



# NOTICE OF FORECLOSURE SALE

May 15, 2023

FILED AND RECORDED  
2023 MAY 16 PM 2:09  
BETH A. FLOREZ

## Deed of Trust ("Deed of Trust"):

**Dated:** November 23, 2021

**Grantor:** Justin Ryan Elliott and Robin Kate Elliott

**Trustee:** Liang Gao

**Lender:** Windsor Chase, LLC

**Recorded in:** Volume No. 1810, Page 488 of the Official Records of Washington County, Texas

**Legal Description:** 15.060 acre tract of land situated in the Andrew Miller Survey, Abstract Number 83, Washington County, Texas, (Called Tract 5) being a portion of that certain called 232.6 acre tract described in instrument to Kimi Cattle Company and Hospitality Ranch, LLC, recorded in volume 1586, Page 831, of the Official Public Records of Washington County, Texas (O.P.R.W.C.T.), said 15.060 acre tract being more particularly described by metes and bounds in the Attached Exhibit A.

**Secures:** Promissory Note ("Note") in the original principal amount of \$352,500.00, executed by Justin Ryan Elliott and Robin Kate Elliott ("Borrower") and payable to the order of Lender

**Substitute Trustee:** Megan Randle, Pete Florez, Ebbie Murphy, Florence Rosas David Garvin

**Substitute Trustee's Address:** c/o Foreclosure Services, LLC  
8101 Boat Club Rd., Suite 320  
Fort Worth, Texas, 76179

## Foreclosure Sale:

**Date:** Tuesday, June 6, 2023

**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:** Washington County Courthouse located at 100 E. Main, Suite 102, Brenham, Texas 77833, or any other place designated for real property foreclosures under Texas Property Code Section 51.002 by the Commissioners Court of Washington County, Texas.

**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 Windsor Chase, LLC'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, Windsor Chase, LLC, 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 Windsor Chase, LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Windsor Chase, LLC'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, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

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

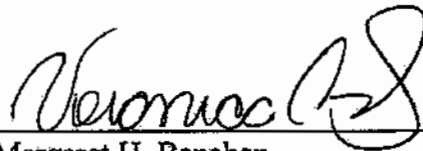
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical 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 Substitute Trustee.

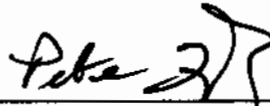
**Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.**

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**



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Margaret H. Banahan  
Veronica A. Martinez  
R. Alex Weatherford  
Banahan Martinez Weatherford, PLLC  
1400 Broadfield Blvd., Suite 105  
Houston, Texas 77084  
Telephone (281) 394-3122  
Telecopier (281) 940-2743  
Attorney for Lender



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Megan Randle, Pete Elvez, Ebbie Murphy, Florence  
Rosas, David Garvin  
c/o Foreclosure Services LLC  
8101 Boat Club Road, Suite 320  
Fort Worth, Texas 76179

Exhibit A

TEXAS PROFESSIONAL SURVEYING, LLC.

3032 N. FRAZIER STREET, CONROE, TEXAS 77303  
(936)756-7447 FAX (936)756-7448  
FIRM REGISTRATION No. 100834-00

JA 211892E

FIELD NOTE DESCRIPTION  
TRACT 5  
15.060 ACRES  
IN THE ANDREW MILLER SURVEY, ABSTRACT NUMBER 83,  
WASHINGTON COUNTY, TEXAS

BEING a 15.060 acre tract of land situated in the Andrew Miller Survey, Abstract Number 83, Washington County, Texas, being a portion of that certain called 232.6 acre tract described in instrument to Kimi Cattle Company and Hospitality Ranch, LLC, recorded in Volume 1586, Page 831, of the Official Public Records of Washington County, Texas (O.P.R.W.C.T.), said 15.060 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a 1/4 inch iron rod found in the southeasterly margin of Farm to Market Road 912 (FM 912), for the common northerly corner of said 232.6 acre tract and that certain called 91.609 acre tract described in instrument to Kenneth Sommers, recorded in Volume 1123, Page 572, O.P.R.W.C.T.;

THENCE South 65°44'17" West, 578.36 feet, with the southeasterly margin of said FM 912, the northwesterly line of said 232.6 acre tract, to a 1/4 inch iron rod with cap stamped "TPS 100834-00" set for the northeasterly corner and POINT OF BEGINNING of the herein described 15.060 acre tract;

THENCE severing, over and across said 232.6 acre tract, the following three (3) courses and distances:

1. South 03°29'49" East, 1,643.87 feet, to a 1/4 inch iron rod with cap stamped "TPS 100834-00" set for corner;
2. South 86°39'22" West, 419.51 feet, to a 1/4 inch iron rod with cap stamped "TPS 100834-00" set for corner;
3. North 03°29'49" West, 1,483.68 feet, to a 1/4 inch iron rod with cap stamped "TPS 100834-00" set in the southeasterly margin of said FM 912, the northwesterly line of said 232.6 acre tract, for the northwesterly corner of the herein described 15.060 acre tract;

THENCE North 65°44'17" East, 448.65 feet, with the southeasterly margin of said FM 912, the northwesterly line of said 232.6 acre tract, to the POINT OF BEGINNING;

CONTAINING a computed area of 15.060 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground on May 1, 2021 by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number B543-15\_TR 5.

Bearings recited hereon are based on GPS observations and are referenced to the North American Datum (NAD) 1983, Texas State Plane Coordinate System, Central Zone (4203).

