

## NOTICE OF FORECLOSURE 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.**

### Deed of Trust:

Dated: May 15, 2015  
 Grantor: LUCIO O. ALFARO and SANTOS ALFARO  
 Trustee: DORA ANN GOSTECNIK  
 Lender: BARBARA E. CALHOUN  
 Recorded in: Instrument No. 1503230 of the Official Records of Waller County, Texas

Legal Description: Lot Four (4) in Block One (1) of BROOKSHIRE GARDENS, a subdivision in Section 74, Block 1, H&T.C. Railway Survey, Waller County, Texas, recorded in Volume 194, Page 621, of the Deed Records of Waller County, Texas, and being the same Property conveyed February 3, 2003, by Theopia Williams to Barbara E. Calhoun by Deed recorded in Volume 766, Page 707, of the Official Records of Waller County, Texas.

Secures: Promissory Note ("Note") in the original principal amount of \$25,000.00, executed by LUCIO O. ALFARO and SANTOS ALFARO ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described above and all rights and appurtenances thereto

Trustee: Dora Ann Gostecnik  
 Trustee Address: P. O. Box 449, 3811 Ave. H, Pattison, TX, 77466

### Foreclosure Sale:

Date: Tuesday, July 4, 2017  
 Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 11:00 a.m. and not later than three hours thereafter.

Place: At the foyer of the South entrance of the Courthouse in Waller County, Texas, or if the preceding area is no longer the designated area then at the most recently designated area by the Waller County Commissioner's Court or the front steps of the Courthouse.

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 BARBARA E. CALHOUN's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, BARBARA E. CALHOUN, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of BARBARA E. CALHOUN's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with BARBARA E. CALHOUN's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If BARBARA E. CALHOUN passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

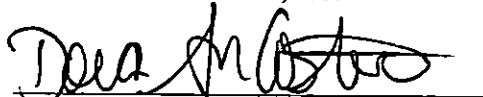
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by BARBARA E. CALHOUN. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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, 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 Trustee.

**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.**

The Gostecnik Law Firm, P.C.



Dora Ann Gostecnik  
State Bar No. 24040995  
P. O. Box 449  
3811 Ave. H  
Pattison, Texas 77466  
(281) 934-4141  
(281) 934-4142 – fax  
dag@gostecniklaw.com  
Attorney for Mortgagee

# FILED AND RECORDED

**Instrument Number: 17-060**

Filing and Recording Date: 06/07/2017 01:33:42 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.

Stephanie Tompkins, Deputy

Returned To: