

1900434

01/11/2019 12:30:11 PM Total Pages: 4 Fee: 24.00  
Debbie Hollan, County Clerk - Waller County, TX



**APPOINTMENT OF SUBSTITUTE  
TRUSTEE AND NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**DATE:** January 7, 2019

**NOTE:** Promissory Note described as follows:

Date: January 7, 2019  
Maker: Earnest Ray Kelley and Edith Kelley  
Payee: Eddy Dancy  
Original Principal Amount: \$72,000.00

**DEED OF TRUST:** DEED OF TRUST described as follows:

Date: July 7, 2017  
Grantor: Earnest Ray Kelley and Edith Kelley  
Trustee: Dora Ann Gostecnik  
Beneficiary: Eddy Dancy  
Recorded: As Document No. 1705276 under Film Code No. 13-17172670 in the real property records of Waller County, Texas

**LENDER:** Eddy Dancy

**BORROWER:** Earnest Ray Kelley and Edith Kelley

**PROPERTY:** The real property described as follows:

5.00 acres located in the Rebecca Cummings Survey, A-21 (Labor 6), and the John Williams Survey, A-62 (Labor 10), Waller County, Texas. Subject tract being a portion of the called 43-1/2 acre tract described in Deed to Eddie Louis Penrice, recorded in Volume 174, Page 155, of the Deed Records of Waller County, Texas, and being described in Volume 19, Page 631, Deed Records of Waller County, Texas; said Property being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof.

**SUBSTITUTE TRUSTEE:** Nickolas A. Spencer or Christopher Villarreal

Substitute Trustee's Mailing Address:

One Riverway  
Suite #1700  
Houston, TX, 77056

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE:**

The Notice of Substitute Trustee's Sale dated December 7, 2019, filed with the County Clerk of Waller County, Texas, in compliance with Texas Property Code section 51.002 and with the Deed of Trust.

**DATE AND TIME OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:**

19-005  
01/11/2019 12:30:11 PM Total Pages: 5 Fee: 3.00  
Debbie Hollan, County Clerk - Waller County, TX

February 5, 2019, the first Tuesday of the month, to commence at 9:00 AM or within three (3) hours after that time.

**PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:**

Waller County Courthouse, 836 Austin St. Hempstead, Texas 77445.

**GRANTEE:** Eddy Dancy

**GRANTEE'S MAILING ADDRESS:**

6633 Loma Vista  
Houston, Texas 77085

**SUBSTITUTE TRUSTEE'S SALE BID AMOUNT:** \$72,000

**RECITALS**

Grantor, owner of fee-simple interest in the Property, conveyed the Property to Trustee, in trust, to secure payment of the Note. Lender is the owner of the indebtedness evidenced by the Note, and the holder of the Note and the Deed of Trust lien under Texas Property Code section 51.002.

Default has occurred in the payment of the Note and in the performance of the obligations under the Deed of Trust that secures the Note. Lender has appointed Substitute Trustee and requested that Substitute Trustee enforce the trust, as evidenced by the Appointment of Substitute Trustee filed with the County Clerk in the county where the Property is located.

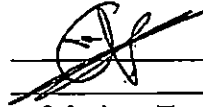
Substitute Trustee, either personally or by agent, served all notices required by statute in compliance with Texas Property Code section 51.002 and with the Deed of Trust to proceed with the sale.

Copies of the Notice of Substitute Trustee's Sale stating the time, place, and terms of sale of the Property were posted and filed according to the requirements of the Deed of Trust and Texas Property Code section 51.002.

Lender and Substitute Trustee have satisfied all requirements of the Deed of Trust and applicable law for enforcement of the power of sale contained in the Deed of Trust and for the sale of the Property, and Substitute Trustee sold the Property ("Sale") to Grantee, who was the highest bidder at the public auction, for the Substitute Trustee's Sale Bid Amount.

Therefore, I, as Substitute Trustee, by the authority conferred by Lender and by the Deed of Trust, for the consideration of the Substitute Trustee's Sale Bid Amount paid by Grantee, do hereby grant, sell, and convey the Property, together with all rights and appurtenances attached to it, to have and to hold, to Grantee and Grantee's heirs, executors, administrators, successors, or assigns forever. Substitute Trustee binds Grantor and Grantor's heirs, executors, administrators, successors, and assigns to warrant and forever defend the Property against any person lawfully claiming or to claim the Property or any part of it, subject to any permitted exceptions to title described in the Deed of Trust. Except as expressly provided in this deed, Substitute Trustee has not made and does

not make any covenants, representations, or warranties concerning the Property. The Property is sold and conveyed AS IS, WHERE IS, AND WITH ALL FAULTS.

  
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as Substitute Trustee

Christopher Villarreal or Nickolas A. Spencer,  
Attorneys for Eddy Dancy


STATE OF TEXAS

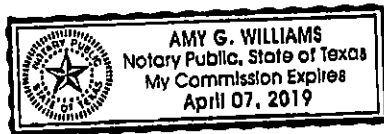
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This instrument was acknowledged before me on January 11, 2019, by  
Christopher Villarreal (Tex. Civ. Prac. & Rem. Code §121.008(b)(1)).





Notary Public – State of Texas

## FILED AND RECORDED

**Instrument Number: 1900434**

**Filing and Recording Date: 01/11/2019 12:30:11 PM Pages: 4 Recording Fee: \$24.00**

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*

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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:  
SPENCER AND ASSOC

**FILED AND RECORDED**

**Instrument Number: 19-005**

**Filing and Recording Date: 01/11/2019 12:30:11 PM Pages: 5 Recording Fee: \$3.00**

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

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Jenifer Deutrich, Deputy

Returned To:  
SPENCER AND ASSOC