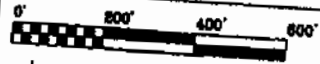
May 3, 2021  
Date



*[Signature]*  
Carey A. Johnson  
R.P.L.S. No. 6524

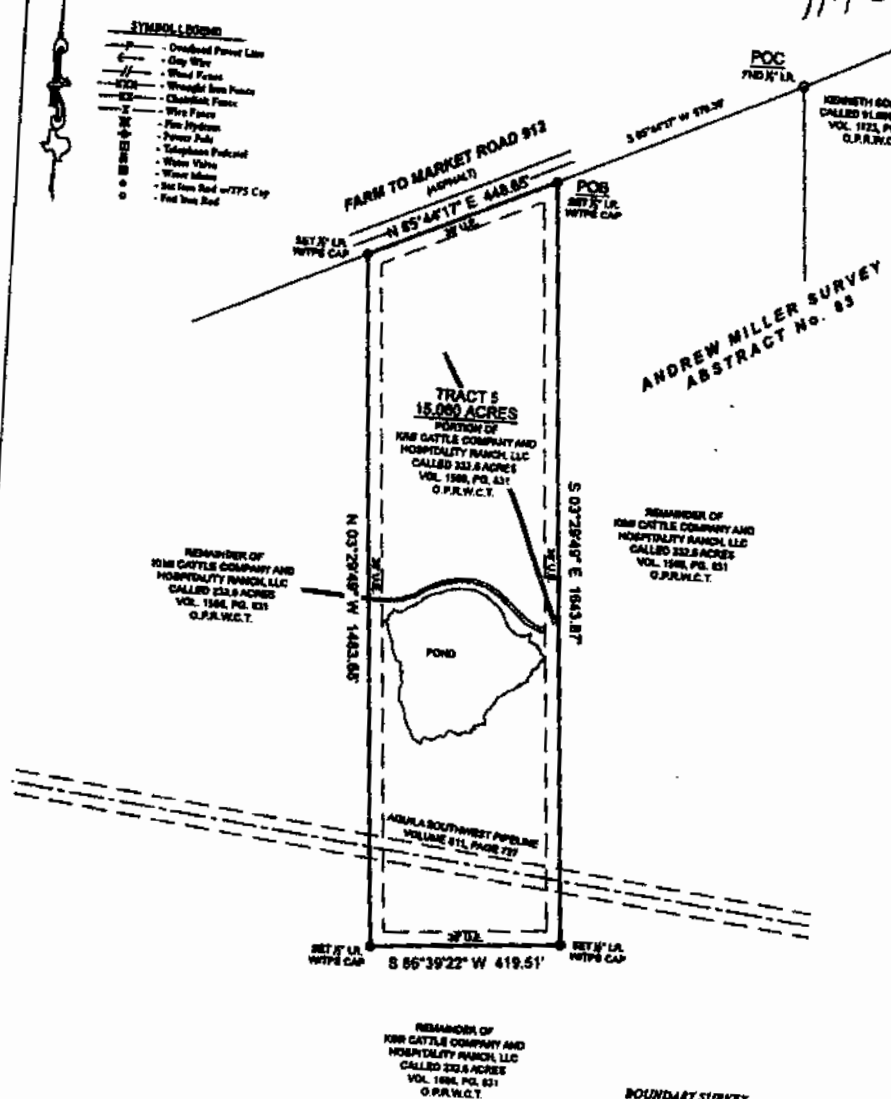
TAZ 18522

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**SYMBOLS USED**

- Dashed Line - Overhead Power Line
- Solid Line - Gas Wire
- Dotted Line - Wood Fence
- Dashed Line - Wrought Iron Fence
- Dotted Line - Chainlink Fence
- Dashed Line - Wire Fence
- Dotted Line - Pipe Medium
- Dotted Line - Power Pole
- Dotted Line - Telephone Postcard
- Dotted Line - Water Valve
- Dotted Line - Water Meter
- Dotted Line - Sec Iron Rod w/775 Cap
- Dotted Line - Flat Iron Rod



**General Notes:**

1) This survey was performed without benefit of a recent title report. Surveyor did not abstract title and does not intend to abstract or otherwise not shown. Check with your local governing agencies for any additional encumbrances, building lines or other encumbrances not reflected on survey.

BEING a 15,000 acre tract of land situated in the Andrew Miller Survey, Abstract Number 83, Washington County, Texas, being a portion of that certain called 232.8 acre tract described in Instrument in K&H Cattle Company and Hospitality Ranch, LLC, recorded in Volume 1808, Page 631, of the Official Public Records of Washington County, Texas (O.P.R.W.C.T.), said 15,000 acre tract being more particularly described by attached notes and bounds description.

The Property Lies in Zone K within the 600 Year Flood Plain For Graphic Scaling according to Community Flood No. 4847207790 having an effective date of 8-18-2011.

Job No. 8612-15 TRS  
 Date: 11/23/21  
 Station No. 83-291  
 Field Cont. 10  
 Reduced

Purchaser: Site Link Study  
 Address: PM 112, Washington, TX 77802  
 City: Waller State: Texas  
 Survey: Andrew Miller  
 Area: 15,000 Acres  
 Subdivision:                       
 Contained:                      Acres  
 Location:                      County, Texas

I hereby certify that this survey was this day made under my supervision on the ground of the above described property, and that the above plat or description reflects the findings on the ground of the property of this line and that this survey meets the minimum standards of practice as approved by the Texas Board of Professional Land Surveying.

**TEXAS**  
**PROFESSIONAL**  
**SURVEYING, L.L.C.**  
 MARK FRAZEE STREET - CONROE, TX 77385  
 PH (281)226-1417 - FAX (281)792-1418  
 WWW.SURVINGPROFESSIONALS.COM  
 PLSM REGISTRATION NO. 18088-02

Bearings shown herein are based on GPS observations and are referenced to the NAD83, Texas State Plane Coordinate System, State Plane Coordinate Zone 4202.

*[Signature]*  
 Cary A. Johnson  
 Registered Professional Land Surveyor No. 8624

STATE OF TEXAS  
 COUNTY OF WASHINGTON

I hereby certify that this instrument was FILED on the date and at the time affixed hereon by me and was duly RECORDED in the volume and page of the OFFICIAL RECORDS of Washington County, Texas, as stamped hereon by me on



NOV 29 2021  
*Beth A. Robinson*  
 Beth A. Robinson, County Clerk  
 Washington County, Texas

FILED FOR RECORD  
 WASHINGTON COUNTY TEXAS

2021 NOV 24 AM 11:28

*[Signature]*  
 Registered Professional Land Surveyor