

Notice of Foreclosure Sale

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WASHINGTON COUNTY TEXAS

2021 NOV 15 AM 10: 01

*Paul A. Rosemead*  
WASHINGTON COUNTY CLERK

**DEED OF TRUST ("Deed of Trust"):**

Dated: November 2, 2020  
Grantor: Bobbi Moeller, one-half (1/2) undivided interest ONLY  
Trustee: Jeffrey Burns  
Lender: Roy W. Horton and wife, Patti A. Horton  
Recorded in: Volume 1747, Page 717, Official Records of Washington County, Texas.  
Legal Description:

**ALL OF GRANTOR'S ONE-HALF (1/2) UNDIVIDED INTEREST IN:**  
**Lot 16, Block A, Section 1, South Park Subdivision to the City of Brenham, Washington County, Texas, as recorded in Plat Cabinet Nos. 49A, 49B and 50A Plat Records of Washington County, Texas.**

**And being the same property described in General Warranty Deed with Vendor's Lien in Favor of Third Party dated February 28, 1995, from Steve G. Caloudas and Susan E. Caloudas to Roy W. Horton and wife, Patti A. Horton, recorded in Volume 773, Page 113 of the Official Records of Washington County, Texas.**

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$220,000.00, executed by Bobbi Moeller, et al, and payable to the order of Lender and all other indebtedness of Bobbi Moeller to Lender.

**FORECLOSURE SALE:**

Date: Tuesday, December 7, 2021  
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 Roy W. Horton and wife, Patti A. Horton's bid may be by credited 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, Roy W. Horton and wife, Patti A. Horton, the owners, and holders 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 Roy W. Horton and wife, Patti A. Horton's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Roy W. Horton and wife, Patti A. Horton'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 Roy W. Horton and wife, Patti A. Horton 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 Roy W. Horton and wife, Patti A. Horton. 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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Roy W. Horton

  
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Patti A. Horton