



## NOTICE OF TRUSTEE'S SALE

Pursuant to Deed of Trust dated December 10, 2018, executed by **KELLEY HYDRAULICS, INC.**, ("Mortgagor"), Mortgagor conveyed to **PETER J. SAPIO, JR.** or **ALBERT G. REDMOND**, as Trustee(s) all of their right, title, and interest in and to that certain parcel of real property situated in Galveston County, Texas and described as:

**A tract or parcel of land containing 14.8491 acres (646,825 square feet) situated in the Justo Liendo Survey, Abstract No. 41, Waller County, Texas, and being the combination of a called 11.8 acre tract conveyed to Joseph Paul Kelley and Jennifer Kelley, recorded in Volume 921, Page 442, Deed Records Waller County, Texas (D.R.W.C.T.), SAVE AND EXCEPT a called 6.9823 acre tract in Deed No. 1604345, D.R.W.C.T.; a called 9.924 acre tract to Joe Kelley, in Volume 922, Page 342, D.R.W.C.T.; and a called 0.0020 acre tract to Joseph Paul Kelley, et ux, recorded in Deed No. 1606162, Official Records Waller County, Texas (O.R.W.C.T.), and being more particularly described by metes and bounds on Exhibit "A" attached hereto.**

to secure the payment of that one certain Real Estate Note and Lien ("Note") dated December 10, 2018, in the principal amount of \$538,500.00, executed by **KELLEY HYDRAULICS, INC.**, and payable to the order of **NLCG PRIVATE LENDING FUND, LLC** ("Beneficiary") and any and all other indebtedness secured by the Deed of Trust;

The Deed of Trust was filed of recorded under Waller County Clerk's File No. 1809773, in the Real Property Records of Waller County, Texas; the Note and Deed of Trust are in default and the entire unpaid balance of the Note is due and payable; and Beneficiary intends to enforce the power of sale set forth in the above-referenced Deed of Trust; and

The Beneficiary has directed the Trustee to enforce the power of sale under the Deed of Trust for the purpose of collecting the indebtedness secured under it, after the giving of at least 21 consecutive days notice and recording the Notice in the Waller County Clerk's Office giving the time, place, terms of said sale, and description of the property to be sold, pursuant to the Deed of Trust and the laws of the State of Texas;

Therefore, I, Peter J. Sapio, Jr., Trustee, hereby give notice, after due publication as required by the Deed of Trust and/or security instruments and the Texas Property Code, that I will, after due posting, publication, and filing of this Notice, and after having given written notice of at least 21 consecutive days by certified mail, return receipt requested, as well as regular mail, to each debtor obligated to pay the Note and indebtedness secured by the Deed of Trust, at the last known address of each such debtor, according to the records of Beneficiary, as required by the Deed of Trust and the laws of the State of Texas, sell the Property at public auction to the highest bidder or bidders for cash, between the hours of 1:00 p.m. and 4:00 p.m. on the first Tuesday in **February, being February 4, 2020**, at the **Waller County Courthouse, 836 Austin Street, outside of Suite 217 (South Foyer), Hempstead, Texas 77445**, or as designated by the County Commissioners.

Pursuant to Section 51.002 of the Texas Property Code, the foreclosure sale will begin no earlier than 1:00 p.m. and no later than three hours after that time.

The sale conducted pursuant to this Notice will be made subject to any valid and existing liens and any other title encumbrances affecting title to the property described above or any part of the property that are proved superior to the liens and other rights of Beneficiary under the security instrument or other recorded instruments.

Signed on January 3<sup>rd</sup>, 2020.

**DOYLE LAW FIRM, PLLC**  
6710 Stewart Road, Suite 300  
Galveston, Texas 77551  
Telephone: 409/744-9783  
Fax: 409/744-9786

By:   
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**PETER J. SAPIO, JR., Trustee**

## FILED AND RECORDED

**Instrument Number: 20-003**

Filing and Recording Date: 01/13/2020 12:39:47 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 Arranaga, Deputy

Returned To: