

**Notice of Foreclosure Sale**

Deed of Trust ("Deed of Trust"):

Dated: April 12, 2021

Grantor: Will R. Gaines

Trustee: Aaron K. Flencher

Lender: Citizens State Bank

Recorded in: Instrument #2104134, Official Public Records of Waller County, Texas.

Legal Description:

17.00 acres of land, lying and situated in Waller County, Texas, part of the Nathan W. Bush Survey, A-76, being part of the same land described as 62.003 acres in the deed from Joyce Nell Smith and John Flukinger to Shirley Reimer, dated August 30, 2016, as recorded in Instrument No. 1700412, in the Official Public Records of Waller County, Texas and being more fully described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes pertinent.

The Real Property or its address is commonly known as 34497 Cameron Road, Waller Texas 77484. The Real Property tax identification number is R351043.

Secures: Promissory Note ("Note") in the original principal amount of \$310,000.00, executed by Will R. Gaines ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender.

Foreclosure Sale:

Date: Tuesday, June 4, 2024

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m.

Place: The front foyer at the front entrance located at 425 FM 1488, Hempstead, Texas 77445

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Citizens State Bank's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Citizens State Bank, the owner and holder of the Note, has requested the Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Citizens State Bank's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Citizens State Bank's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

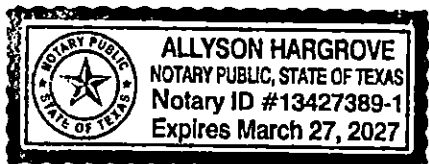
If Citizens State Bank passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

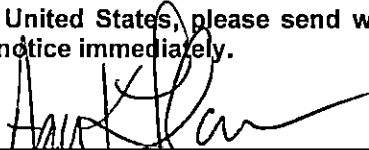
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Citizens State Bank. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, the Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the Trustee.

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





Aaron K. Flencher
155 8th Street
Somerville, Texas 77879

STATE OF TEXAS)
COUNTY OF BURLESON)

This instrument was acknowledged before me on the 23rd day of April, 2024 by Aaron K. Flencher.



Notary Public, State of Texas

Legal description of land:

All that certain tract or parcel of land, lying and being situated in Waller County, Texas, part of the Nathan W. Bush Survey, A-76, being part of the same land described as 62.003 acres in the deed from Joyce Nell Smith and John Winkinger to Shirley Rejmer, dated August 30, 2016, as recorded in Instrument No. 1700412, in the Official Public Records of Waller County, Texas, and being more fully described by metes and bounds as follows, To-Wit:

BEGINNING at a 5/8 inch iron rod found with Id. cap (Hodde & Hodde Land Surveying) 1.7 feet South of a 10 inch treated fence corner post on a south margin of Cameron Road for the Northwest corner hereof and of said original tract called 62.003 acres, common with the Northeast corner of the Joyce Nell Smith tract called 94.617 acres (Exhibit A), as recorded in Instrument No. 1700412, in said Official Public Records of Waller County, Texas;

THENCE along a portion of a South margin of said Cameron Road, being along a portion of a North line of said original tract called 62.003 acres for the North line hereof, being along or near an existing fence, N 88° 49' 49" E 261.40 feet to a 5/8 inch iron rod set with Id. cap (Hodde & Hodde Land Surveying) near fence line on a South margin of said Cameron Road, being on a North line of said original tract called 62.003 acres for the Northeast corner hereof, a 1/2 inch iron rod found near a 6 inch by 67 inch fence post on a South margin of said Cameron Road for the most Northern Northeast corner of said original tract called 62.003 acres, being the Northwest corner of the David Leon Willis, Jr., et ux tract called 10.300 acres, as recorded in Volume 1218, Page 385, in said Official Public Records of Waller County, Texas bears N 88° 49' 49" E 347.26 feet;

THENCE severing said original tract called 62.003 acres with the East line hereof, S 01° 12' 25" E 2778.16 feet to a 5/8 inch iron rod set with Id. cap (Hodde & Hodde Land Surveying) near fence line on a South line of said original tract called 62.003 acres, being on the North line of the Roberto Rodriguez, et ux tract called 5.478 acres (Tract 1), as recorded in Volume 1423, Page 744, in said Official Public Records of Waller County, Texas for the Southeast corner hereof, a 1 inch pipe found for the Northeast corner of said Rodriguez tract called 5.478 acres, being the Northwest corner of the JCLZ Legacy, LLC tract called part of 2 acres, as conveyed in Instrument No. 1906819, in said Official Public Records of Waller County, Texas and being described as 1.000 acres in Volume 309, Page 517, in the Deed Records of Waller County, Texas bears N 88° 37' 07" E 17.99 feet;

THENCE along South lines hereof, common with a portion of the North line of said Rodriguez tract called 5.478 acres, Volume 1423, Page 744, being along the North line of the Roberto Rodriguez, et ux tract called 5.478 acres (Tract 1), as conveyed in Volume 1296, Page 749, in said Official Public Records of Waller County, Texas and described in Volume 247, Page 302, said Deed Records of Waller County, Texas, and being along a portion of the North line of the Roberto Rodriguez, et ux tract called 5.478 acres (Tract 2), as conveyed in Volume 1296, Page 749, in said Official Public Records of Waller County, Texas and described in Volume 247, Page 349, in said Deed Records of Waller County, Texas, being along or near an existing fence, as follows: S 88° 37' 07" W 15.90 feet to a 1-1/4 inch pipe found at a 14 inch cedar fence corner post for the Northwest corner of said Rodriguez tract called 5.478 acres, Volume 1423, Page 744, common with the Northeast corner of said Rodriguez tract called 5.478 acres, Volume 247, Page 302, S 88° 57' 14" W 187.24 feet to a 1-1/4 inch pipe found in fence line for the Northwest corner of said Rodriguez tract called 5.478 acres, Volume 247, Page 302, common with the Northeast corner of said Rodriguez tract called 5.478 acres, Volume 247, Page 349, and S 88° 24' 26" W 69.60 feet to a 3/8 inch iron rod found with Id. cap (Hodde & Hodde Land Surveying) 1.9 feet South of a 12 inch treated fence post on the North line of said Rodriguez tract called 5.478 acres, Volume 247, Page 349, for the Southwest corner hereof and of said original tract called 62.003 acres, being the Southeast corner of said Smith tract called 94.617 acres, a 5/8 inch iron rod found at a 5 inch cedar fence corner post for the Northwest corner of said Rodriguez tract called 5.478 acres, Volume 247, Page 349, being the Northeast corner of the Martha Hernandez tract called 8.809 acres, as recorded in Volume 897, Page 548, in said Official Public Records of Waller County, Texas, bears S 88° 24' 26" W 119.26 feet;

THENCE along an East line of said Smith tract called 94.617 acres for the West line hereof and of said original tract called 62.003 acres, being along or near an existing fence, N 00° 59' 38" W 2778.33 feet to the PLACE OF BEGINNING and containing 17.000 acres of land.

The bearings stated herein are relative to True North as Obtained by GPS Observations, observed at Latitude: 30° 06' 09.07" N - Longitude: 95° 58' 29.10" W (WGS-84).

Exhibit "A"

FILED AND RECORDED

Instrument Number: 24-042

Filing and Recording Date: 04/23/2024 12:43:50 PM Pages: 4 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.

Jenifer Deutrich, Deputy

Returned To: