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AUSTIN COUNTY CLERK
AUSTIN COUNTY, TEXAS

Carrie Major

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NOTICE OF TRUSTEE'S SALE

Date: September 8, 2016

Substitute Trustee: Sidney Levine

Lender: Lorease A. Gajewski

Note: Real Estate Lien Note dated September 1, 2013, in the principal sum of One Hundred Fifteen Thousand Dollars and No/100 (\$115,000.00), executed by Alphonso Resendez and Irene Resendez, and payable to Lorease A. Gajewski

Deed of Trust

Date: September 1, 2013

Grantor: Alphonse Resendez and Irene Resendez

Lender: Lorease A. Gajewski

Recording information: Recorded under Austin County Clerk's File No. 135679 in the Official Public Records of Austin County, Texas.

Property: 0.472 acre of land located in the San Felipe de Austin Town Tract, A-5, Austin County, Texas, and being more fully described in a Deed from Lorease A. Gajewski to Alphonso Resendez, et ux, dated September 1, 2013 and recorded under Austin County Clerk's File No. 135679 in the Official Public Records of Austin County, Texas.

Date of Sale (first Tuesday of month): October 4, 2016

Time of Sale: 10:00 A.M.

Place of Sale: In the area designated by the Commissioners' Court of Austin County, Texas, which is the first floor foyer of the Austin County Courthouse located at One East Main, Bellville, Austin County, Texas

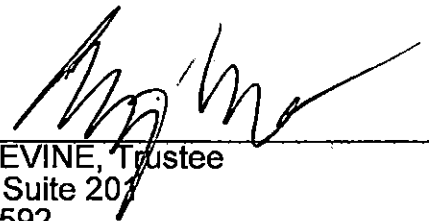
Lender has appointed Sidney Levine as Trustee under the Deed of Trust. Lender has instructed Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash. The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than three hours thereafter.

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

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as a member of 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.



SIDNEY LEVINE, Trustee
110 Main, Suite 207
P. O. Box 592
Sealy, Texas 77474
(979) 885-2989
(713) 495-9040
(979) 885-2980 (FAX)
sealylaw@sbcglobal.net

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

STATE OF TEXAS §
 §
COUNTY OF AUSTIN §

WHEREAS, on the 3rd day of March, 2014, STARBEAR, LTD. and PARVIZ HAKIMZADEH (“Borrowers”) did execute and deliver to Moody National Bank (“Moody National”), a national banking association, that one certain promissory note in the original principal amount of ONE MILLION NINETY-THREE THOUSAND AND NO/100 DOLLARS (\$1,093,000.00), as thereafter renewed, extended and/or modified; said Note being secured by a Deed of Trust, Security Agreement and Financing Statement executed by Borrower STARBEAR, LTD. and recorded under Instrument No. 140925 in the Official Public Records of Austin County, Texas, as thereafter renewed, extended and/or modified by that certain renewal and extension agreement dated effective September 3, 2014, recorded under Instrument No. 144322 in the Official Public Records of Austin County, Texas, and that certain second renewal, extension and modification agreement dated effective March 3, 2015, recorded under Instrument No. 151675 in the Official Public Records of Austin County, Texas, (such instruments being referred to as the “Note”, “Deed of Trust”, and collectively “Renewals”, respectively), and creating a lien on certain real property situated in Austin County, Texas as described herein; and

WHEREAS, defaults have occurred and Moody National, the legal owner and holder of the Note, Renewals and Deed of Trust, has demanded cure of defaults, and, such cure not having been made, Moody National has accelerated said indebtedness and demanded payment in full on the above described Note and Renewals together with all expenses permitted under the terms of the Deed of Trust and the whole of said indebtedness has become due and payable in full; and

WHEREAS, Borrowers as obligors, despite Moody National’s demand, have failed to pay and continue to fail to pay the Note; and

WHEREAS, Moody National, the owner and holder of the Note therein described, has duly appointed Mark K. Wilson as Substitute Trustee, and requested Mark K. Wilson as Substitute Trustee under the Deed of Trust to exercise the power of sale under the Deed of Trust for the purpose of enforcing the collection of the indebtedness secured thereby, but notice is hereby given that Moody National may appoint another person as substitute trustee to conduct the sale herein described as provided in the Deed of Trust:

NOW THEREFORE, NOTICE IS HEREBY GIVEN that after due publication of this Notice as required by the Deed of Trust, that on Tuesday, the 4th day of October, 2016, at 10:00 a.m., or within three (3) hours thereafter, I, Mark K. Wilson, Substitute Trustee, will sell at the area designated by the Commissioners Court of Austin County (“Commissioners”) as the designated area for the conduct of foreclosure sales of this nature in Austin County, Texas (or at such other location as may be designated by the Commissioners after the sending of this Notice and before the sale), to-wit: the foyer/lobby of the Austin County Courthouse located at One East Main, Bellville, Austin County, Texas 77418, to the highest bidder for cash (subject to the provisions of the Deed of Trust permitting the beneficiary under the Deed of Trust to have its bid credited to the indebtedness owed to such beneficiary by Borrowers under the Note and Deed of

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Trust up to the amount of unpaid indebtedness secured by the Deed of Trust at the time of the sale), the following described real property lying and being situated in the County of Austin, State of Texas, together with all improvements thereon and all fixtures and personal property covered by the Deed of Trust, and which includes, without limitation, the following described real property, together with improvements thereon, situated in Austin County, Texas, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART
HEREOF.**

The Deed of Trust permits Moody National as the beneficiary thereunder to postpone, withdraw, or reschedule the sale for another day. 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 refiled may be after the date originally scheduled for this sale.

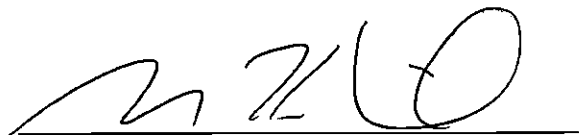
The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and 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.

Mark K. Wilson, Substitute Trustee, may be contacted at 2302 Postoffice St., Galveston, Texas 77550 or telephone number (409) 765-5561.

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 Mark K. Wilson, Substitute Trustee, at 2302 Postoffice St., Galveston, Texas 77550 immediately.

THE SALE OF THE PROPERTY SHALL BE "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE OR MOODY NATIONAL, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER MOODY NATIONAL NOR THE SUBSTITUTE TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS, OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS, OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER AT THIS FORECLOSURE SALE.

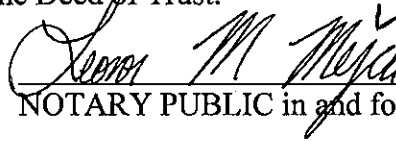
EXECUTED on this the 5th day of September, 2016.



Mark K. Wilson , Substitute Trustee
Address: 2302 Postoffice St.
Galveston, Texas 77550

STATE OF TEXAS §
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COUNTY OF GALVESTON §

This instrument was acknowledged before me on this 8th day of September, 2016, by Mark K. Wilson, Substitute Trustee under the Deed of Trust.



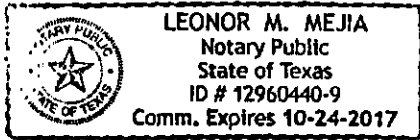
NOTARY PUBLIC in and for the State of Texas

EXHIBIT "A"

A 0.9779 acre (42,595.00 sq. ft.) tract of land out of John Nichols League Abstract #73, in Bellville, Austin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod marking the Southeasterly corner of Melvin McGill and Martha E. McGill property being the same property conveyed by Fred Smith, Jr., et ux, to Humble Oil and Refining Company by two deeds dated April 20, 1929, and recorded in Volume 81, Page 328 of the Deed Records of Austin County, Texas, as corrected by instrument dated August 19, 1959 and recorded in Volume 245, Pages 447-448 of the Deed Records of Austin County, Texas for the Northeasterly corner of the herein described tract, said point being on the Westerly R.O.W. line of G. C. & S. F. Railroad (100' R.O.W.):

THENCE South 08° 00' 57" East, along the Westerly R.O.W. line of said R.R. Row, a distance of 428.39 feet to a 5/8" iron rod for a corner;

THENCE South 08° 04' 35" East, continuing along the Westerly right-of-way line of said R.R. right-of-way, a distance of 896.43 feet to a 5/8 inch iron rod for the most Southerly corner of the herein described tract, on the Easterly right-of-way line of South Front Street Highway 36 (60.0' R.O.W.)

THENCE North 11° 08' 11" West, along the Easterly R.O.W. line of said South Front Street, a distance of 898.76 feet to a 5/8" iron rod for a corner;

THENCE North 08° 21' 11" West, continuing along the Easterly R.O.W. line of said South Front Street (Hwy 36), a distance of 428.45 feet to a fence post on the Southwesterly corner of said McGill property, for the Northwesterly corner of the herein described tract;

THENCE North 83° 10' 23" East, along the South line of said McGill property, a distance of 50.51 feet to the Point of Beginning & containing 0.9779 (42,595.00 sq. ft.) tract of land.

FILED
Sept 9
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Carrie Gregor

CLERK
AUSTIN COUNTY, TEXAS

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