



STATE OF TEXAS

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COUNTY OF WALLER

NOTICE OF FORECLOSURE SALE

Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing (“Deed of Trust”)

Dated: 04/06/2023

Grantor(s): Susan Marie Martinez

Trustee: California TD Specialist, a California Corporation

Lender: Scott Roger Gordon, Trustee of The JoEllyn Edwards Rev Trust dated 07-05-2006

Recorded in: 2304602 of the Real Property Records of Waller County, Texas

Secures: Promissory Note ("Note") in the original principal amount of \$290,000.00 executed by Grantor(s) and payable to the order of Lender and all other indebtedness of Grantor(s) to Lender

Property: The real property and improvements described in the attached Exhibit A

Substitute Trustee: Megan Randle, Robert Randle or Ebbie Murphy

Substitute Trustee's Street Address: c/o DWaldman Law, P.C.  
5900 Balcones Drive, Suite 100  
Austin, TX 78731

Mortgage Servicer: FCI Lender Services, Inc

Mortgage Servicer's  
Address:

P.O. Box 27370 Anaheim CA 92809

**Foreclosure Sale:**

**Date:**

Tuesday, 09/03/2024

**Time:**

The sale of the Property ("Foreclosure Sale") will take place between the hours of 1:00 pm to 4:00 pm local time.

**Place:**

THE FOYER AT THE SOUTH ENTRANCE OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE

**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 Scott Roger Gordon, Trustee of The JoEllyn Edwards Rev Trust dated 07-05-2006'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, Scott Roger Gordon, Trustee of The JoEllyn Edwards Rev Trust dated 07-05-2006, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Scott Roger Gordon, Trustee of The JoEllyn Edwards Rev Trust dated 07-05-2006's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

FCI Lender Services, Inc is representing Scott Roger Gordon, Trustee of The JoEllyn Edwards Rev Trust dated 07-05-2006 in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Lender. The respective addresses of Scott Roger Gordon, Trustee of The JoEllyn Edwards Rev Trust dated 07-05-2006 and FCI Lender Services, Inc are set forth above.

Therefore, notice is given that on and at the Date, Time and Place of Sale described above, Substitute Trustee will sell the Property by public sale to the highest bidder for cash in accordance with the Deed of Trust.

The Deed of Trust permits the Lender to postpone, withdraw, or reschedule the sale for another day. In that case, the Substitute Trustee need not appear at the Date, Time, and Place of Sale described above to announce the postponement, withdrawal, or rescheduling. Notice

of the date of any rescheduled foreclosure sale will be reposted and re-filed in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code. The reposting or re-filing may be after the date originally scheduled for this sale.

Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the Property is sold.

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. 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. 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 in "as-is, where-is" condition, without any express or implied warranties, except as to the warranties of title (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 of the Texas Property Code, the Substitute 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 Substitute Trustee.

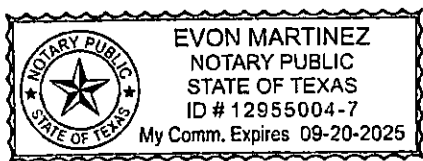
Notice is given that before the Foreclosure Sale Lender may appoint another person as Substitute Trustee to conduct the Foreclosure Sale.

By: *[Signature]*  
Robert M. Randle Substitute Trustee

STATE OF TEXAS  
COUNTY OF WALLER

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This instrument was acknowledged before me by Robert M. Randle on July 25, 2024



*[Signature]*  
Notary Public, State of Texas  
Commission Expires: 09/20/2025.  
Printed Name: Evon Martinez

Exhibit A: Property Description

2.5878 ACRES OF LAND (CALLED 2.5847 ACRES) SITUATED IN THE LACY PERSALL SURVEY ABSTRACT 237, WALLER COUNTY, TEXAS AND BEING THE RESIDUE OF A CALLED 25.14 ACRE TRACT OF LAND DESCRIBED IN DEED FROM O, M. DINKIN S AND ELSIE ELLIOTT POWELL TO W. L MCDONALD AND WIFE, DOROTHY MCDONALD DATED, FEBRUARY 6, 1960 AND RECORDED AT VOLUME 160, PAGE 105 DEED RECORDS OF WALLER COUNTY, TEXAS, SAID RESIDUE REMAININ G AFTER CONVEYANCE OF A CALLED 13.6244 ACRE TRACT OF LAND TO ROBERT E. WILLAERT AND WIFE, BEVERLY A. WILLAERT RECORDED IN VOLUME 278, PAGE 31 DEED RECORDS OF WALLER COUNTY, TEXAS, AND CONVEYANCE OF A CALLED 9.000 ACRE TRACT OF LAND TO OCIE G. CAIN JR. AND WIFE NAVELINE ANN CAIN RECORDED AT VOLUME 274, PAGE 694 DEED RECORDS OF WALLER COUNTY, TEXAS, SAID 2.5878 ACRE TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE 25.14 ACRE TRACT (SOMETIMES CALLED 25.2091 ACRE TRACT) GO SOUTH 89 DEGREES 27' 54" EAST A DISTANCE OF 60.00 FEET TO A 1/2 INCH IRON PIPE FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF MAGNOLIA ROAD AND BEING THE UPPER NORTHEAST CORNER OF THE WILLAERT 13.6244 ACRE TRACT FOR THE PLACE OF BEGINNING;

THENCE SOUTH 00 DEGREES 39' 29" WEST ALONG THE EAST LINE OF THE WILLAERT TRACT AN THE WEST LINE OF THIS TRACT A DISTANCE OF 393.88 FEET (CALLED 387.77 FEET) TO A INCH IRON ROD FOUND IN THE EAST LINE OF THE WILLAERT TRACT FOR THE SOUTHWEST CORNER OF THIS TRACT, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE CAIN 9.000 ACRE TRACT;

THENCE NORTH 89 DEGREES 30' 00" EAST WITH THE SOUTH LINE OF THIS TRACT AND THE MOST SOUTHERLY NORTH LINE OF THE CAIN TRACT A DISTANCE OF 288.48 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE MOST SOUTHERLY NORTHWEST CORNER OF THE CAIN 9.000 ACRE TRACT AND BEING THE SOUTHEAST CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 39' 29" EAST A DISTANCE OF 387.77 FEET TO A 1/2 INCH IRON ROD SET ON THE SOUTH RIGHT-OF-WAY LINE MAGNOLIA ROAD FOR THE NORTHEAST CORNER OF THIS TRACT, THE SAME BEING THE MOST NORTHERLY NORTHWEST CORNER OF THE CAIN TRACT;

THENCE NORTH 89 DEGREES 17' 10" WEST (CALLED SOUTH 89 DEGREES 30' 00" WEST) ALONG SAID SOUTH RIGHT-OF-WAY LINE IF MAGNOLIA ROAD AND THE NORTH LINE OF THIS TRACT A DISTANCE OF 288.42 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.5878 ACRES OF LAND MORE OR LESS.

# FILED AND RECORDED

**Instrument Number: 24-062**

Filing and Recording Date: 07/25/2024 04:22:37 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*

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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: