

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, by that one certain Deed of Trust dated October 18, 2016, recorded under Document No. 149663 in the Official Public Records of Calhoun County, Texas (the "Deed of Trust"), to which record reference is here made for all purposes, Bain B. Smith and Elizabeth Smith (hereinafter called the "Mortgagor" whether one or more) granted, sold and conveyed to the Trustee named therein the real property described in Exhibit "A" attached hereto and made a part hereof for all purposes (said real property, together with any and all appurtenances, improvements and fixtures of any kind located thereon or pertaining thereto, and together with any personal property located thereon or pertaining thereto to the extent such personal property is described in and covered by the Deed of Trust, being collectively referred to herein as the "Property"), in order to secure payment of that one certain promissory note dated October 18, 2016, in the original principal sum of \$53,910.00 executed by Bain B. Smith and made payable to the order of Texas Dow Employees Credit Union (said promissory note, as modified or extended by any modifications or extensions thereof, being herein referred to as the "Note"), and payment of any and all other indebtedness secured by and described in the Deed of Trust; and

WHEREAS, Texas Dow Employees Credit Union ("Beneficiary") is the legal owner and holder of the Note and the beneficiary of the Deed of Trust; and

WHEREAS, pursuant to authority granted in the Deed of Trust, Beneficiary did appoint and designate the undersigned whose street address is 6700 N. New Braunfels Avenue, San Antonio, Texas 78209, as Substitute Trustee to act under the Deed of Trust instead of the original Trustee named therein; and

WHEREAS, the Note is in default and the entire unpaid balance thereof is due and payable and Beneficiary has demanded payment from the Bain B. Smith and intends to have the power of sale set forth in the Deed of Trust enforced; and

WHEREAS, Beneficiary has directed the undersigned, as Substitute Trustee, to enforce the power of sale granted under the Deed of Trust over the Property for the purpose of collecting the indebtedness secured thereby, after giving notice of the time, place and terms of such sale and of the property to be sold in compliance with the terms of the Deed of Trust and the laws of the State of Texas;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, James Hollerbach, Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Janice Stoner or Jodi Steen, Substitute Trustee, hereby give notice that, after due publication of this Notice by posting it at the courthouse door of Calhoun County, Texas at least twenty-one (21) days preceding the date of the foreclosure sale of the Property (as stated below), and after having filed this Notice in the Foreclosure Records of Calhoun County, Texas, at least twenty-one (21) days preceding the date of such sale, and after having given written notice at least twenty-one (21) days preceding the date of such sale by certified mail to each debtor obligated to pay the Note and the indebtedness secured by the Deed of Trust at the address of each such debtor

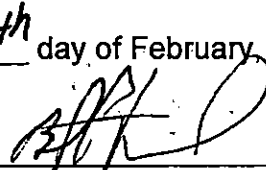
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according to the records of Beneficiary as required by the Deed of Trust and the laws of the State of Texas, I will sell the Property at public auction to the highest bidder or bidders for cash at the foyer of the courthouse facing Ann Street, 211 S. Ann Street, Port Lavaca, Calhoun County, Texas. Should there be an election being held in the foyer of the courthouse, the designated place for holding foreclosure sales shall be at the end of the hall outside the sheriff's office facing the foyer of the courthouse. Should the courthouse be closed at the time designated for foreclosure sales, the designated location shall be the sidewalk in front of the Courthouse facing Ann Street, Port Lavaca, Calhoun County, Texas or as designated by the county commissioner's office, at 11:00 a.m. (at the earliest), or within three (3) hours thereafter, on March 5, 2024, that being the first Tuesday of that month.

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. The sender of the Notice is Diann M. Bartek and can be notified of the active duty military service at 112 E. Pecan, Ste. 1800, San Antonio, Texas 78205.

Executed in multiple originals on this 12th day of February, 2024.



James Hollerbach, Jo Woolsey, Bob Frisch
Arnold Mendoza, Sandra Mendoza, Janice
Stoner or Jodi Steen, Substitute Trustee
6700 N. New Braunfels Avenue, San Antonio,
Texas 78209

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of February, 2024, by James Hollerbach, Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Janice Stoner or Jodi Steen, Substitute Trustee, on behalf of said Trust.

Notary Public, State of Texas

PROPERTY DESCRIPTION

Lot Ninety (90), REDFISH RETREAT SUBDIVISION PHASE 2A, City of Port Lavaca, Calhoun County, Texas, according to the established map or plat thereof recorded in Volume Z, Page 809, Slides 539A&B, Map and Plat Records of Calhoun County, Texas.

EXHIBIT "A"