

**FILER**

**MAY 13 2019**

11:55 AM  
*Brenda Fietsam KS*  
**BRENDA FIETSAM**  
**CO. CLERK, FAYETTE CO., TEXAS**

**NOTICE OF TRUSTEE'S SALE**

**NOTICE REGARDING MILITARY SERVICE**

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.

Whereas pursuant to that one certain Deed of Trust dated October 1, 2017, executed by Victor B. Moberg and Shana N. McGuyer (cumulatively, "Mortgagor"), Mortgagor conveyed to Joseph S. Babb as Trustee all of their right, title, and interest in and to that one certain parcel of real property situated in Fayette County, Texas, and described as Tract No. 1-A, a 6.500 acre tract, more or less, out of and being a part of Tract No. 1, a 13.000 acre tract in OLD LOCKHART ESTATES, a subdivision in Fayette County, Texas, as recorded in Slide 131 and 132, Fayette County Plat Records, and as more particularly described in the Deed of Trust, together with all improvements thereon and including all other property set forth in the Deed of Trust, to secure the payment of that one certain Real Estate Lien Note or Promissory Note dated effective October 1, 2017, in the original principal amount of \$80,000.00, executed by Mortgagor and Patricia Kelley and payable to the order of Gary M. Attal and Sheila M. Attal ("Beneficiary") and any and all other indebtedness secured by the Deed of Trust; and

Whereas the Deed of Trust was filed in the Official Records of Fayette County, Texas, Volume 1834, Pages 70 - 76; and

Whereas the Note and Deed of Trust are in default and the entire unpaid balance of the Note is due and payable, and Beneficiary intends to enforce the power of sale set forth in the above-referenced Deed of Trust; and

Whereas the Beneficiary has directed the undersigned Trustee to enforce the power of sale under the Deed of Trust for the purpose of collecting the indebtedness secured under it, after the giving of at least 21 consecutive days' notice and recording this Notice in the Fayette County Clerk's Office giving the time, place, and terms of said sale, and description of the property to be sold, pursuant to the Deed of Trust and the laws of the State of Texas;

Therefore, I, Joseph S. Babb, Trustee, hereby give notice after due publication as required by the Deed of Trust and/or security instruments and the Texas Property Code, that I will, after due posting, publication, and filing of this Notice and after having given written notice of at least 21 consecutive days by certified mail, return receipt requested to each debtor obligated to pay the Note and indebtedness secured by the Deed of Trust, at the last-known address of each such debtor according to the records of Beneficiary, as required by the Deed of Trust and the laws of the State of Texas, sell the Property at public auction to the highest bidder or bidders for cash at the Fayette County Courthouse, Fayette County, Texas, in the area that has been designated as the general area where foreclosure sales are conducted pursuant to the order of the Commissioner's Court recorded at Volume 755, Page 402 of the Official Records of Fayette County, Texas or at such other place as designated by the Fayette County Commissioners, between the hours of 10:00 a.m.

and 1:00 p.m. on the first Tuesday in June, 2019, being June 4, 2018.

Pursuant to Section 51.002 of the Texas Property Code, the foreclosure sale will begin no earlier than 10:00 a.m. and no later than three hours after that time.

The sale conducted pursuant to this Notice will be made subject to any valid and existing liens and any other title encumbrances affecting title to the property described above or any part of the property that are proved superior to the liens and other rights of Beneficiary under the security instrument or other recorded instruments.

Witness my hand on May 13, 2018.

  
Joseph S. Babb, Trustee  
State Bar No. 01478700  
**Babb, Reed & Leak, PLLC**  
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### Acknowledgment

**State of Texas** §  
**County of Fayette** §

Before me, the undersigned notary public, on this 13<sup>th</sup> day of May, 2019 personally appeared Joseph S. Babb, as Trustee, known to me, who after being duly sworn, on his oath stated that he is the Trustee for the Beneficiary as identified above; and acknowledged to me that he executed same for the purposes and consideration therein expressed.

Notary Public, State of Texas

