



NOTICE OF FORECLOSURE SALE

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 military service to the undersigned sender of this notice immediately.

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

1. *Property to Be Sold.* The property ("Property") to be sold is legally described as follows:

Being surface and surface estate only in and to a tract of land containing 163.4 acres, more or less, being within the William Johnson Survey, Abstract No. 159 in Young County, Texas, being the same land described in a deed from the Veteran's Land Board of the State of Texas to W.G. White recorded in Volume 466, Page 191, of the Deed Records of Young County, Texas, and being more particularly described on attached Exhibit "A"

2. *Instrument to be Foreclosed.* This instrument to be foreclosed is the Deed of Trust ("Deed of Trust") recorded in Document No. 17002560, in the Official Public Records of Young County, Texas.

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

Date: **JUNE 5, 2018**

Time: The sale will begin no earlier than 10:00 a.m., but no later than 1:00 p.m., and will conclude no later than 4:00 p.m.

Place: North Entrance of the Young County Courthouse, Young County, Gramam, Texas, or otherwise in the area designated by the County Commissioner's Court pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sale(s) are to take place (if no such place is

designated, the sale will take place in the area where this Notice of Foreclosure Sale is posted).

4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the beneficiary thereunder to purchase the Property at the sale. Those desiring to purchase the Property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted. The 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 sale will necessarily be made subject to all prior matters of record, if any, affecting the Property. The sale shall not cover any part of the Property that has been released of public record from the lien 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 the Deed of Trust, the beneficiary has the right to direct the Trustee to sell the Property in one or more parcels and/or to sell all or only part of the Property.

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 trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

5. *Type of Sale.* This foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust.
6. *Obligations Secured.* The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$37,500.00, executed by Dominic Velasquez, Robert D. Velazquez, and Teresa A. Velasquez ("Borrower"), and payable to the order of Herbert Gabler ("Lender"); (b) all modifications, renewals and extensions of the note; and (c) all funds advanced by Lender to or for benefit of Borrower for payment of any subsequent years taxes, interest, penalties, collection costs, closing costs and/or recording fees.
7. *Default and Request to Act.* Default has occurred under the Deed of Trust, and the Lender has requested a Substitute Trustee to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated: May 8, 2018

Chris W. Stenholm

Chris W. Stenholm, Trustee

c/o Stenholm & Douglas, P.C.
4000 W. Vickery Blvd., Suite A
Fort Worth, Texas 76107
Telephone: (817) 336-4881

STATE OF TEXAS §
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COUNTY OF TARRANT §

This instrument was acknowledged before me on the 15th day of May, 2018, by
Chris W. Stenholm, Trustee.

(Notary Seal)



Christie Givens

NOTARY PUBLIC, STATE OF TEXAS

Exhibit "A"

Being surface and surface estate only in and to a tract of land containing 163.4 acres, more or less, being within the William Johnson Survey, Abstract No. 159, in Young County, Texas, being the same land described in a deed from the Veteran's Land Board of the State of Texas to W.G. White recorded in Volume 466, Page 191, of the Deed Records of Young County, Texas, and being more particularly described as follows:

Beginning at the southeast corner of the William Johnson Survey, Abstract No. 159, and the northeast corner of the W.C. Chisum Survey, Abstract No. 2312, a point on the west bank of the Brazos River from which a pipe post fence corner bears North 80 degrees 41 minutes 39 seconds West 85.92 feet, and a 5/8" iron rod set in the common line between the aforesaid surveys bears North 89 degrees 53 minutes 59 seconds West 84.81 feet;

Thence with the meanders of said river bank the following calls:

North 00 degrees 11 minutes 11 seconds West for a distance of 488.75 feet;
North 05 degrees 35 minutes 05 seconds East for a distance of 687.12 feet;
North 10 degrees 33 minutes 50 seconds West for a distance of 237.99 feet;
North 03 degrees 59 minutes 41 seconds East for a distance of 293.85 feet;
North 03 degrees 19 minutes 15 seconds East for a distance of 340.31 feet;
North 00 degrees 12 minutes 52 seconds East for a distance of 476.38 feet;
and North 04 degrees 04 minutes 04 seconds East for a distance of 258.94 feet to the northeast corner of said Johnson Survey from which a pipe post fence corner bears South 89 degrees 42 minutes 27 seconds West 146.23 feet;

Thence with the north line of said Johnson Survey South 89 degrees 42 minutes 27 seconds West for a distance of 2613.85 feet to a 4" pipe post fence corner;

Thence South 00 degrees 08 minutes 50 seconds West for a distance of 2756.34 feet to a 2" iron pipe found in an old stone mound about 3 feet south of a fence corner in the south line of the William Johnson Survey Abstract No. 159;

Thence with the said south line South 89 degrees 53 minutes 59 seconds East at a distance of 1675.34 feet passing the unmarked northwest corner of the W.C. Chisum Survey, Abstract No. 2312, from which a 30" liveoak tree, an original witness tree, bears North 41 degrees West, 12.5 varas, and another 30" liveoak original witness tree bears North 41 degrees 30 minutes West, 14.5 varas, continuing at 2454.11 feet passing a 5/8" iron rod set in line 14.8 feet south of a fence corner, and continuing for a total distance of 2538.92 feet to the place of beginning.