

Notice of Foreclosure Sale

November 12, 2024

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11:50 AM
Brenda Fietsam
BREND A FIETSAM
CO. CLERK, FAYETTE CO., TEXAS

Deed of Trust ("Deed of Trust"):

Dated: June 26, 2020
Grantor: Danielle M. Brewer
Lender: Oak Forest Land Resources, LLC
Trustee: Christie Ortman Fullilove
Recorded in: Document No. 20305018, Official Public Records of Gonzales County, Texas and Volume 1952, Page 741, Official Public Records of Fayette County, Texas.
Property: Being all that certain tract of 31.324 acres of land, more or less, lying and being situated in Gonzales County, and Fayette County, Texas, being part of the Freeman George Survey, Abstract No. 224 in Gonzales County and Abstract No. 197 in Fayette County, more particularly being part of the land described in Warranty Deed dated December 4, 2019, executed by B-S Ranch, LLC to Straight Land Holdings, LLC, recorded in Volume 1331, Page 1, of the Official Records of Gonzales County, Texas; said 31.324 acres being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes
Secures: Promissory Note ("Note") in the original principal amount of \$264,254.00, executed by Danielle M. Brewer ("Borrower") and payable to the order of Lender.

Substitute Trustee: Michael Fritz Baird
242 W. Sunset, Ste. 201
San Antonio, TX 78209

Foreclosure Sale:

Date: Tuesday, December 3, 2024
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 pm and not later than three hours thereafter.
Place: Gonzales County, Texas, at the place designated for such sales by the Gonzales County Commissioner's Court.
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 Beneficiary'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, Beneficiary, 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 Beneficiary's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Beneficiary'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 Beneficiary 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 Beneficiary. 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 BENEFICIARY OR
MORTGAGE SERVICER.**

A handwritten signature in black ink, appearing to read "Michael Fritz Baird". The signature is fluid and cursive, with the first and last names being more prominent.

Michael Fritz Baird
BairdLaw, PLLC
Attorney for Beneficiary
242 W. Sunset, Ste. 201
San Antonio, TX 78209
210-828-5844

EXHIBIT "A"
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S20-004 LOT 10

Being all that certain tract of 31.324 acres of land, more or less, lying and being situated in Gonzales County, and Fayette County, Texas, being part of the Freeman George Survey, Abstract No. 224 in Gonzales County and Abstract No. 197 in Fayette County, more particularly being part of the land described in Warranty Deed dated December 4, 2019, executed by B-S Ranch, LLC to Straight Land Holdings, LLC, recorded in Volume 1331, Page 1, of the Official Records of Gonzales County, herein called subject tract, intended to be described by metes and bounds, with bearing basis GPS Grid North, as follows:

BEGINNING at a 5/8 inch iron rod set (all iron rods set with red plastic cap marked Gonzales First Shot Surv) at the north corner of said subject tract, and at the east corner of a 143.891 acre tract of land described in Deed of Trust dated December 4, 2019, executed by James Sherman Spring and Erin Elizabeth Spring, recorded in Volume 1330, Page 982, of the Official Records of Gonzales County, and in the southwest line of Elm Creek Road, for the north corner of this tract or parcel of land hereby intended to be described;

THENCE South $36^{\circ} 15' 43''$ East 753.35 feet along the northeast line of said subject tract and the southwest line of said Elm Creek Road, to a 5/8 inch iron rod set in said line, at the north corner of a 17.700 acre tract of land surveyed on even date, herein called Lot 9, for the east corner of this tract or parcel of land hereby intended to be described;

THENCE entering said subject tract, South $33^{\circ} 07' 40''$ West 1918.35 feet along the west line of said Lot 9, to a 5/8 inch iron rod set in the southwest line of said subject tract, and in the northeast line of a 268.04 acre tract of land described in General Warranty Deed dated November 14, 2003, executed by J. Golden Properties, Inc. to Michael Jay Kuper, recorded in Volume 894, Page 799, of the Official Records of Gonzales County, and at the west corner of said Lot 9, for the south corner of this tract or parcel of land hereby intended to be described;

THENCE North $48^{\circ} 24' 35''$ West 669.39 feet along the southwest line of said subject tract and the northeast line of said Kruper tract, to a 5/8 inch iron rod set at the west corner of said subject tract, and at a south corner of said Spring tract, for the west corner of this tract or parcel of land hereby intended to be described;

THENCE North $31^{\circ} 56' 43''$ East along the northwest line of said subject tract and the southeast line of said Spring tract, at 574.17 feet, crossing the northeast line of said Gonzales County and the southwest line of said Fayette County, in all a distance of 2085.47 feet to the PLACE OF BEGINNING, as is shown on Gonzales First Shot Surveying Plat No. S20-004.

These Field Notes were prepared from a survey done on the ground and are true and correct to the best of my knowledge.



SETH M. FULLILOVE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6397

