

**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.**

## **Notice of Foreclosure Sale**

1. *Property to Be Sold.* The property to be sold is described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF  
FOR ALL INTENTS AND PURPOSES.**

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust recorded in File number 2017124452 of the real property records of Chambers County, Texas.

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: March 5, 2019

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter.  
The sale will be completed by no later than 4:00 p.m.

Place: 404 Washington Ave, Anahuac TX 77514; Inside the Courthouse on the Eastern-Most steps of the Second Level (Middle Floor); or the location designated by the County Commissioners' Court or as designated by the county commissioners.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust 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 refiling may be after the date originally scheduled for this sale.

4. *Terms of 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.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

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 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. The sale shall not cover any part of the property that



has been released of public record 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 section 51.009 of 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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of 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.

5. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$101,500.00, executed by Thomas Joseph Harmon and Jennifer Ray Brown and payable to the order of East Chambers County Bank, a branch of Anahuac National Bank; and (b) all renewals and extensions of the note. East Chambers County Bank, a branch of Anahuac National Bank is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

6. Questions concerning the sale may be directed to the undersigned or to the beneficiary, East Chambers County Bank, a branch of Anahuac National Bank c/o Reid, Strickland & Gillette, PO Box 809, Baytown, TX 77522.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated: February 12, 2019.

REID, STRICKLAND & GILLETTE, L.L.P.  
Post Office Box 809 Baytown, Texas 77522-0809  
Telephone: 281.422.8166  
Facsimile: 281.422.2962  
Email: sdoncarlos@rsg-llp.com  
bbenoit@rsg-llp.com

By: 

Stephen H. DonCarlos SBN: 05973600  
Brandon E. Benoit SBN: 24050278

## EXHIBIT "A"

That certain 0.57 acre tract of land, more or less, out of Lot 5, Block 24, of the Winnie Suburbs Subdivision as shown in Volume H, Page 591, of the Map Records of Chambers County, Texas; said 0.57 acre tract and being the same as two tracts described in Volume 268, Page 344, and Volume 206, Page 74, of the Deed Records of Chambers County, Texas; said 0.57 acre tract being more particularly described by metes and bounds as follows:

**(BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, ADJUSTMENT 2011.)**

**BEGINNING** at a ½" rebar in concrete found in the south right-of-way line of Hagemeier Street; said rebar being the northeast corner of a tract conveyed to Dudley and Naomi Gardner, as described in Volume 419, Page 615 of the Official Public Records of

Chambers County, Texas; said rebar being the northwest corner of the herein described tract;

**THENCE** North 86°51'48" East (called East) along the said south right-of-way line of Hagemeier Street, a distance of 114.60 feet (called 114.00 feet) to a ½" rebar in concrete found for the northwest corner of a tract conveyed to Fairview Cemetery Association, Inc., as described in Volume 568, Page 148, of the Official Public Records of Chambers County, Texas; said rebar being the northeast corner of the herein described tract;

**THENCE** South 03°41'14" East (called South) along the west line of the said Fairview Cemetery, Inc., tract, a distance of 217.06 feet (called 217.00 feet) to a ½" rebar in concrete found in the north line of a tract owned by Fairview Cemetery (C.C.A.D. 66500-14024-00600-000001); said rebar being the southwest corner of the said Fairview Cemetery, Inc. tract and the southeast corner of the herein described tract;

**THENCE** South 86°46'59" West (called West) along the north line of the said Fairview Cemetery tract, a distance of 114.23 feet (called 114.00 feet) to a ½" rebar in concrete found for the southeast corner of the said Gardner tract; said rebar being the southwest corner of the herein described tract;

**THENCE** North 03°47'11" West (called North) along the east line of the said Gardner tract, a distance of 217.22 feet (called 217.00 feet) to the **POINT OF BEGINNING** and containing 0.57 acres of land, more or less.

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By: JG



Heather H. Hawthorne, County Clerk

Recorded: *Julie Gore*