

**Notice of Foreclosure Sale**

May 10, 2020

Note: \$160,000 note dated February 14, 2018, executed by Borrower and made payable to Original Lender as assigned to Lender.

Lender: AMI Lenders Inc., a Texas corporation
710 North Post Oak Road, Suite 208
Houston, Texas 77024

Borrower: Delton Lamonte Horace and Minnie Brianna Horace

Deed of Trust and Security Agreement

Date: August 26, 2016

Grantor: Delton Lamonte Horace and wife, Minnie Brianna Horace

Original Lender: Mostaghimi Equity Group & Affiliates (MEGA), LLC as said Deed of Trust was assigned to AMI Lenders, Inc., a Texas corporation by Assignment of Note and Lien dated August 16, 2019 recorded in real property records of Harris County, Texas under Clerk's File No. RP-2019-365948 and recorded in the real property records of Waller County under Clerk's File No. 1906918

Recording information: recorded in real property records of Harris County, Texas under Clerk's File No. 2016-386265 and recorded in the real property records of Waller County under Clerk's File No. 1606035

Property:

All that certain tract or parcel containing 80.103 acres of land out of a 320 acre tract of land situated in the J. ROARK SURVEY, A-401 in Waller County, Texas and A-681 in Harris County, Texas, said 320 acre tract being that same tract of land as described in a deed filed for record in Volume 31, Page 233 of the Waller County Deed Records and in Volume 1251, Page 657 of the Harris County Deed Records, said 80.103 acre tract of land being more particularly described by metes and bounds on Exhibit "A" attached hereto and to the Deed of Trust which is incorporated herein and made a part hereof.

Notice is hereby given that the property to be sold is located in Waller County, Texas and Harris County Texas and that the Sale will conducted in Waller County, Texas at the Place of Sale defined below:

Substitute Trustee: James L. Emerson or Joseph L. Emerson

Substitute Trustee's

Address: 710 North Post Oak Road, Suite 208, Houston, TX, 77024

Foreclosure Sale:

Date: Tuesday, June 2, 2020

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 10:00 a.m. and not later than three hours thereafter.

Place: The area designated by 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

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 Lender'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, Lender, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with AMI Lenders Inc., a Texas corporation'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, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If AMI Lenders Inc., a Texas corporation 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.

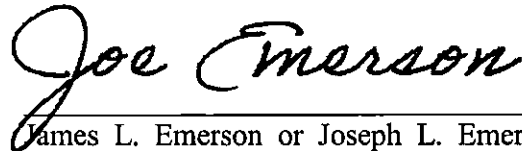
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 Lender. 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, Substitute 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 Substitute Trustee.

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.

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.



James L. Emerson or Joseph L. Emerson,
Substitute Trustee
AMI Lenders Inc.
710 North Post Oak Road, Suite 208
Houston, TX 77024
Telephone: 713.682.4400

EXHIBIT "A" LEGAL DESCRIPTION

File No.: 16473031109

All that certain tract or parcel containing 80.103 acres of land out of a 320 acre tract of land situated in the J. Roark Survey, A-401 in Waller County, Texas, and A-681 in Harris County, Texas, said 320 acre tract being that same tract of land as described in a deed filed for record in Volume 31, Page 233 of the Waller County Deed Records and in Volume 1251, Page 657 of the Harris County Deed Records, said 80.103 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 2' iron pipe (found) in the West line of that certain call 646.727 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. S-536017 marking the Southwest corner of the A. Sherrill Survey, A-752 in Harris, County, Texas, the Northwest corner of the J. Randall Survey, A-672 in Harris County, Texas, the Northeast corner of the W. W. Swain Survey, A-256 in Waller County, Texas, and A-738 in Harris County, Texas, the Southeast corner of said J. Roark Survey, the Southeast corner of a 60.00 foot roadway easement as described in an -instrument filed for record under Harris County Clerk's File No.'s D-748560 and D-748561, the Southeast corner of said 320 acre tract of land, and the Southeast corner of the herein described 80.103 acre tract of land;

THENCE N 89 degrees 25' 22" W, a distance of 2,713.90 feet along the common line of said J. Roark and said W. W. Swain Surveys and said 320 acre tract of land to a 1" iron pipe (found) in the East right-of-way line of Mathis Road, (70.00 feet in width), marking the Southwest corner of said 320 acre tract of land and the Southwest corner of the herein described 80.103 acre tract of land;

THENCE N 07 degrees 38' 09" E, a distance of 1,342.68 feet along the East right-of-way line of said Mathis Road to a 5/8" iron rod with cap (found stamped E.I.C.) in the West line of said 320 acre tract of land marking the Southwest corner of that certain 20.000 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. G-568651 and the Northwest corner of the herein described 80.103 acre tract of land, from which point a 5/8" iron rod with cap (found stamped E.I.C.) for reference in the West line of said 320 acre tract of land marking the Northwest corner of said 20.000 acre tract of land and the Southwest corner of that certain 60' acre tract out of said 320 acre tract of land as described in a deed filed for record in Volume 31, Page 233 of the Waller County Deed Records bears N 07 degrees 38' 09" E) 349.67 feet;

THENCE S 89 degrees 18' 09" E a distance of 2,533.37 feet along the common line of said 20.000 and said 80.103 acre tracts of land to a 5/8" iron rod with cap (found stamped E.I.C.) in the East right-of-way line of said 60.00 foot roadway easement, the East line of said 320 acre tract of land, the East line of said J. Roark Survey, and the West line of said A. Sherrill Survey marking the Southeast corner of said 20.000 acre tract of land and the Northeast corner of the herein described 80.103 acre tract of land;

THENCE S 00 degrees 05' 50" E, a distance of 1,327.27 feet along the common line of said J Roark and said A. Sherrill Surveys and said 320 acre tract of land to the POINT OF BEGINNING and containing 80.103 acres of land.

FILED AND RECORDED

Instrument Number: 20-039

Filing and Recording Date: 05/12/2020 11:39:49 AM Pages: 5 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.

Stephanie Tompkins, Deputy

Returned To: