



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, Jamey E. Milheiser and Lauren A. Milheiser, wife and husband, executed a Subordinate Lien Deed of Trust ("Deed of Trust") dated October 7, 2021, conveying to Ruth W. Garner, Trustee, the property described therein to secure Amplify Credit Union in the payment of the indebtedness described therein; and

WHEREAS, the Deed of Trust is recorded at Clerk's File Number 2111910 in the Official Public Records of Waller County, Texas;

WHEREAS, the property subject to the Deed of Trust is described as "Lot 4, in Block 1, of CANE ISLAND, SECTION 18, an addition in Waller County, Texas according to the map or plat thereof recorded under Waller County Clerk's File Number(s) 1903630, of the Map Records of Waller County, Texas." (hereinafter "the property"); and

WHEREAS, Amplify Credit Union is the present owner and holder of the note and indebtedness described in the Deed of Trust and the liens securing its payment; and

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of such original Trustee upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, the indebtedness secured by the Deed of Trust includes a Subordinate Lien Note ("Note") dated October 7, 2021, executed by Jamey E. Milheiser, payable to Amplify Credit Union in the original principal amount of \$250,000.00;

WHEREAS, defaults have occurred under the Note and the Deed of Trust and the Note is now due and payable in full as provided therein; and

WHEREAS, I have been requested to sell the property pursuant to the Deed of Trust;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, March 5, 2024, between 10:00 a.m. and 4:00 p.m., Kerry L. Haliburton, Jim Mills, Susan Mills, Marlene Zografos, Ed Henderson, Sheila Horak, Robin Johnson, Patsy Anderson and Andrew Mills-Middlebrook, Substitute Trustee, will sell the property by public sale at auction to the highest bidder for cash. The sale will take place in the foyer inside of the south entrance to the Waller County Courthouse located at 425 FM 1488, Hempstead, Texas 77445, or in the area of the courthouse designated by the Commissioner's Court pursuant to Section 51.002 of the Texas Property Code, the earliest time at which the sale will occur will be 10:00 a.m. Pursuant to Section 51.002 of the Texas Property Code, the sale shall begin at that time or not later than three hours after that time. The Deed of Trust permits the Beneficiary to postpone or withdraw, or reschedule the sale for another day. In such case, the Trustee or Substitute Trustee under the Deed of Trust need not appear at that date, time and place of a scheduled sale to announce a postponement, withdrawal or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiled may be after the date originally scheduled for sale.

The sale will be made subject to any exceptions referenced in the Deed of Trust to the extent the same are still in effect and shall not cover any property that has been released from the liens of the Deed of Trust.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day of sale for the property being sold.

THE PURCHASER AT THE FORECLOSURE SALE WILL RECEIVE THE TITLE TO THE PROPERTY OWNED BY JAMEY E. MILHEISER AND LAUREN A. MILHEISER, HUSBAND AND WIFE, AND WILL NOT RECEIVE ANY REPRESENTATION OR WARRANTY OF ANY KIND, ORAL, WRITTEN, EXPRESS, OR IMPLIED, FROM AMPLIFY CREDIT UNION CONCERNING THE PROPERTY, AND AMPLIFY CREDIT UNION HAS NOT MADE, AND DOES NOT MAKE, ANY SUCH REPRESENTATIONS OR WARRANTIES. THE SUBSTITUTE TRUSTEE DOES NOT, AND WILL NOT, MAKE ANY REPRESENTATIONS OR WARRANTIES, INCLUDING, WITHOUT LIMITATION, ANY WARRANTY OF TITLE TO THE PROPERTY. THE PROPERTY WILL BE SOLD AS IS, WHERE IS, AND WITH ALL FAULTS. THE PURCHASER AT THE FORECLOSURE SALE WILL RELY SOLELY ON PURCHASER'S OWN INSPECTIONS OR INVESTIGATIONS OF THE PROPERTY AND THE CONDITION THEREOF IN MAKING A DECISION TO PURCHASE THE PROPERTY. ALL OF THESE PROVISIONS SHALL EXPRESSLY SURVIVE THE TRANSFER OF THE PROPERTY TO PURCHASER.

EFFECTIVE DATE OF NOTICE IS FEBRUARY 7, 2024.



Kerry L. Haliburton, Substitute Trustee
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FILED AND RECORDED

Instrument Number: 24-018

Filing and Recording Date: 02/12/2024 08:02:20 AM Pages: 3 Recording Fee: \$4.00

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.

Marlene Arranaga, Deputy

Returned To: