

NOTICE OF TRUSTEE SALE

THE STATE OF TEXAS }

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WALLER }

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.

WHEREAS, Default has occurred under the terms of a Note and Deed of Trust, and the entire unpaid principal balance and accrued interest owing under the note has been accelerated and is wholly due and remains unpaid, and the holder of the note has requested the undersigned to sell the property in accordance with Section 51.002 of the Texas Property Code and the Terms of the Deed of Trust, in order to satisfy the indebtedness evidenced by the note and secured by the Deed of Trust.

1. Date, Time and Place of sale.

Date: Tuesday, February 7th, 2017

Time: The sale will take place within the hours of 10:00 am and 2:00 pm

Place: The foyer at the west entrance of the Waller County Court House Building, located at 836 Austin Street, Hempstead, TX 77445 or the area designated by the County Commissioners of Waller County, Texas.

2. Terms of Sale: Cash

3. Instrument to be foreclosed: The Deed of Trust or Contract Lien dated October 30, 2013 and recorded in Volume Number 1387, Page 587 of the County Clerk's Real Property Records of Waller County, Texas; with Reynold St. Lucie as Grantor(s), and Robert Marks, Trustee for Red Feather, Ltd. And Siebenmorgen Family Trust as Beneficiary(s).

4. Obligation Secured: Real Estate Note dated October 30, 2013, executed by Reynold St. Lucie, securing the payment of the indebtedness of the original principle amount of Two Hundred Fifty Six Thousand Three Hundred Ninety Seven and 22/100 (\$256,397.22) dollars and the obligations therein described, including but not limited to the promissory

note and all modifications, renewals and extensions of the promissory note. Red Feather, Ltd. is the current payee(s), holder(s) and owner(s) of the note and the Deed of Trust or Contract Lien.


The Siebenmorgen Family Trust assigned all of its interest in the above described Deed of Trust Lien and promissory note, to Red Feather Ltd. by Transfer of Lien dated September 23, 2016 and recorded as Document Number 1607560 in the County Clerk's Property Records of Waller County, Texas

5. **Property to be Sold:** The property to be sold is described as follows:
Twenty One and Seven/tenths acres (21.7 acres), more or less, out of a 52.323 acre tract being the remainder of a certain called 94.352 acre Tract described and in recorded in Volume 364, Page 80 Deed Records of Waller County, Texas. Said Tract being in the William Slater Survey, Abstract 251 and the Stephen Miller Survey, Abstract 119, Waller County, Texas and more particularly described on See Exhibit "A" attached hereto and incorporated herein for all purposes.

(See Exhibit "A")

Trustee: Carolyn Marks, Trustee, by the Beneficiary(s) and Payee(s) to act in their behalf in administering the foreclosure of the collateral and selling said collateral at the Trustee's Sale described herein.

WITNESS MY HAND this 3rd day of January, 2017.



Carolyn Marks, Trustee
P.O. Box 409
Leander, Texas 78646-0409

Exhibit "A" Legal Description

A FIELDNOTE DESCRIPTION of a 21.76 acre tract, more or less, of land located in Waller County, Texas, situated in the Stephen Miller Survey, Abstract No. 219 and the William Slater Survey, Abstract No. 251, being a part of the remainder of that certain called 94.352-acre tract of land as recorded in Volume 364, Page 80 of the said County Deed Records and out of the 52.323 acre Tract described on Exhibit "A" attached to a Deed and recorded in Volume 735, Page 801 of the said County Deed Records, said tract being more and particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod found on the intersection of the easterly right-of-way line of F. M. Highway No. 359 (R.O.W. Varies) and the South right-of-way line of Beacon Drive (60-foot R.O.W.), said point being the southwest corner of Beacon Estates, Section 1 as recorded in Volume 365, Page 872 of the said Deed Records and the northwest corner and the point of beginning of the herein described Tract;

THENCE, North $41^{\circ} 30' 37''$ East along the south boundary line of Beacon Drive a total distance of 296.21' to a found $\frac{1}{2}$ ' iron rod;

THENCE, Continuing along the south boundary line of Beacon Drive Along a curve to the right with a radius of 270.00' a distance of 88.46';

THENCE, North $60^{\circ} 19' 53''$ East along the south boundary line of Beacon Drive a total distance of 334.15' to a set $\frac{1}{2}$ " iron rod;

THENCE, South $35^{\circ} 39' 18''$ East a total distance of 1,211.82' to a set $\frac{1}{2}$ " iron rod,

THENCE, South $64^{\circ} 15' 50''$ West, along the said northerly line of a Tract described in Volume 631, Page 704 of the Waller County Clerk Deed Records, a distance of 375.96 feet to a $\frac{1}{2}$ - inch iron rod with cap set for corner;

THENCE, South $12^{\circ} 40' 13''$ East, a distance of 185.47 feet to a 1-inch iron pipe found for corner;



R. S. E.

THENCE, South 32° 52' 45" West, a distance of 25.30 feet to a 1-inch iron pipe found for corner;

THENCE, South 71° 40' 35" West, a distance of 221.57 feet to a TXDOT monument found for an angle point on the said easterly line of F. M. Highway No. 359;

THENCE, along said easterly line with the following courses and distances:

South 86° 47' 21" West, 78.15 feet to a TXDOT monument found,

North 42° 05' 19" West, 98.70 feet to a 1/2-inch iron rod with cap found,

North 22° 24' 33" West, 146.09 feet to a 1/2-inch iron rod with cap set,

North 35° 10' 29" West, 45.72 feet to a 1/2-inch iron rod with cap set,

North 42° 12' 52" West, 162.59 feet to a 1/2-inch iron rod with cap set,

North 26° 44' 54" West, 210.99 feet to a 1/2-inch iron rod with cap set,

North 30° 53' 15" East, a distance of 544.93 feet to the Place of Beginning.

SAVE AND EXCEPT: All of that Tract or Parcel of land consisting of 0.2691 acres, described and conveyed in a Special Warranty Deed from AAA Country Homes, Inc. to Beacon Estates Water Supply Corporation, Inc. dated November 27, 1996 and recorded in Volume 550, Page 763 of the Waller County Clerk's Public Deed Records, said Tract being currently used for the location of the Beacon Estates Sewer Plant.



R.S.L

FILED AND RECORDED

Instrument Number: 17-001

Filing and Recording Date: 01/03/2017 01:50:25 PM Pages: 5 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.

Kim Imhoff, Deputy

Returned To: