

## Notice of Foreclosure Sale

January 22, 2019

### Deed of Trust:

Dated: August 15, 2014  
Grantor: Shain Townsend  
Trustee: R Bellows  
Lender/Beneficiary: E Mark Katzfey GST Trust  
Recorded in: Volume 295, Page 118 Official Public Records Live Oak County, Texas

**Property /Legal Description:** The following described real property, improvements, and any personal property described in and mortgaged in the Deed of Trust, including the real property described below, and all rights and appurtenances thereto, situated in Live Oak County, Texas, to-wit:

SURFACE ESTATE ONLY IN AND TO a tract of land being 3.868 acres, more or less, in the City of George West and out of the Cameron County School Land Survey No. 32, Abstract No. 145 in Live Oak County, Texas; and being the remainder of a called four (4) acres in the name of Eloise Ferguson; said four acres being the same four acres, described in two tracts - First Tract said to contain two (2) acres and Second Tract said to contain two (2) acres, conveyed from Col. Don M. Scott to H. E. Ferguson by Deed dated March 13, 1958, and recorded in Volume 177, Pages 231 et seq., of the Deed Records of Live Oak County, Texas;

Said 3.868 acres being described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped 'MILLS 5182' set in the northwest boundary of Houston Street for the south corner of a called 2 acres conveyed to Henry M. Brown by Warranty Deed recorded in Volume 164, Pages 368 et seq., of the Deed Records of Live Oak County, Texas; the east corner of said four acres and the east corner and POINT OF BEGINNING of the herein described tract; which beginning point bears South 53 deg. 50' 19" West a distance of 1184.57 feet (called 1184.19 feet) from an iron rod with plastic cap stamped "RPLS 4030" found for the south corner of a called 4 acres described in a deed to T. R. Coker recorded in Volume 63, Pages 218 et seq., of the Deed Records of Live Oak County, Texas;

THENCE South 53 deg. 51' 25" West (called South 53 deg. 59' 00" West) with the northwest boundary of Houston Street and the southeast boundary of said four acres, a distance of 327.43 feet to a point for the east corner of a called 0.118 acre tract conveyed from Eloise Ferguson to Thomas W. Iley and Constance Boyea Iley by General Warranty Deed dated June 20, 2002, and recorded in Volume 597, Pages 278 et seq., of the Deed Records of Live Oak County, Texas; and the south corner of this tract; from which corner the south corner of said four acres bears South 53 deg. 51' 25" West, a distance of 10.00

FILED January 22 A.D. 2019  
LIVE OAK COUNTY, TEXAS  
IDA VASQUEZ, CLERK, COUNTY COURT  
BY [Signature] DEPUTY  
AT 2:27 O'CLOCK Am

feet; and a 5/8 inch iron rod with plastic cap stamped 'MILLS 5182' found for the called east corner of said 0.118 acre tract bears South 36 deg. 04' 55" East, a distance of 0.60 feet;

THENCE North 36 deg. 04' 55" West across said four acres with the northeast boundary of said 0.118 acre tract (called North 36 deg. 04' 19" West), at 513.82 feet pass a 5/8 inch iron rod with plastic cap stamped 'MILLS 5182' found for the called north corner of said 0.118 acre tract and continue for a total distance of 515.00 feet to a point in the northwest boundary of said four acres, in the southeast boundary of Sunset Addition to the City of George West, and in the southeast boundary of an alley, for the north corner of said 0.118 acre tract and the west corner of this tract;

THENCE North 53 deg. 51' 25" East (called North 53 deg. 59' 00" East) with the southeast boundary of Sunset Addition and said alley, and with the northwest boundary of said four acres, a distance of 326.89 feet to a 5/8 inch iron rod with plastic cap stamped 'MILLS 5182' set for the west corner of the aforementioned Brown 2 acre tract, the north corner of said four acre tract and the north corner of this tract; which corner bears South 53 deg. 51' 25" West a distance of 507.51 feet from a 5/8 inch iron rod found in the southwest boundary of Jeffrey Drive;

THENCE South 36 deg. 08' 34" East (called South 36 deg. 01' 00" East) with the southwest boundary of said 2 acre tract and the northeast boundary of said four acre tract, a distance of 515.00 feet (record distance) to the POINT OF BEGINNING, said described tract containing 3.868 acres, more or less.

**Secures:** Promissory Note ("Note") in the original principal amount of One Hundred Fifty Thousand and No/100 Dollars (\$150,000.00), executed by Shain Townsend ("Borrower") and payable to the order of E Mark Katzfey GST Trust ("Lender"), and all other indebtedness of Borrower to Lender

**Modifications and or Renewals:** Modification Agreement executed April 14, 2016 and Modification Agreement No. 2 executed June 10, 2016, both between Lender and Borrower, and as used herein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as so modified, renewed, and or extended

**Trustee:** R Bellows

**Trustee's Address:** P.O. Box 1047, Three Rivers, Texas 78071

**Foreclosure Sale:**

Date: March 5, 2019

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 1:00 p.m. and not later than three hours thereafter.

Place: On front steps of Live Oak County Courthouse, 301 Houston St., George West, Live Oak County, Texas, or at the area most recently designated by Live Oak County Commissioner's Court

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 Lender/Beneficiary'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, Lender/Beneficiary, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender/Beneficiary'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/Beneficiary'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 Lender/Beneficiary 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 [Lender/Beneficiary]. 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, [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 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.**



---

R Bellows, Trustee  
PO Box 1047  
501-C N. Harborth Ave.  
Three Rivers, Texas 78071  
Tel: 361/786-4595  
Fax: 361/786-4593  
Email: [rdb@blf.onmicrosoft.com](mailto:rdb@blf.onmicrosoft.com)