

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**DATE, TIME, PLACE OF SALE:**

**Date:** Tuesday, the 5<sup>th</sup> day of November, 2024  
**Time:** 1:00 pm or not later than three hours after that time  
**Place:** **INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE.**

**TERMS OF SALE: CASH**

**DEED OF TRUST INFORMATION - INSTRUMENT TO BE FORECLOSED:**

**Date:** November 16, 2023  
**Grantor(s):** Charlton HC Investments, LLC  
**Original Mortgagee:** CV3 Financial Services, LLC  
**Original Principal:** \$506,250.00  
**Recording Information:** Deed Inst. # 235846  
**Current Mortgagee/Beneficiary:** Wilmington Savings Fund Society, FSB, not in its individual capacity, but solely as trustee for Residential mortgage Aggregation Trust

**Secures:**

Term Note (the "Note") in the original principal amount of \$506,250.00 and all obligations contained therein. All sums secured by the Deed of Trust, (the "Deed of Trust") have been and are hereby declared immediately due and payable as a result of default under the Note and/or Deed of Trust.

**MODIFICATIONS AND RENEWALS:**

As used herein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as modified, renewed, amended, corrected and/or extended.

**PROPERTY TO BE SOLD:**

**Property County:** Austin  
**Property Description:** (See Attached Exhibit "A")  
**Property Address:** 4739 Meadowlark Lane, Sealy, Texas 77474  
**Condition and Important Recitals:** Should a conflict occur between the property address and the legal description contained in "Exhibit A" the legal description shall control. The property will be sold "AS IS" without any representations, warranties, or recourse, and subject to any liens or interests that may survive the sale. Any purchaser who purchases the property does so at his/her/its own risk and is strongly encouraged engage in significant due diligence prior to sale.

**MORTGAGE SERVICING INFORMATION:**

The Mortgage Servicer represents the Current Mortgagee pursuant to a mortgage servicing agreement with the Mortgagee. Pursuant to Texas Property Code § 51.0025, as well as the mortgage servicing agreement, the Mortgage Servicer is authorized to collect the debt and to institute foreclosure of the deed of trust referenced above. The Mortgage Servicer information is below:

**Master Mortgage Servicer:** N/A  
**Mortgage Servicer Address:** N/A

FILED

2024 OCT 15 PM 4: 03

*Andrea Cardenas*  
COUNTY CLERK  
AUSTIN COUNTY, CLERK

SUBSTITUTE TRUSTEE(S): Virgil Jordan, Megan Randle, Ebbie Murphy, or any.

SUBSTITUTE TRUSTEE ADDRESS: 1320 Greenway Dr., Ste. 780, Irving, TX 75038

DOCUMENT PREPARED BY:  
McCalla Raymer Leibert Pierce, LLC  
1320 Greenway Drive, Ste. 780, Irving, TX 75038  
AS ATTORNEY FOR THE HEREIN  
IDENTIFIED MORTGAGEE AND/OR  
MORTGAGE SERVICER

**Certificate of Posting**

I am \_\_\_\_\_ whose address is \_\_\_\_\_. I declare under penalty perjury that I filed and/or recorded this Notice of Foreclosure Sale at the office of the Austin County Clerk and caused it to be posted at the location directed by the Austin County Commissioners.

Return to: [Jay.Jordan@mccalla.com](mailto:Jay.Jordan@mccalla.com) or 1320 Greenway Drive, Ste. 780, Irving, TX 75038

2024-0021

**EXHIBIT "A"**

ALL THAT PROPERTY SITUATED IN THE COUNTY OF AUSTIN AND STATE OF TEXAS DESCRIBED AS: FIELD NOTES OF A SURVEY OF TRACTS 18,19,20 AND PART OF TRACT 21, CONTAINING 6.989 ACRES OF LAND IN THE ALLEN CREEK FARMS SUBDIVISION, SECTION III, OUT OF THE JOHN P. BORDEN HEADWRIGHT SURVEY, ABSTRACT NO. 125, AUSTIN COUNTY, TEXAS. SAID 6.989 ACRE TRACT BEING ALL OF THAT CALLED 6.983 ACRE TRACT OF LAND DESCRIBED IN A DEED DATED FEBRUARY 26, 1999 TO MARK E. WHITE AND WIFE, BETTINA WHITE, RECORDED IN FILE NUMBER 991167, OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS FOR WHICH REFERENCE IS MADE AND THE SAID 6.989 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT A ½ INCH IRON PIPE FOUND (CALLED FOR IN RECORD DEED) FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 6.989 ACRE TRACT, SAID CORNER BEING ALSO THE SOUTHWEST CORNER OF A CALLED 2.2246 ACRED TRACT DESCRIBED IN A DEED TO DNIEL TREYBIG, VOLUME 554, PAGE 270, AUSTIN COUNTY OFFICIAL RECORDS, CORNER BEING ALSO IN THE NORTHEAST LINE OF A CALLED 1.9874 ACRE TRACT DESCRIBED IN A DEED TO CLIFF SADLER, FILE NUMBER 982756, AUSTIN COUNTY OFFICIAL RECORDS;

THENCE N 79°35'56" E A DISTANCE OF 356.83 FEET (CALLED N 82°49'11" E 356.55') WITH THE NORTHWEST LINE OF THE HEREIN DESCRIBED TRACT, SAME BEING THE SOUTHEAST LINE OF THE SAID 2.2246 ACRE TRACT TO A 5/8 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND POINT OF A CURVATURE OF A CURVE TO THE LEFT, SAID CORNER BEING ALSO THE SOUTHEAST CORNER OF THE SAID 2.2246 ACRE TRACT AND CORNER BEING ALSO IN THE SOUTHWEST LINE OF MEADOWLARK LANE;

THENCE WITH SAID CURVE TO THE LEFT AND BEING THE SOUTHWEST LINE OF MEADOWLARK LANE, THE NORTHEAST LINE OF THE HEREIN DESCRIBED TRACT AND HAVING A RADIUS OF 672.38 FEE, A DELTA ANGLE OF 19°00'39.11, AN ARC LENGTH OF 223.10 FEET AND A CHORD OF S 06°50'42" E A DISTANCE OF 222.08 FEET TO A ½ INCH IRON PIPE FOUND (CALLED FOR IN RECORD DEED) FOR THE POINT OF CURVATURE OF SAID CURVE;

THENCE S 16°12'48" E A DISTANCE OF 724.26 FEET (CALLED S 13°08'50" E-724.26') AND COUNTINUING WITH THE SOUTHWEST LINE OF MEADOWLARK LANE, SAME BEING THE NORTHEAST LINE OF THE HEREIN DESCRIBED 6.989 ACRE TRACT TO A ½ INCH IRON ROD SET (CAPPED RPLS 1669) FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAID CORNER BEING ALSO THE NORTHEAST CORNER OF A CALLED 16.339 ACRE TRACGT DESCRIBED IN A DEED TO HOUSTON LIGHTING AND POWER COMPANY, VOLUME 394, PAGE 651, AUSTIN COUNTY DEED RECORDS;

THENCE S 79°34'09" W A DISTANCE OF 320.00 FEET (CALLED 82°42'41.11 W-320.00') WITH THE NORTHWEST LINE OF THE SAID 16.339 ACRE TRACT, SAME BEING THE SOUTHEAST LINE OF THE HEREIN DESCRIBED 6.989 ACRE TRACT TO A ½ INCH IRON ROD SET (CAPPED RPLS 1669) FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, SAID CORNER BEING ALSO THE SOUTHEAST CORNER OF A CALLED 1.7862 ACRE TRACT DESCRIBED IN A DEED TO NATHAN KING, FILE NUMBER 983679, AUSTIN COUNTY OFFICIAL RECORDS, FROM SAID CORNER A ½ INCH IRON PIPE FOUND IN THE SOUTHEAST LINE OF THE SAID 16.339 ACRE TRACT BEARS S 16°14'38" E A DISTANCE OF 220.99 FEET;

THENCE N 16°14'38" W A DISTANCE OF 947.27 FEET (CALLED N 13°08'50" W-947.27) WITH THE SOUTHWEST LINE OF THE HEREIN DESCRIBED 6.989 ACRE TRACT, SAME BEING THE NORTHEAST LINE OF THE SAID KING 1.7862 ACRE TRACT, THE NORTHEAST LINE OF A CALLED 1.9864 ACRE TRACT DESCRIBED IN A DEED TO NATHAN KING, FILE NUMBER 983679, AUSTIN COUNTY OFFICIAL RECORDS THE NORTHEAST LINE OF A CALLED 1.9864 ACRE TRACT DESCRIBED IN A DEED, TO TIMOTHY WHEATLEY, FILE NUMBER 033458, AUSTIN COUNTY OFFICIAL RECORDS, THE NORTHEAST LINE OF A CALLED 1.9873 ACRE TRACT DESCRIBED IN A DEED TO TIMOTHY WHEATLEY, FILE NUMBER 033458, AUSTIN COUNTY OFFICIAL RECORDS, AND THE NORTHEAST LINE OF THE SAID SADLER 1.9874 ACRE TRACT TO THE PLACE OF BEGINNING, CONTAINING 6.989 ACRES OF LAND.

2024-0021