

NOTICE OF TRUSTEE'S SALE

FILED FOR RECORD
COLORADO COUNTY, TX

DEED OF TRUST INFORMATION:

Grantor(s)	Curry Johnson, III	Deed of Trust Date	July 8, 2020
Original Mortgagee	Mortgage Electronic Registration Systems, Inc. ("MERS"), as beneficiary, as nominee for Prosperity Bank, its successors and assigns	Original Principal	\$118,000.00
Recording Information	Instrument #: 2818 Book #: 933 Page #: 850 in Colorado County, Texas	Original Trustee	David Zalman
Property Address	207 E. Converse St., Weimar, TX 78962	Property County	Colorado

OCT 10 2024 PM 1:49 Jm
KIMBERLY MENKE
COUNTY CLERK

MORTGAGE SERVICER INFORMATION:

Current Mortgagee	Prosperity Bank	Mortgage Servicer	Prosperity Bank
Current Beneficiary	Prosperity Bank	Mortgage Servicer Address	2101 Custer Road, Plano, TX 75075

SALE INFORMATION:

Date of Sale	11/05/2024
Time of Sale	10:00 AM or no later than 3 hours thereafter
Place of Sale	IN THE FOYER, INSIDE THE MAIN ENTRANCE OF THE COLORADO COUNTY ANNEX BUILDING in Colorado County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the Colorado County Commissioner's Court.
Substitute Trustees	Megan Randle, Ebbie Murphy, 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:
BEING A TRACT OR PARCEL CONTAINING 0.1816 ACRES OF LAND SITUATED IN COLORADO COUNTY, TEXAS AND BEING A PART OF LOT 3 IN BLOCK 35 OF THE CITY OF WEIMAR ACCORDING TO THE CITY SUBDIVISION PLAT RECORDED IN PLAT CABINET SLIDE NO 37, COLORADO COUNTY PLAT RECORDS AND BEING ALL OF THAT LAND DESCRIBED IN DEED DATED AUGUST 23, 1993 FROM DENNIS J. MICAN, ET UX TO LEONA JONES, RECORDED IN VOLUME 74, PAGE 246, COLORADO COUNTY OFFICIAL RECORDS. SAID 0.1816 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A 1/2" IRON ROD SET FOR THE SOUTHEAST CORNER OF LOT 3 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, LOCATED ON THE NORTH LINE OF EAST CONVERSE STREET, SAID IRON ROD ALSO BEING THE SOUTHWEST CORNER OF LOT 4 IN THIS SAME BLOCK:
THENCE ALONG THE NORTH LINE OF EAST CONVERSE STREET. N 83 DEGREES 30' 00" W A DISTANCE OF 70.00 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF A 0.2447 ACRE TRACT CONVEYED TO MONICA MICAN BY DEED RECORDED IN VOLUME 471, PAGE 244, OFFICIAL RECORDS AND BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;
THENCE LEAVING SAID STREET AND ALONG THE EAST LINE OF THE MICAN 0.2447 ACRE TRACT AND ALONG AN EAST LINE OF THE GENE VACEK PROPERTY AS DESCRIBED IN VOLUME 144, PAGE 180 AND VOLUME 184, PAGE 174, DEED RECORDS N 06 DEGREES 30' 00" E A DISTANCE OF 113.00 FEET TO A 1/2" IRON ROD SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND BEING AN INTERIOR CORNER OF THE GENE VACEK PROPERTY:
THENCE ALONG THE SOUTH LINE OF THE VACEK PROPERTY, S 83 DEGREES 30' 00" E A DISTANCE OF 70.00 FEET TO A 1/2" IRON ROD SET ON THE EAST LINE OF LOT 3 FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, ALSO BEING THE SOUTHEAST CORNER OF THE VACEK TRACT, ALSO BEING ON THE WEST LINE OF LOT 4;

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THENCE ALONG THE COMMON LINE BETWEEN LOT 3 AND LOT 4, S 06 DEGREES 30' 00" W A DISTANCE OF 113.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.1816 ACRES 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.

NOTICE OF TRUSTEE'S SALE

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 MORTGAGEE OR MORTGAGE SERVICER.

Dated October 9, 2024.

/s/ Selim H. Taherzadeh

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

~~HTH~~
Megan
Randle

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