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Brenda A. Vietnam
CO. CLERK, FAYETTE
BRENDA VIETNAM
FAYETTE CO., TEXAS

NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Grantor(s)	Delores Gutierrez Gayken and Robert W. Gayken	Deed of Trust Date	August 16, 2004
Original Mortgagee	Colorado Valley Bank	Original Principal	\$70,500.00
Recording Information	Instrument #: 04-5481 Book #: 1278 Page #: 670, and recorded on 08/16/2004 (modified under Instrument #: 19-07553 which was recorded on 12/9/2019) in Fayette County, Texas	Original Trustee	Joe A. Mihatsch, Jr.
Property Address	906 Lyons, Schulenburg, TX 78956	Property County	Fayette

MORTGAGE SERVICER INFORMATION:

Current Mortgagee	Guardian Mortgage, a division of Sunflower Bank, N.A., as successor by merger with Pioneer Bank, SSB, as successor by merger with Colorado Valley Bank	Mortgage Servicer	Guardian Mortgage, a division of Sunflower Bank, N.A.
Current Beneficiary	Guardian Mortgage, a division of Sunflower Bank, N.A., as successor by merger with Pioneer Bank, SSB, as successor by merger with Colorado Valley Bank	Mortgage Servicer Address	2701 N. Dallas Parkway, Suite 180, Plano, TX 75093

SALE INFORMATION:

Date of Sale	05/07/2024
Time of Sale	10:00 AM or no later than 3 hours thereafter
Place of Sale	At the posting board located on and in the stone wall enclosure located on the Northwest portion of the Fayette County Courthouse square, on and in that portion of the wall enclosure facing West Colorado Street near its intersection with North Main Street in Fayette County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the Fayette County Commissioner's Court.
Substitute Trustees	Megan Randle, Ebbie Murphy, Kristopher Holub, Dylan Ruiz, Auction.com, Megan L. Randle, Ebbie Murphy, Pete Florez, Elizabeth Anderson, Robert Randle, Selim Taherzadeh, or Michael Linke, any to act
Substitute Trustees' Address	15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

PROPERTY INFORMATION:

Legal Description as per the Deed of Trust:
ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN FAYETTE COUNTY, TEXAS, SAME BEING ALL OF LOTS NOS. 16 AND 17, AND A PART OF LOTS NOS. 18, 19, AND 20, IN BLOCK NO. 36 OF THE CITY OF SCHULENBURG, ACCORDING TO THE PLAT OF RECORD IN THE PLAT RECORDS OF FAYETTE COUNTY, TEXAS, AND BEING THAT CERTAIN 75' BY 120' TRACT OF LAND DESCRIBED IN A DEED FROM JOE F. KALLUS AND WIFE, BEULAH KALLUS, TO EDWARD E. FAREK, DATED JANUARY 15, 1931 AND RECORDED IN VOLUME 153, PAGE 476, OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS, SAME LYING WITH SOME CORPORATE LIMITS OF THE CITY OF SCHULENBURG, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WRIT: BEGINNING AT AN IRON ROD SET FOR THE NORTHWEST CORNER, SAME BEING THE NORTHWEST CORNER OF LOT NO. 16 AND THE NORTHWEST CORNER OF THE SAID EDWARD E. FAREK 75' BY 120' TRACT OF LAND, SAME LYING IN THE WEST LINE OF SAID BLOCK NO. 36, SAME LYING IN THE EAST MARGIN OF LYONS AVENUE; THENCE, ALONG THE WEST BOUNDARY OF THE SAID EDWARD E. FAREK TRACT, THE WEST LINE OF SAID BLOCK NOS. 16, 17, AND 18, THE WEST LINE OF SAID BLOCK NO. 36 AND THE EAST MARGIN OF LYONS AVENUE, SOUTH 75.0 FEET TO AN IRON ROD SET FOR THE SOUTHWEST CORNER, SAME BEING THE SOUTHWEST CORNER OF THE SAID EDWARD E. FAREK TRACT; THENCE, EAST 120.0 FEET TO AN IRON ROD SET FOR THE SOUTHEAST CORNER, SAME BEING THE SOUTHEAST

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CORNER OF THE SAID EDWARD E. FAREK TRACT, SAME LYING IN THE EAST LINE OF LOT NO. 20; THENCE, ALONG THE EAST BOUNDARY OF THE SAID EDWARD E. FAREK TRACT AND THE EAST LINE OF LOT NOS. 20, 17, AND 16, NORTH 75.0 FEET TO AN IRON ROD SET FOR THE NORTHEAST CORNER, SAME BEING THE NORTHEAST CORNER OF THE SAID EDWARD E. FAREK TRACT; THENCE WEST 120.0 FEET ALONG THE NORTH BOUNDARY OF THE SAID EDWARD E. FAREK TRACT AND THE NORTH LINE OF LOT NO. 16 TO THE PLACE OF BEGINNING. LESS, HOWEVER, AND EXCEPT, THE FOLLOWING DESCRIBED TRACT OF LAND: ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN FAYETTE COUNTY, TEXAS, SAME BEING A PART OF LOTS NOS 18, 19, AND 20 IN BLOCK NO. 36, OF THE CITY F SCHULENBURG, ACCORDING TO THE PLAT OF RECORD IN THE PLAT RECORDS OF FAYETTE COUNTY, TEXAS, SAME BEING THE SOUTH SIX FEET (6') OF THAT CERTAIN 75' BY 120' TRACT OF LAND DESCRIBED IN A DEED FROM JOE F. KALLUS AND WIFE, BEULAH KALLUS, TO EDWARD E. FAREK, DATED JANUARY 15, 1931 AND RECORDED IN VOLUME 153, PAGE 476, OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS, SAME LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF SCHULENBURG, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS. TO-WIT: BEGINNING AT AN IRON ROD SET FOR THE SOUTHWEST CORNER, SAME BEING THE SOUTHWEST CORNER OF THE SAID EDWARD E. FAREK 75' BY 120' TRACT OF LAND, SAME LYING IN THE WEST LINE OF SAID BLOCK NO. 36, SAME BEING SOUTH 75.0 FEET FROM THE NORTHWEST CORNER OF LOT NO. 16, SAME LYING IN THE WEST LINE OF SAID LOT NO. 18, SAME LYING IN THE EAST MARGIN OF LYONS AVENUE; THENCE, ALONG THE WEST BOUNDARY OF THE SAID EDWARD E. FAREK TRACT, THE WEST LINE OF SAID LOT NO. 18, THE WEST LINE OF SAID BLOCK NO. 36 AND THE EAST MARGIN OF SAID LYONS AVENUE, NORTH 6.0 FEET TO AN IRON ROD SET FOR THE NORTHWEST CORNER; THENCE, EAST 120.0 FEET TO AN IRON ROD SET FOR THE NORTHEAST CORNER, SAME LYING IN THE EAST BOUNDARY OF THE SAID EDWARD E. FAREK TRACT, SAME LYING IN THE EAST LINE OF SAID LOT NO. 20; THENCE, ALONG THE EAST BOUNDARY OF THE SAID EDWARD E. FAREK TRACT AND THE EAST LINE OF SAID LOT NO. 20, SOUTH 6.0 FEET TO AN IRON ROD SET FOR THE SOUTHEAST CORNER, SAME BEING THE SOUTHEAST CORNER OF THE SAID EDWARD E. FAREK TRACT; THENCE, ALONG THE SOUTH BOUNDARY OF THE SAID EDWARD E. FAREK TRACT, WEST 120.0 FEET TO THE PLACE OF BEGINNING, CONTAINING 720 SQUARE FEET OF LAND.

THE FULL, FREE AND UNINTERRUPTED USE AND EASEMENT ACROSS THE HERINAFTER DESCRIBED PROPERTY FOR THE PURPOSE OF REPAIRING AND MAINTAINING THE FENCE AND CARPORT ATTACHED TO THE RESIDENCE LOCATED ON FIRST TRACT ABOVE DESCRIBED: ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN FAYETTE COUNTY, TEXAS, SAME BEING A PART OF LOTS NOS. 18, 19, AND 20 IN BLOCK NO. 36, OF THE CITY OF SCHULENBURG, ACCORDING TO THE PLAT OF RECORD IN THE PLAT RECORDS OF FAYETTE COUNTY, TEXAS, SAME BEING THE SOUTH SIX FEET (6') OF THAT CERTAIN 75' BY 120' TRACT OF LAND DESCRIBED IN A DEED FROM JOE F. KALLUS AND WIFE BEULAH KALLUS, TO EDWARD E. FAREK, DATED JANUARY 15, 1931 AND RECORDED IN VOLUME 153, PAGE 476, OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS, SAME LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF SCHULENBURG, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT: BEGINNING AT AN IRON ROD SET FOR THE SOUTHWEST CORNER, SAME BEING THE SOUTHWEST CORNER OF THE SAID EDWARD E. FAREK 75' BY 120' TRACT OF LAND, SAME LYING IN THE WEST LINE OF SAID BLOCK NO. 36, SAME BEING SOUTH 75.0 FEET FROM THE NORTHWEST CORNER OF LOT NO. 16, SAME LYING IN THE WEST LINE OF SAID LOT NO. 18, SAME LYING IN THE EAST MARGIN OF LYONS AVENUE; THENCE, ALONG THE WEST BOUNDARY OF THE SAID EDWARD E. FAREK TRACT, THE WEST LINE OF SAID LOT NO. 18, THE WEST LINE OF SAID BLOCK NO. 36 AND THE EAST MARGIN OF SAID LYONS AVENUE, NORTH 6.0 FEET TO AN IRON ROD SET FOR THE NORTHWEST CORNER; THENCE, EAST 120.0 FEET TO AN IRON ROD SET FOR THE NORTHEAST CORNER, SAME LYING IN THE EAST BOUNDARY OF THE SAID EDWARD E. FAREK TRACT, SAME LYING IN THE EAST LINE OF SAID LOT NO. 20; THENCE, ALONG THE EAST BOUNDARY OF THE SAID EDWARD E. FAREK TRACT AND THE EAST LINE OF SAID LOT NO. 20, SOUTH 6.0 FEET TO AN IRON ROD SET FOR THE SOUTHEAST CORNER, SAME BEING THE SOUTHEAST CORNER OF THE SAID EDWARD E. FAREK TRACT; THENCE,

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ALONG THE SOUTH BOUNDARY OF THE SAID EDWARD E. FAREK TRACT, WEST 120.0 FEET TO THE PLACE OF BEGINNING, CONTAINING 720 SQUARE FEET OF LAND.

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Default has occurred under the Deed of Trust and all sums secured by the Deed of Trust were declared immediately due and payable. The Beneficiary has, or caused another to, removed the Original Trustee and appointed Substitute Trustees. On behalf of the Mortgagee, Mortgage Servicer, and Substitute Trustees, the undersigned is providing this Notice of Trustee's Sale.

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Beneficiary thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of 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 other 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. The sale shall not cover any part of the property that has been released from the lien of 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.

Pursuant to the Deed of Trust, the Beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the Deed of Trust. Purchasers will buy the property "at the purchaser's own risk" and "at his/her peril", and no representation is made concerning the quality of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property.

Pursuant to the Texas Property Code, the Trustee reserves the right to set further reasonable conditions for conducting the Sale. Any such further conditions shall be announced before bidding is opened for the first Sale of the day held by the Trustee or any Substitute Trustee.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee, or any subsequently appointed Trustee, need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. 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. The reposting or refiled may be after the date originally scheduled for this sale.

Interested parties are encouraged to consult counsel of their choice prior to participating in the sale of the property.

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 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

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THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

Dated March 20, 2024.

/s/ Selim H. Taherzadeh

Selim H. Taherzadeh
15851 N. Dallas Parkway, Suite 410
Addison, TX 75001
(469) 729-6800



Return to: TAHERZADEH, PLLC
15851 N. Dallas Parkway, Suite 410, Addison, TX 75001