

POSTED

NOV 13 2023

TIME 8:00 AM
BY: Michelle Sabin
SANDRA K. BUCKWORTH, COUNTY CLERK

9305

NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Grantor(s)	Bobby R. Samuel a/k/a Bobby Samuel and Debrah A. Samuel	Deed of Trust Date	November 16, 2017
Original Mortgagee	Administrator of the U.S. Small Business Administration, an agency of the Government of the United States of America	Original Principal	\$58,100.00
Recording Information	Instrument #: 164534 Book #: 0692 Page #: 0756-0765 in Newton County, Texas	Original Trustee	Andrew F. Baka
Property Address	170 County Road, Kirbyville, TX 75956	Property County	Newton

MORTGAGE SERVICER INFORMATION:

Current Mortgagee	Administrator, U.S. Small Business Administration, an agency of the United States Government	Mortgage Servicer	U.S. Small Business Administration
Current Beneficiary	Administrator, U.S. Small Business Administration, an agency of the United States Government	Mortgage Servicer Address	200 West Santa Ana Boulevard, Suite 740, Santa Ana, CA 92701

SALE INFORMATION:

Date of Sale	01/02/2024
Time of Sale	10:00 AM or no later than 3 hours thereafter
Place of Sale	THE SOUTH WALL, WITHIN TEN FEET OF THE FRONT DOOR OF THE BUILDING LOCATED NEAR THE MIDDLE OF THE BLOCK FACING U.S. HIGHWAY 190 ON THE NORTH SIDE OF THE COURTHOUSE SQUARE IN NEWTON, NEWTON COUNTY, TX WHICH SAID BUILDING IS OWNED BY AND HOUSES THE NEWTON CENTRAL APPRAISAL DISTRICT in Newton County, Texas. or if the preceding area is no longer the designated area, at the area most recently designated by the Newton County Commissioner's Court.
Substitute Trustees	Margie Allen, Kyle Barclay, Amy Oian, Evan Press, Reid Ruple, Kathleen Adkins, Auction.com, Margie Allen, Angie Brooks, Tommy Jackson, Keata Smith, Stephanie Hernandez, 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:
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF KIRBYVILLE, COUNTY OF NEWTON, STATE OF TEXAS, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEING A 1.987 ACRE TRACT LOCATED IN THE M.B. LEWIS SURVEY, ABSTRACT 265, NEWTON COUNTY, TEXAS, BEING OUT OF AND A PORTION OF THAT CALLED 15 ACRE TRACT CONVEYED TO THEODORE SAMUEL OF RECORD IN VOLUME 93 ON PAGE 191 OF THE DEED RECORDS OF NEWTON COUNTY, TEXAS, SAID 1.987 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: NOTE THE BASICS OF BEARINGS IN ALONG THE SOUTH LINE OF THE SAID 15 ACRE TRACT HAVING BEEN CALLED S 64 DEGREES 30 MINUTES E IN SAID VOLUME 93 ON PAGE 191 OF THE DEED RECORDS OF NEWTON COUNTY, TEXAS. COMMENCING AT CONCRETE MONUMENT FOUND IN THE NORTH LINE OF 438.190 ACRE TEMPLE-INLAND FOREST TRACT FOR THE SOUTHWEST CORNER OF THE SAID 15 ACRE TRACT; THENCE S 64 DEGREES 30 MINUTES 00 SECONDS E ALONG THE SAID NORTH LINE OF THE TEMPLE-INLAND TRACT AND THE SOUTH LINE OF THE SAID 15 ACRE TRACT A DISTANCE OF 365.93 FEET (CALLED S 64 DEGREES 30 MINUTES E) TO A 1/2 INCH CAPPED IRON ROD SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE N 75 DEGREES 30 MINUTES 00 SECONDS E OVER AND ACROSS THE SAID 15 ACRE TRACT A DISTANCE OF 242.17 FEET TO A 1/2 INCH CAPPED IRON ROD SET IN THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 3071 (APPARENT 40

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FEET R.O.W.) FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE S 67 DEGREES 29 MINUTES 20 SECONDS E ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 3071 AND THE NORTH LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 345.31 FEET TO A 1/2 INCH CAPPED IRON ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE S 25 DEGREES 30 MINUTES 00 SECONDS W OVER AND ACROSS THE SAID 15 ACRE TRACT A DISTANCE OF 260.16 FEET TO A 1/2 IN CAPPED IRON ROD SET IN THE SAID NORTH LINE OF THE TEMPLE-INLAND TRACT AND THE SOUTH LINE OF THE SAID 15 ACRE TRACT FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH THE SOUTHEAST CORNER OF THE SAID 15 ACRE TRACT BEARS S 64 DEGREES 30 MINUTES 00 SECONDS E 334.83 FEET; THENCE N 64 DEGREES 30 MINUTES 00 SECONDS W ALONG THE SAID NORTH LINE OF THE TEMPLE-INLAND TRACT AND THE SOUTH LINE OF THE SAID 15 ACRE TRACT A DISTANCE OF 344.66 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING IN AREA 1.987 ACRES OF LAND, MORE OR LESS. PERMITTED EXCEPTIONS: STANDBY FEES, VALID AND EXISTING VISIBLE AND APPARENT EASEMENTS, RIGHT OF WAY AND PRESCRIPTIVE RIGHTS, IF ANY, THAT ARE NOT OF RECORD BUT ARE SHOWN ON A SURVEY OF THE PROPERTY OF FURNISHED TO GRANTEE AT OR BEFORE EXECUTION AND DELIVERY OF THIS DEED; ANY AND ALL RESTRICTIONS, COVENANTS, EASEMENTS, RIGHT OF WAY AND OTHER MATTERS OF RECORD AFFECTING THE PROPERTY; PROVIDED THE PERMITTED EXCEPTIONS DO NOT INCLUDE LIENS OR CONVEYANCES AFFECTING THE PROPERTY, UNLESS SAME ARE EXPRESSLY IDENTIFIED IN THIS DEED.

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.

TAHERZADEH, PLLC

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

Dated November 10, 2023.

/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

Angie Brooks
Angie Brooks-Sub. Trustee