



## Notice of Foreclosure Sale

December 14, 2020

**Note:** \$315,000 note dated August 17, 2018, executed by Borrower and made payable to Lender.

**Lender:** Matt F. Trout and Karen A. Trout  
7237 Tusquittee Road  
Hayesville, North Carolina 28904-9789

**Borrower:** Marc Jung and Noelle Jung

### Deed of Trust and Security Agreement

**Date:** August 17, 2018  
**Grantor:** Marc Jung and Noelle Jung  
**Lender:** Matt F. Trout and Karen A. Trout  
**Recording:** recorded August 21, 2018 in the Official Records of the County Clerk of Waller County, Texas under Clerk's File No. 1806626

### **Property:**

Tract I: Lot Twenty-one (21) of Indian Oaks Estates, a subdivision of 117.44 acres located in the S. C. Hady Survey, Abstract 31, and the John McFarland League, Abstract 46, in Waller County, Texas, according to the map or plat thereof, recorded in Volume 219, Page 56 of the Deed Records of Waller County, Texas.

Tract II: 5.0 acre tract of land out of a 31 acre tract (Volume 481, Page 381, Deed Records) located in the John McFarland Survey, Abstract 46, Waller County, Texas; said 5.0 acre tract of land being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof.

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

### **Substitute Trustee:**

Jeffrey R. Matthews  
814 Sterling Creek Circle, Katy, Texas 77450 (street address)  
P. O. Box 982, Katy, Texas 77492 (mailing address)

**Foreclosure Sale:**

**Date:** Tuesday, January 5, 2021

**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 551.002 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.

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 Lender 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.**



Jeffrey R. Matthews,  
Substitute Trustee  
P. O. Box 982  
Katy, Texas 77492  
(281) 772-0772  
jeff.superdocs@gmail.com

EXHIBIT A

FIELD NOTES FOR A 5,000 ACRE TRACT OF AND OUT OF A 31 ACRE TRACT (VOLUME 481, PAGE 381, DEED RECORDS) LOCATED IN THE JOHN MCFARLAND SURVEY, ABSTRACT 46, WALLER COUNTY, TEXAS.

BEGINNING: At a ½ inch iron rod found in the Northeast line of this tract marking the South corner of Tract 21 and the West corner of Tract 20 of Indian Oaks Subdivision (Volume 219, Page 56, Deed Records);

THENCE: South 56° 00' 00" East a distance of 32.34 feet along the Southwest line of said Tract 20 to a ½ inch iron rod set for the East corner of this tract and the North corner of a 26.51 acre tract (Volume 481, Page 381, Deed Records), said corner bears South 36° 33' 48" West a distance of 0.61 feet from a car axle found;

THENCE: South 36° 33' 48" West a distance of 660.66 feet to a ½ inch iron rod set in the Northwest line of said 26.51 acre tract for the South corner of this tract and an East corner of the residue of said 31 acre tract;

THENCE: North 56° 00' 00" West a distance of 330.00 feet to a ½ inch iron rod set for the West corner of this tract and an interior corner of the residue of said 31 acre tract;

THENCE: North 36° 33' 48" East a distance of 660.66 feet to a ½ inch iron rod set in the Southwest line of Tract 22 of said Indian Oaks Subdivision for the North corner of this tract and the Northeast corner of the residue of said 31 acre tract;

THENCE: South 56° 00' 00" East a distance of 297.66 feet along the Southwest line of said Indian Oaks Subdivision to the ACTUAL PLACE OF BEGINNING and containing 5,000 acres of land.

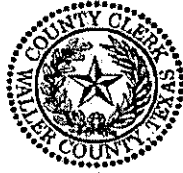
NOTE: THE COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

## FILED AND RECORDED

**Instrument Number: 20-067**

Filing and Recording Date: 12/14/2020 11:47:48 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,



A handwritten signature in black ink that reads "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.

Jenifer Deutrich, Deputy

Returned To: