



THE STATE OF TEXAS           §  
  §  
  §  
COUNTY OF HARRIS           §

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

Notice is hereby given of a public non-judicial foreclosure sale.

1.     **Property to be Sold.** The property to be sold is certain real property located in Waller County, Texas more fully described in Exhibit "A" attached hereto.

This conveyance 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.

2.     **Date, Time and Place of Sale.** The sale is scheduled to be held at the following date, time and place:

**Date:**            **Tuesday, December 4, 2018.**

**Time:**           **Between the hours of 10:00 a.m. and 12:00 p.m.**

**Place:**           **At the foyer of the South entrance to the Waller County Courthouse, in Hempstead, Texas, or as designated by the commissioners court of Waller County where sales of real property under a power of sale conferred by a deed of trust are to take place (as such designation is recorded in the real property records of such county).**

3.     **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. 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 Property will be sold "as is", "where is" and "with all faults" of whatever nature or kind. No warranty or representation of any kind is made regarding the property.

4.     **Type of Sale.** The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by a Deed of Trust on file in the Official Public Records of Waller County, Texas beginning at Volume 1118, Page 607.

5.     **Obligations Secured.** The Deed of Trust provides that it secures payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to that certain Renewal, Extension and Modification Agreement in the amount of \$282,767.42 dated April 29, 2011 payable by Steven C. Freitsch and Catherine Mace Freitsch to Texas Community Bank, N.A. sold, transferred, and assigned to WCTCB, LLC, the current owner and holder of the Obligations, the Beneficiary under the Deed of Trust, and referred to herein as the "**Beneficiary.**"

6. **Default and Request to Act.** Default has occurred under the Deed of Trust and the Beneficiary has requested the undersigned, as the Substitute Trustee, to conduct this sale. Notice is given that prior to the sale Beneficiary may appoint another person as a Substitute Trustee to conduct the sale.

Dated: October 10, 2018



CRAIG H. CLENDENIN  
Substitute Trustee  
c/o Cokinos | Young  
Four Houston Center  
1221 Lamar Street, 16th Floor  
Houston, Texas 77010  
(713) 535-5500  
Fax: (713) 535-5533

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## EXHIBIT "A"

## TRACT I

BEING A 75.018 ACRE TRACT OF LAND OUT OF A CERTAIN 132.395 ACRE TRACT OF LAND, SAID 132.395 ACRES COMPRISED OF SIX TRACTS OF LAND RECORDED IN VOLUME 157, PAGE 269; VOLUME 144, PAGE 71; VOLUME 35, PAGE 307; VOLUME 53, PAGE 74; VOLUME 53, PAGE 197 AND VOLUME 158, PAGE 347 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS, OUT OF THE WILLIAM COOPER LEAGUE, ABSTRACT 20, WALLER COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a ½ inch iron rod set for the West corner of a certain 6.704 acre tract of land (called 6.84 acres in Volume 54, Page 346 in the Deed Records of said Waller County, Texas) said iron rod being the North corner of a certain 54.468 acre tract of land;

THENCE: South 45° 20' 00" West 240.00 feet with a new fence line and the Northwesterly line of said 54.468 acre tract to a ½ inch iron rod set;

THENCE, South 88° 30' 00" West 895.28 feet (called South 88° 30' West 853.0 feet) to a point in the center of Bessie Creek;

THENCE: with the meanders of said Bessie Creek the following bearing and distances;

North 28° 17' 41" West 309.87 feet;  
 North 14° 57' 29" West 349.87 feet;  
 North 11° 43' 27" West 259.40 feet;  
 North 16° 36' 11" East 336.77 feet;  
 North 48° 58' 55" East 207.72 feet;  
 North 69° 40' 50" East 240.94 feet;  
 North 82° 48' 44" East 378.26 feet to the Southwest corner of a certain 0.253 acre tract (called 0.231 acre) out of a certain 99.828 acre tract (Volume 22, Page 25), said 0.253 acre being the free and uninterrupted use for ingress-egress and regress to Donigan Road;

THENCE: continuing with the meanders of said Bessie Creek:

South 89° 10' 58" East 646.74 feet;  
 South 78° 48' 42" East 440.53 feet;  
 South 57° 16' 18" East 381.74 feet;  
 South 32° 41' 37" East 517.76 feet;

South 31° 35' 11" East 483.38 feet to the North corner of a certain 1.00 acre tract of land being North 31° 35' 11" West 157.36 feet from the East corner of said 132.395 acre tract;

THENCE: South 50° 06' 01" West 291.12 feet along the Northwest line of said 1.00 acre tract to a ½ inch iron rod set;

THENCE: South 39° 53' 59" East 155.71 feet along the Southwest line of said 1.00 acre tract to a ½ inch iron rod set in the Northwesterly line of Bains Lane (varying width);

THENCE: South 50° 06' 01" West 171.63 feet along the Northwesterly line of said Bains Lane to a ½ inch iron pipe found;

THENCE: South 47° 21' 01" West 185.80 feet (called South 49° 15' West 185.8 feet) along said Northwesterly line and an old fence line to an angle point;

THENCE: South 45° 56' 01" West 199.60 feet (called South 47° 50' West 199.6 feet) along said Northwesterly line and an old fence line to a ½ inch iron rod set for the East corner of said 6.704 acre tract;

THENCE: North 35° 57' 14" West 500.77 feet (called North 34° 30' West 505.0 feet) with an old fence line along the Northeasterly line of said 6.704 acre tract to a ¾ inch iron pipe found;

THENCE: North 39° 15' 07" West 557.66 feet (called North 38° 05' West 551.7 feet) with said old fence line and the Northeasterly line of said 6.704 acre tract to a ¾ inch iron pipe found in the root of a tree;

THENCE: South 42° 41' 10" West 367.82 feet (called South 45° 20' West 368.0 feet) with an existing fence line and the Northwesterly line of said 6.704 acre tract to the POINT OF BEGINNING, containing an area of 75.018 acres of land.

## TRACT II

0.231 acres of land out of a 1.661 acre parcel lying South of Donigan Road, said 1.661 acre tract being a part of a 99.828 acre tract of land conveyed to Mary Bijbajian by deed dated March 15, 1901, and recorded in Vol. 22 at page 25, of the Deed Records of Waller County, Texas, said 0.231 acres being described as follows, to-wit:

EXHIBIT "A" PAGE 2 OF 4

RECORDER'S MEMORANDUM  
All or parts of the text on this page was not clearly legible for satisfactory recordation.

Being at the point of intersection of the West fence line of the said 99.828 acre tract and the South line of Donigan Road, same being the N. W. corner of the said 1.661 acre tract of land;

THENCE: N. 85 deg. 15 min. E. along the said South line of Donigan Road, 132.0 feet to a 24 inch pecan tree;

THENCE: S. 1 deg. 30 min. E. along a line, 80.0 feet to center of bayou and the North line of Cletus Brown tract;

THENCE: N. 89 deg. 49 min, 30 sec. W. along said North line in center of bayou, 132.0 feet to a fence post for the S. W. corner of the 1.661 acre tract and the S. W. corner of the 99.828 acre tract;

THENCE: N. 1 deg. 30 min. W. along the West fence line of the said 99.828 acre tract and the 1.661 acre tract, 72.26 feet to the point of beginning containing 0.231 acres of land as surveyed by W. D. Kennedy, Registered Public Surveyor No. 511, January 16, 1965.

### TRACT III

A 6.704 acre tract of land, located in the William Cooper Survey, A-20, Waller County, Texas, out of an original called 69 acres as described in deed dated April 15, 1875, from Sarah P. Shockley and husband, G. H. Shockley, to George Sapp, recorded in Volume 2, Page 40 of the Deed Records of Waller County, Texas; said 6.704 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod set for the West corner of this 6.704 acre tract of land, the same being the North corner of a certain 56.468 acre tract (called 55.107 acres) out of a certain 69 acre tract of land described in Volume 2, Page 40 of the Deed Records of said Waller County, Texas;

THENCE: North 42° 41' 10" East 367.82 feet (called North 45° 20' East 368.0 feet) with an existing fence line to a 3/4 inch pipe found in a tree root;

THENCE: South 39° 15' 07" East 557.66 feet (called South 38° 05' East 551.7 feet) with an old fence line to a 3/4 inch iron pipe found;

THENCE: South 35° 57' 14" East 500.77 feet (called South 34° 30' East 505.0 feet) with said old fence line to a 1/2 inch iron rod set in the Northwesterly line of Bains Lane (varying width);

**THENCE:** South 46° 02' 15" West 178.92 feet along the Northwesterly line of said Bahn's Lane to a ½ inch iron rod found;

**THENCE:** North 48° 00' 00" West 1032.72 feet (called North 48° 00' West 1061.0 feet) along the Northeasterly line of said 54.187 acre tract with an existing fence line to the **POINT OF BEGINNING**, containing 6.704 acres of land.

**RECORDER'S MEMORANDUM**  
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\*U02053331\*

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## FILED AND RECORDED

**Instrument Number: 18-076**

Filing and Recording Date: 10/11/2018 11:40:56 AM Pages: 7 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,



A handwritten signature in cursive script that reads "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.

Jenifer Deutrich, Deputy

Returned To: