



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

“Assert and protect your rights as a member of the armed forces of the United States. If you 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.”

THE STATE OF TEXAS §
 §
COUNTY OF WALLER §

WHEREAS, by Deed of Trust (herein "Deed of Trust") dated APRIL 14, 2005, filed for record under Clerk's File No. VOLUME 0891, PAGE 173 of the Official Public Records of WALLER County, Texas, THOMAS B. DUPONT who acquired title as THOMAS B. DU PONT, as Grantor, conveyed to C.P. BRYAN, as Trustee, for the benefit of REPUBLIC NATIONAL BANK ("Lender"), certain real property situated in WALLER County, Texas, and being more particularly described as follows (the "Property"):

BEING A 4.9533 ACRES OR 215,769 SQUARE FEET OF LAND SITUATED IN THE THOMAS BETTS SURVEY, ABSTRACT 77, AND BEING A PORTION OF TRACT 2 AS PLATTED IN MILL CREEK ESTATES, SECTION 8 (RENAMED PINE LAKE ESTATES), RECORDED IN VOLUME 224, PAGE 585 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, SAVE AND EXCEPT TRACT "C", PER THAT AGREED FINAL JUDGMENT ENTERED JUNE 8, 2015 IN CAUSE NO. 14-01-22303, IN THE 506TH JUDICIAL DISTRICT COURT, WALLER COUNTY, TEXAS;

to secure the payment of one certain Promissory Note of even date therewith in the original principal amount of \$275,000.00 and other indebtedness as provided therein, executed by Grantor and made payable to Lender. On or about August 25, 2006 Trustmark National Bank ("Lienholder") acquired the assets of Lender and is the current owner and holder of the Note; and

WHEREAS, the undersigned has been appointed as one of the Substitute Trustees in the place and stead of C.P. BRYAN, Trustee in the aforesaid Deed of Trust, said appointment being in the manner authorized by the Deed of Trust; and

WHEREAS, Trustee's address is in care of Devlin, Naylor & Turbyfill, P.L.L.C., 4801 Woodway, Suite 420 West, Houston, Texas 77056; and

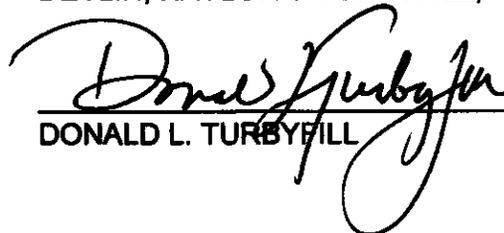
WHEREAS, default has occurred under the terms of the Note secured by the Deed of Trust, and the indebtedness evidenced therein is now wholly due, therefore, the owner and holder of said indebtedness has requested one of the Substitute Trustees to sell the Property to satisfy same.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, OCTOBER 6, 2015, at no earlier than 1:00 P.M. and no later than 4:00 P.M., the undersigned will sell the Property at the location designated by the Commissioner's Court of WALLER County, Texas, as the location where foreclosure sales are to take place. If no location has been designated, the sale will occur at the place where the Notice of Substitute Trustee's Sale was posted. Said Property will be sold to the highest bidder for cash.

The purchase of this Property is **MADE "AS IS"** with all faults and shall be **ACCEPTED SUBJECT TO** any and all restrictions, covenants, conditions, agreements, assessments, maintenance charges, liens, leases, easements, previously conveyed or reserved mineral interests, to the extent that any of the aforementioned relating to the Property are still in effect and are shown of record.

WITNESS MY HAND this 14th day of September, 2015.

DEVLIN, NAYLOR & TURBYFILL, P.L.L.C.


DONALD L. TURBYFILL

State Bar of Texas # 20296380
4801 Woodway, Suite 420-West
Houston, Texas 77056-1805
(713) 622-8338 [TELEPHONE]
(713) 586-7053 [FACSIMILE]
dturbyfill@dntlaw.com [E-MAIL]

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the above and foregoing instrument was served on the below listed parties by certified mail, return receipt requested, on this 14th day of September, 2015:

Cert. Mail Receipt

#7015 0640 0006 9218 6627

THE ESTATE OF THOMAS B. DUPONT, DECEASED
24546 RILEY ROAD
PLANTERSVILLE, TEXAS 77363

Cert. Mail Receipt

#7015 0640 0000 9821 7703

JPMORGAN CHASE BANK
c/o McCARTHY, HOLTHUS & ACKERMAN, LLP
1255 WEST 15TH STREET, SUITE 1060
PLANO, TEXAS 75075

Cert. Mail Receipt

#7015 0640 0006 9218 6634

KIMBERLY NAUMANN
265 PARK MEADOWS
FAYETTEVILLE, TEXAS 78940

Cert. Mail Receipt

#7015 0640 0006 9218 6788

THOMAS B. DUPONT, II
1015 SHIREMERE ROAD
HOUSTON, TEXAS 77008

Cert. Mail Receipt

#7015 0640 0006 9218 6641

TAMMY BARBER
21014 RUBY VALLEY COURT
CYPRESS, TEXAS 77433

Cert. Mail Receipt

#7015 0640 0000 9821 8397

CARBETT (TREY) J. DUHON, III
ATTORNEY FOR UNKNOWN HEIRS
OF THOMAS B. DUPONT
P.O. BOX 640
WALLER, TEXAS 77484



DONALD L. TURBYFILL

Legal description of land:

A 4.9533 acre tract of land, more or less, situated in the Thomas Betts Survey, Abstract 77, Waller County, Texas, described as being a portion of Lot Two (2) of MILL CREEK ESTATES, SECTION 8 (renamed PINE LAKE ESTATES), a subdivision located partly in the Thomas Betts Survey, Abstract 77, and partly in the B.D.D. & C.R.R. Company Survey, Abstract 100, Waller County, Texas, according to the map or plat thereof recorded of the Deed Records of Waller County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof.

BEING A 4.9533 ACRES OR 215,769 SQUARE FEET OF LAND SITUATED IN THE THOMAS BETTS SURVEY, ABSTRACT 77, AND BEING A PORTION OF TRACT 2 AS PLATTED IN MILL CREEK ESTATES, SECTION 8, RECORDED IN VOLUME 224, PAGE 585 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND 5/8 IRON ROD FOR A POINT OF CURVATURE ON MCGILL ROAD (60' RIGHT-OF-WAY) A.K.A. RILEY ROAD (60' RIGHT-OF-WAY) AND BEING THE POINT OF CURVATURE IN THE SOUTH LINE OF TRACT 1 AS RECORDED IN WALLER COUNTY CLERK'S FILE NO. 151136; THENCE SOUTH 89°02'24" WEST, WITH THE NORTH LINE OF SAID MCGILL ROAD (60' RIGHT-OF-WAY) AND THE SOUTH LINE OF TRACT 1, A DISTANCE OF 244.01 FEET TO A FOUND 5/8 INCH IRON ROD FOR THE POINT OF BEGINNING AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, AND THE SOUTHWEST CORNER OF SAID TRACT 1;

THENCE SOUTH 89°02'24" WEST WITH THE NORTH LINE OF SAID MCGILL ROAD (60' RIGHT-OF-WAY) AND THE SOUTH LINE OF HEREIN DESCRIBED TRACT, A DISTANCE OF 518.57 FEET TO A SET 5/8 INCH IRON ROD FOR THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT AND THE SOUTHEAST CORNER OF TRACT 3 AS RECORDED IN WALLER COUNTY CLERK'S FILE NO. 841539 AND IN THE NORTH LINE OF SAID MCGILL ROAD (60' RIGHT-OF-WAY);

THENCE NORTH 01°03'16" WEST, (CALLED NORTH 00°57'36" WEST) WITH THE WEST LINE OF HEREIN DESCRIBED TRACT AND THE EAST LINE OF SAID TRACT 3, A DISTANCE OF 417.09 FEET (CALLED 420.00 FEET) TO AN OLD FOUND 1/2 INCH IRON PIPE AND THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT AND BEING ON THE SOUTH LINE OF COUNTY LINE ESTATES AS RECORDED IN VOLUME 501, PAGE 870, AND BEING THE NORTHEAST CORNER OF SAID TRACT 3;

THENCE NORTH 89°15'46" EAST, (CALLED NORTH 89°02'24" EAST) WITH THE NORTH LINE OF HEREIN DESCRIBED TRACT AND THE SOUTH LINE OF SAID COUNTY LINE ESTATES, A DISTANCE OF 518.57 TO A SET 1/2 INCH DIAMETER IRON ROD FOR THE NORTHEAST CORNER OF HEREIN DESCRIBED TRACT AND BEING IN THE WEST LINE OF SAID TRACT 1, AND BEING THE SOUTHEAST CORNER OF LOT 14 OF SAID COUNTY LINE ESTATE;

THENCE SOUTH 01°03'16" EAST, (CALLED SOUTH 00°57'36" EAST) WITH THE EAST LINE OF HEREIN DESCRIBED TRACT AND THE WEST LINE OF SAID TRACT 1, A DISTANCE OF 415.08 FEET (CALLED 420.00 FEET) TO THE POINT OF BEGINNING AND CONTAINING 4.9533 ACRES OR 215,769 SQUARE FEET OF LAND.

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FILED AND RECORDED

Instrument Number: 15-072

Filing and Recording Date: 09/15/2015 08:30:50 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.

Kim Imhoff, Deputy

Returned To: