.

Marlene Amanaga, Deputy

Returned To: