

## NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Property to Be Sold. Property described as follows:

**All that certain 23.277 acre tract or parcel of land situated in Washington County, Texas, out of the William Dever Survey, A-38, and being a portion of the called 24.219 acre tract of land conveyed by Turner Seaton, et al to Annie Belle Newsome by deed dated August 13, 1974 and recorded in Volume 333, Page 167, Deed Records of Washington County, Texas, more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes pertinent.**

FILED FOR RECORD  
WASHINGTON COUNTY, TEXAS  
2018 OCT 12 PM 1:12  
Clerk  
WASHINGTON COUNTY CLERK

2. Date, Time, and Place of Sale.

The sale is scheduled to be held at the following date, time and place:

Date: November 6, 2018  
Time: The sale shall begin no earlier than 10:00 a.m. or no later than three hours thereafter.  
Place: The sale shall be completed by no later than 4:00 P.M.  
Place: The Steps of the Washington County Courthouse

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiling may be after the date originally scheduled for this sale.

3. 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 have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of the sale.

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

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 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. Type of Sale. The sale is a nonjudicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by **Cordelia D. Lauter**. The deed of trust is dated October 14, 2009 and is recorded in the office of the County Clerk of Washington County, Texas, in Volume 1323, Page 999 of the Official Public Records of Washington County, Texas.

5. 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 (1) the Fixed Rate Note Secured by Real Estate in the original principal amount of \$200,000.00 executed by **Ray A. Lauter, Managing Member for Impact Disposal Services, LLC, a Texas limited liability company,**

and payable to the order of **Citizens State Bank**; (2) all renewals and extensions of the note; and (3) and all present and future indebtedness of **Impact Disposal Services, LLC**, a Texas limited liability company to **Citizens State Bank**. Citizens State Bank is the current owner and holder of the obligations and is the beneficiary under the deed of trust.

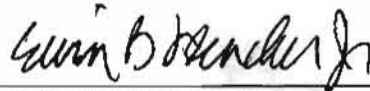
As of October 11, 2018, there was owed 177,314.28 on the note, which includes principal and interest. The note is bearing interest at the rate of \$23.30 per day thereafter.

Questions concerning the sale may be directed to the undersigned or to the beneficiary:

Burns & Reyes-Burns, P.L.L.C.  
Attention: Jeffrey Burns  
P.O. Box 429  
Somerville, Texas 77879  
Telephone: 979-596.3424

6. Default and Request to Act. Default has occurred under the deed of trust, and the beneficiary has requested me, as 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 this the 10<sup>th</sup> day of October, 2018.



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Ervin B. Flencher, Jr., Trustee  
Post Office Box 518  
Somerville, Texas 77879  
(979) 596-1421  
(979) 596-3867

Exhibit "A"

DESCRIPTION FOR A 23.277 ACRE TRACT OF LAND

All that tract or parcel of land situated in Washington County, Texas out of the William Haver Survey, N-38, and being a portion of the called 24.215 acre tract of land conveyed by Turner Sexton, et al, to Annie Belle Newsum by deed recorded in Volume 333, page 167 and dated August 13, 1974 of the Washington County Deed Records and being more particularly described as follows:

**BEGINNING** at a 5/8 inch iron rod found in the north right-of-way line of P.M. Highway 1155 at the southwest corner of a called 24.215 acre tract conveyed to Orville T. Sexton by deed recorded in Volume 419, page 747 of the Deed Records of Washington County, Texas, and at the southeast corner of said called 24.215 acre tract conveyed to Annie Belle Newsum;

**THENCE** With said north right-of-way line S 85° 18' 16" W, 421.55 feet to a 1/2 inch iron rod found at the southeast corner of a called 1.00 acre tract of land conveyed by Annie Belle Newsum to Leon Richardson, et ux, and recorded in Volume 362, page 610 of the Deed Records of Washington County, Texas;

**THENCE** With the east line of said called 1.00 acre tract N 05° 37' 34" W, 492.38 feet to a 3/8 inch iron rod found for the northeast corner of said called 1.00 acre tract;

**THENCE** With the north line of said tract S 81° 25' 25" W, 90.83 feet to a 3/8 inch iron rod found in the east line of a called 7.00 acre tract conveyed to James Finley, Jr., recorded in Volume 343, page 386 of the Deed Records of Washington County, Texas and the west line of said called 24.215 acre tract conveyed to Annie Belle Newsum;

**THENCE** With said line N 05° 47' 44" S, 295.74 feet to a 3/8 inch iron rod found at an interior corner of said called 24.215 acre Newsum tract and the northeast corner of said called 7.00 acre tract;

**THENCE** S 83° 36' 10" W, 422.91 feet to a 1/2 inch iron rod found at the northwest corner of said called 7.00 acre tract and an upper southwest corner of said called 24.215 acre Newsum tract being in the east line of a called 27.942 acre tract conveyed to Charlie L. Stagesoller by deed recorded in Volume 274, page 317 of the Deed Records of Washington County, Texas;

**THENCE** With said line N 05° 11' 59" W, 1,412.73 feet to a 1/2 inch post for fence corner for the northeast corner of said called 24.215 acre Stagesoller tract and the northeast corner of said called 27.942 acre Stagesoller tract being in the south line of a called 119.446 acre tract conveyed to Mary K. Friedman by deed recorded in Volume 333, page 567 of the Deed Records of Washington County, Texas;

**THENCE** N 83° 35' (3)" E, 164.96 feet to a 3/8 inch iron rod found for the northwest corner of said called 24.215 acre Newsum tract and the northwest corner of said called 24.215 acre Sexton tract;

**THENCE** With said division line the following calls: (1) S 25° 30' 28" E, 1,896.33 feet to a 3/8 inch iron rod found for angle, and (2) S 85° 33' 06" E, 400.09 feet to the Point or Place of Beginning containing 23.277 acres of land.

March 24, 1986

O'NEILLY & CLAY, INC.  
SURVEYORS, TEXAS

W. R. K. [Signature]  
Mr. A. Knepper  
Registered Public Surveyor No. 2835





### Notice of Foreclosure Sale

Deed of Trust ("Deed of Trust"):

Dated: March 31, 2015

Grantors: Crystal Ann Nowicki, a single person and Jacob Hilton McKee, a single person

Trustee: Ervin B. Flencher, Jr.

Lender: Citizens State Bank

Recorded in: Volume 1500, Page 0420, Official Records of Washington County, Texas.

Legal Description: **All that certain 1.493 acre tract or parcel of land, lying and being situated in Washington County, Texas, out of the J.W. Cole League, Abstract 32, and being all of that certain tract called 1-1/2 acres in a deed from Henry W. Hendrickson, Jr., et ux to H. Charles Eckert, et ux, recorded in Volume 363, Page 287, Official Records of Washington County, Texas, being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes pertinent.**

Secures: Adjustable Rate Note ("Note") in the original principal amount of \$193,500.00, executed by Crystal Ann Nowicki and Jacob Hilton McKee ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender.

Foreclosure Sale:

Date: Tuesday, November 6, 2018

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: Washington County Courthouse  
100 East Main Street  
Brenham, Texas 77833

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 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.

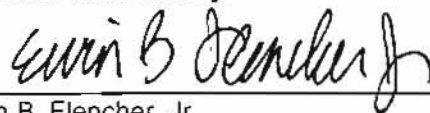
If Citizens State Bank passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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, 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.**



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Ervin B. Flencher, Jr.  
255 8th Street  
Somerville, Texas 77879



### EXHIBIT "A"

Being all that certain tract or parcel of land, lying and being situated in Washington County, Texas, out of the J. D. Cole League, Abstract 32, and being all of that certain tract called 1-1/2 acres in a Deed from Henry M. Mandrickson, Jr., et ux, to H. Charles Eckert, et ux, recorded in Volume 363, page 287 of the Official Records of Washington County, Texas, and being more fully described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod found at the Northwest corner of the said 1-1/2 acre tract, common with the Southwest corner of the Julie Hohn 3.04 acre tract, (Volume 799, page 390 Official Records), located in the East margin of Old Independence Road, formerly County Road No. 60;

THENCE North 88 deg. 30' 00" East, (Record 1-1/2 acre tract due East), (Record Julie Hohn 3.04 acre tract North 88 deg. 30' East), along the North line of said 1-1/2 acre tract, common with the South boundary of the said Hohn 3.04 acre tract, departing from said road, 358.17 feet; (Record 1-1/2 acre tract 358.55 feet), (Record Hohn 3.04 acre tract 129.0 varas, 358.33 feet); to a 1/2 inch steel rod found marking the Southeast corner of said 3.04 acre tract and the Northeast corner of the said 1-1/2 acre tract, located in the upper West line of the Walter Thielemann 44.570 acre tract, (Volume 353, page 119 Official Records);

THENCE South 01 deg. 25' 14" East, (Record 1-1/2 acre tract due South), (Record Thielemann record South 01 deg. 28' 04" East), along said line of said Thielemann 44.570 acre tract and along the East boundary of said 1-1/2 acre tract, 182.57 feet, (Record 1-1/2 acre tract 183.78 feet), (Record Thielemann 182.70 feet), to a 3/8 inch iron rod found at a re-entrant corner of said Thielemann tract and being the Southeast corner of said 1-1/2 acre tract;


THENCE South 88 deg. 37' 21" West, (Record 1-1/2 acre tract due West), (Record Thielemann South 88 deg. 36' 29" West), along the South line of said 1-1/2 acre tract and along the lower North line of said Thielemann tract, 355.66 feet, (Record 1-1/2 acre tract 355.55 feet), (Record Thielemann 355.66 feet), to a 2-1/2 inch chain link corner post, found at the Southwest corner of said 1-1/2 acre tract and being the lower Northwest corner of said Thielemann 44.570 acre tract, located in the East margin of aforesaid Old Independence Road;

THENCE North 02 deg. 12' 47" West, (Record due North), along said road margin and along the West line of said 1-1/2 acre tract, 181.83 feet, (Record 183.78 feet) to the PLACE OF BEGINNING and containing 1.493 acres of land.

Note: In addition to the heretofore land description, a map, assigned Job No. 2791, has been prepared.

This is to certify that the heretofore land description was prepared from an on the ground survey, made by the undersigned, and conforms to the standards and specifications of a Category 1A, Condition IV Survey, of the Minimum Practice Standards adopted by the Texas Board of Surveying.

Date of signature September 18, 1995..

  
Marvin Nakovsky  
Registered Professional Land Surveyor No. 1815  
302 Centennial Street - P. O. Box 37  
Caroline, Texas 78932  
Phone 409-278-3429 • 409-567-7107



Job No. 2791-1

Being the same property described in deed dated September 21, 1995, executed by H. Charles Eckert and wife, Juanita Eckert, to Donald R. Keller and wife, Charlene L. Keller, recorded in Volume 799, Page 391, and corrected in deed recorded in Volume 802, Page 22, Official Records, Washington County, Texas.

NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER  
(CXE)  
LEWIS, RYAN  
808 WEST JEFFERSON STREET, BRENHAM, TX 77833

CONVENTIONAL  
Firm File Number: 14-016684

### NOTICE OF TRUSTEE'S SALE

WHEREAS, on December 2, 2005, RYAN L. LEWIS, A SINGLE PERSON, as Grantor(s), executed a Texas Home Equity Security Instrument conveying to ALLAN B. POLUNSKY, as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR RESMAE MORTGAGE CORPORATION in payment of a debt therein described. The Texas Home Equity Security Instrument was filed in the real property records of WASHINGTON COUNTY, TX and is recorded under Clerk's File/Instrument Number 00911408 Volume 7055, Page 87, rerecorded on December 19, 2005, Volume 1187, Page 81, Washington to which reference is herein made for all purposes.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon contingency and in the manner authorized by said Texas Home Equity Security Instrument; and

WHEREAS, an Order to Proceed with Notice of Foreclosure Sale and Foreclosure Sale was entered on June 15, 2017 under Cause No. 36148 in the Judicial District Court of Washington COUNTY, TEXAS.,

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on TUESDAY, November 6, 2018 between ten o'clock AM and four o'clock PM and beginning not earlier than 1:00 PM or not later than three hours thereafter, I will sell said Real Estate in the area designated by the Commissioners Court, of Washington county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

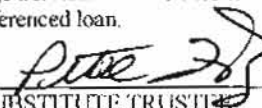
Said Real Estate is described as follows: In the County of Washington, State of Texas:

PLEASE SEE EXHIBIT A

Property Address:	808 WEST JEFFERSON STREET BRENHAM, TX 77833
Mortgage Servicer:	NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER
Noteholder:	U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR IN INTEREST TO BANK OF AMERICA, NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR BY MERGER TO LA SALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MERRILL LYNCH MORTGAGE INVESTORS TRUST, MORTGAGE LOAN ASSET- BACKED CERTIFICATES, SERIES 2006-RM1 8950 CYPRESS WATERS BLVD COPELL, TEXAS 75019

FILED FOR RECORD  
WASHINGTON COUNTY TEXAS  
2018 OCT 15 PM 3:23  
Pete A. Rodriguez  
WASHINGTON COUNTY CLERK

The Mortgage Servicer is authorized to represent the Noteholder by virtue of a servicing agreement with the Noteholder. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

  
SUBSTITUTE TRUSTEE  
Pete Florez, Zachary Florez, Orlando Rosas or Bobby Brown  
c/o Shapiro Schwartz, LLP  
13105 Northwest Freeway, Suite 1200  
Houston, TX 77040  
(713)462-2565

**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 military service to the sender of this notice immediately.**



EXHIBIT "A"

All that certain tract or parcel of land, lying and being situated in the City of Brenham, Washington County, Texas and being a portion of the Lots Fifteen (15) and Sixteen (16) out of the J.A. Wilkins (West Block) Addition, and being more fully described by metes and bounds as follows:

BEGINNING at an iron pin in the north line of Jefferson Street at a point, S 77° 34' W, 20.00 feet from the Southeast corner of Lot 15;

THENCE with said street line S. 77° 34' W, 70.00 feet to an iron pin;

THENCE, N 12° 26' W, 95.00 feet to an iron pin;

THENCE, N 77° 34' E, 70.00 feet to an iron pin;

THENCE, S 12° 26' E, 95.00 feet to the point or place of beginning.

Being the same property described in Deed dated October 10, 1973, executed by Urban Renewal Agency of the City of Brenham by Cordes F. Tiemann to Willie Lewis and Gloria Steen Lewis, recorded in Volume 323, Page 363, Deed Records of Washington County, Texas.

Being the same property described in Deed dated October 19, 2004, executed by Willie Lewis and Gloria Steen Lewis to Ryan L. Lewis, recorded in Volume 1144, Page 119, Official Records of Washington County, Texas.



NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

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.

FILED FOR RECORD  
WASHINGTON COUNTY TEXAS  
2018 OCT 16 AM 9:18  
Brenda A. Rothwell  
WASHINGTON COUNTY CLERK

1. Date, Time, and Place of Sale.  

Date: November 06, 2018  
Time: The sale will begin at 1:00PM or not later than three hours after that time.  
Place: THE SOUTH ENTRANCE OF THE WASHINGTON COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated March 02, 2015 and recorded in Document VOLUME 1497, PAGE 0718; AS AFFECTED BY LOAN MODIFICATION AGREEMENT IN VOLUME 1593, PAGE 453 real property records of WASHINGTON County, Texas, with GARRETT GUTHRIE AND BRITTNEY GUTHRIE, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by GARRETT GUTHRIE AND BRITTNEY GUTHRIE, securing the payment of the indebtednesses in the original principal amount of \$153,174.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. PENNYMAC LOAN SERVICES, LLC is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. PENNYMAC LOAN SERVICES, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o PENNYMAC LOAN SERVICES, LLC  
3043 TOWNSGATE ROAD SUITE 200  
WESTLAKE VILLAGE, CA 91361

Ian Moser by Taj Kickpatrick  
PETE FLOREZ, FLORENCE ROSAS, ZACHARY FLOREZ, ORLANDO ROSAS, BOBBY BROWN, JACK BURNS II, KRISTOPHER HOLUB, IAN MOSER, REVA ROUCHON-HARRIS, EVAN PRESS, AMY BOWMAN, BENJAMIN GRIESINGER, STEPHANIE KOHLER, CATRENA WARD, KIM HINSHAW OR DEBBY JURASEK, MEGAN L. RANDLE, REBECCA BOLTON, OR AMY JURASEK  
Substitute Trustee  
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
4004 Belt Line Road, Suite 100  
Addison, Texas 75001

Certificate of Posting  
My name is \_\_\_\_\_, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001 I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the WASHINGTON County Clerk and caused to be posted at the WASHINGTON County courthouse this notice of sale.

Declarants Name: \_\_\_\_\_  
Date: \_\_\_\_\_



**EXHIBIT "A"**

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, LYING AND BEING SITUATED IN WASHINGTON COUNTY, TEXAS BEING LOT 18, OF THE OVERLOOK ESTATES SUBDIVISION, SECTION 2 AS RECORDED IN PLAT CABINET FILE NO. 555A-B, PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.



NOS00000007824675