

FILED

JAN 06 2023

Handwritten: 3:17 PM
Brenda O. Fetsam
Brenda O. Fetsam
CLERK, FAYETTE CO., TEXAS
Signature: [Handwritten Signature]

Notice of Substitute Trustee's Sale
January 6th, 2023

Dated: March 1, 2013

Grantor: Roberta Sue Cross, as Member of RSQ Enterpizes, LLC, a Texas Limited Liability Company

Trustee: Val Walters

Beneficiary: James M. Sloyan and wife, Mary J. Sloyan

Secures: Indebtedness evidenced by Real Estate Mortgage Note dated March 1, 2013, in the original principal amount of \$59,500.00, due and unpaid to James M. Sloyan and wife, Mary Sloyan, executed by Roberta Sue Cross, Member of RSQ Enterpizes, LLC, a Texas Limited Liability Company or any other debt secured by the Property.

Deed of Trust:

Date: March 1, 2013

Grantor: RSQ Enterpizes, LLC, a Texas Limited Liability Company

Beneficiary: James M. Sloyan and wife, Mary J. Sloyan

Recording Information: Volume 1638, Pages 440-446, Official Records of Fayette County, Texas

Correction Deed of Trust:

Date: March 1, 2013

Grantor: Roberta Sue Cross, as Member of RSQ Enterpizes, LLC, a Texas Limited Liability Company

Beneficiary: James M. Sloyan and wife, Mary J. Sloyan

Recording Information: Volume 1664, Pages 642-648, Official Records of Fayette County, Texas

Modification Agreement:

Date: February 15, 2018

Grantor: Roberta Sue Cross, as Member of RSQ Enterpizes, LLC, a Texas Limited Liability Company

Beneficiary: James M. Sloyan and wife, Mary J. Sloyan

Modified Instrument in: Volume 1664, Pages 642-648, Official Records of Fayette County, Texas

Recording Information: Volume 1850, Pages 178-183, Official Records of Fayette County, Texas

Property:

FIELD NOTE DESCRIPTION OF 0.471 ACRES OF LAND OUT OF THE NATHANIEL TOWNSEND LEAGUE, ABSTRACT NO. 103, IN FAYETTE COUNTY, TEXAS, AND BEING THAT SAME (0.471 ACRE) TRACT OF LAND CONVEYED TO JAMES M. SLOYAN AND MARY J. SLOYAN IN A DEED AS RECORDED IN VOLUME 1386, PAGE 207 OF THE OFFICIAL RECORDS OF FAYETTE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found in the southeasterly right-of-way line of State Highway 237, being at the most northerly corner of that certain (0.471 acre) tract of land conveyed to James M. Sloyan and Mary J. Sloyan in a deed as recorded in Volume 1386, Page 207 of the Official Records of Fayette County, Texas, and being the most westerly corner of that certain (0.529 acre remainder of 1.00 acre) tract of land described in a deed to Roland K. Fuller and Stella R. Fuller in a deed as recorded in Volume 1130 Page 669 of the Official Records of Fayette County, Texas, and being for the most northerly corner of the tract herein described,

THENCE, leaving said right-of-way and with the common line between the Sloyan tract and the Fuller tract, S 39 deg. 53' 30" E 126.85 feet to a 1/4" iron rod found at the base of a fence angle post, and S 54 deg. 24' 54" E 116.91 feet, to a 1/2" iron rod found at the most easterly corner of the Sloyan tract, and the most southerly corner of the Fuller tract, being in the interior of that certain (28.2 acre) tract of land conveyed to Herbert L. Mischer and Delta Mischer in a deed as recorded in Volume 224 Page 19 of the Deed Records of Fayette County, Texas, (the Sloyan tract and the Fuller tract having been a portion of the Mischer tract), and being for the most easterly corner of this tract,

THENCE, with the southeasterly and southwesterly lines of the Sloyan tract, being interior lines of the remainder of the Mischer tract, S 41 deg. 44' 50" W 82.79 feet, to a 1/2" iron rod found, and N 51 deg. 17' 08" W 244.31 feet, to a 1/2" iron rod set in the southeasterly right-of-way line of State Highway 237, being for the most westerly corner of this tract,

THENCE, with the southeasterly right-of-way line of State Highway 237, N 43 deg. 00' 00" E 101.63 feet to the PLACE OF BEGINNING, in all containing 0.471 acres of land.

BEING THE SAME TRACT OF LAND described in deed dated March 1, 2013, from James M. Sloyan and wife, Mary J. Sloyan to RSQ Enterprises, LLC, a Texas Limited Liability Company, and recorded in Volume 1638, Pages 435-439, Official Records of Fayette County, Texas.

Substitute Trustee: Shannon M. Raabe-Barnes

Substitute Trustee's Address: 236 West Colorado Street, La Grange, Texas 78945

Foreclosure sale

County: Fayette County, Texas

Date of Sale (first Tuesday of month): Tuesday, February 7th, 2023

Time of Sale: The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. locate time; and the beginning not earlier than 10:00 a.m., and the sale will be conducted no later than 4:00 p.m.

Place of Sale: Stone wall enclosure located on the northwest portion of the Fayette County Courthouse Square, on and in that portion of the stone wall enclosure facing West Colorado Street near its intersection with North Main Street, and that portion of the stone wall enclosure designated and determined to be the official location of the Fayette County Courthouse Postings Board.

Term 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 Beneficiary's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Beneficiary has appointed a Substitute Trustee under 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, Beneficiary, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

Therefore, notice is given that the Date of Sale, Substitute Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, on the date and time specified to satisfy the debt secured by the Deed of Trust, and applicable Texas law.

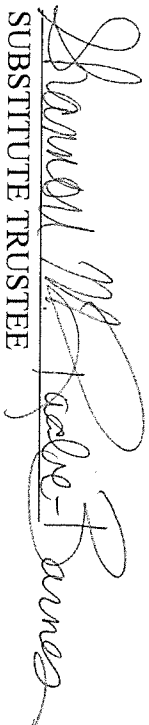
If Beneficiary passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refilled in accordance with the posting, and filing requirements of the Deed of Trust and the Texas Property Code.

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 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 Beneficiary. Prospective bidders are strongly urged to examine the applicable property 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 express 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 this office immediately.

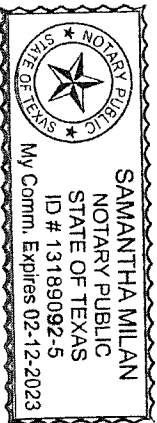

SUBSTITUTE TRUSTEE
Shannon M. Raabe-Barnes
Schovajsa, Mayer & Klesel, LLP
236 West Colorado Street
La Grange, Texas 78945

THE STATE OF TEXAS
COUNTY OF FAYETTE

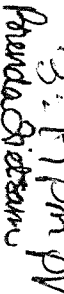
Before me, the undersigned authority, on this day personally appeared Shannon M. Raabe-Barnes, as Substitute Trustee, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and who acknowledged to me that she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 6th day of January, 2023.


Notary Public, State of Texas



FILED

JAN 06 2023
3:17 PM PV

BRENDA FIETSAM
CO. CLERK, FAYETTE CO., TEXAS