



12/13/2016 10:45 FAX 7135867053

DEVLIN,NAYLOR&TURBYFILL

002

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 JANUARY 9, 2002, filed for record under VOLUME 0719, PAGE 885 of the Official Public Records of WALLER County, Texas, APOSTOLIC FAITH MISSION, a Texas non-profit corporation, as Grantor, conveyed to DON STRICKLIN, as Trustee, for the benefit of STATE BANK ("Lender"), certain real property situated in WALLER County, Texas, being more commonly known as 40117 FM 529, HEMPSTEAD, TEXAS 77445-3615 and being more particularly described as follows (the "Property"):

A 1.0000 ACRE TRACT OF LAND SITUATED IN THE JUAN A. PADILLO SURVEY, A-48, WALLER COUNTY, TEXAS, AND BEING PART OF A CALLED 17.15 ACRE TRACT OF LAND CONVEYED TO ALONZO BRAGG AND WIFE, JESSIE MAE BRAGG, BY DEED DATED MARCH 7, 1964, RECORDED IN VOLUME 181, PAGE 340, AND INCLUDING A CERTAIN 0.375 ACRE TRACT AS SHOWN ON A PLAT DESIGNATED (EXHIBIT "A", PAGE 2) DATED NOVEMBER 2, 1987, RECORDED IN VOLUME 413, PAGE 72, ALL 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,

to secure the payment of a promissory note in the original principal amount of \$50,000.00 ("Note 042"), increased to \$150,000.00 by Modification, Renewal, Extension and Increase Agreement dated April 16, 2002, filed for record under VOLUME 726, PAGE 340 of the Official Public Records of WALLER County, Texas, and to secure the payment of a promissory note in the original principal



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amount of \$42,600.00 ("Note 043") executed by Grantor and made payable to Lender (collectively referred to herein as the "Notes").

Subsequently, Note 042 and all renewals, modifications, amendments, supplements and restatements thereof and the Deed of Trust were assigned to FH PARTNERS, L.P., through that certain Assignment of Deed of Trust recorded in the Official Public Records of WALLER County, on November 22, 2006 under VOLUME 1000, PAGE 146. Note 043 and all renewals, modifications, amendments, supplements and restatements thereof was assigned to FH PARTNERS, L.P. through that certain Assignment of Loan and Liens recorded in the Official Public Records of WALLER County, on November 27, 2006 under VOLUME 1000, PAGE 378.

Thereafter, Note 042, the Deed of Trust and Note 043 were assigned by FH PARTNERS, L.P. through those certain Assignments of Deed of Trust recorded in the Official Public Records of WALLER County, on July 28, 2014 under VOLUME 1428, PAGE 086 and VOLUME 1428, PAGE 083, respectively, to FIRST SOUTHWESTERN FINANCIAL SERVICES, LLC, ("Lienholder"), the current owner of the Notes; and

WHEREAS, the undersigned has been appointed as one of the Substitute Trustees in the place and stead of DON STRICKLIN, 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., 5120 Woodway, Suite 9000, Houston, Texas 77056; and

WHEREAS, default has occurred under the terms of the Notes secured by the Deed of Trust, and the indebtedness evidenced therein is now wholly due, therefore, Lienholder as 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, JANUARY 3, 2017, 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.

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 AS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

WITNESS MY HAND this 13th day of December, 2016.



MEGAN L. RANDLE, and/or REBECCA BOLTON,
and/or DONALD L. TURBYFILL, and/or R. LEE
TURBYFILL, and/or DEBORAH C.S. RIHERD, and/or
VICKI W. HART, and/or KIMBERLY M. RICHARD, as
alternate Substitute Trustees

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



DONALD L. TURBYFILL
State Bar of Texas # 20296380
5120 Woodway, Suite 9000
Houston, Texas 77056-1725
(713) 622-8338 [TELEPHONE]
(877) 627-9039 [TOLL FREE]
(713) 586-7053 [FACSIMILE]
dturbyfill@dntlaw.com [E-MAIL]
ATTORNEYS FOR LIENHOLDER
FIRST SOUTHWESTERN FINANCIAL SERVICES

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 9th day of December, 2016:

Cert. Mail Receipt
7016 0910 0000 8339 6036
APOSTOLIC FAITH MISSION
40117 FM 529
HEMPSTEAD, TEXAS 77445-3615

Cert. Mail Receipt
7016 0910 0000 8339 6074
APOSTOLIC FAITH MISSION
P.O. BOX 529
PATTISON, TEXAS 77466

Cert. Mail Receipt
7016 0910 0000 8339 6043
PAUL MILLER, REGISTERED AGENT
APOSTOLIC FAITH MISSION
807 BROADWAY
GALVESTON, TEXAS 77550

Cert. Mail Receipt
7016 0910 0000 8339 6081
PATSY ANN DAVIS
41153 HOLIK ROAD
HEMPSTEAD, TEXAS 77445

Cert. Mail Receipt
7016 0910 0000 8339 6050
ODDIE LOCKETT, JR.
P.O. BOX 529
PATTISON, TEXAS 77466

Cert. Mail Receipt
7016 0910 0000 8339 6098
CALVIN BROWN
16326 BLOSSOMWOOD LANE
SUGAR LAND, TEXAS 77478

Cert. Mail Receipt
7016 0910 0000 8339 6067
LULA HALL
P.O. BOX 2485
PRAIRIE VIEW, TEXAS 77446

Cert. Mail Receipt
7016 0910 0000 8339 6104
FEODORE MAURICE LOCKETT
5814 REED ROAD
HOUSTON, TEXAS 77033

Cert. Mail Receipt
7016 0910 0000 8339 6111
SAMUEL L. MILLEDGE
MILLEDGE LAW FIRM, PLLC
2500 EAST TC JESTER BLVD., SUITE 510
HOUSTON, TEXAS 77008


DONALD L. TURBYFILL

FILED AND RECORDED

Instrument Number: 16-089

Filing and Recording Date: 12/13/2016 02:14:39 PM Pages: 6 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: