

19

FILED FOR RECORD

JUL 07 2023

NOTICE OF TRUSTEE'S SALE

THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

Nancy E. Ruter
County Clerk, Williamson Co., TX

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 is hereby given that a public sale at auction of the Property (as that term is defined and described below) will be held at the date, time, and place specified in this notice.

DATE OF SALE: Tuesday, the 1st day of August, 2023.

TIME OF SALE: Between the hours of 10:00 a.m. and 4:00 p.m. The earliest time at which the sale will commence is 10:00 a.m., and the sale will commence no later than 12:59 p.m.

PLACE OF SALE: Williamson County Justice Center, 405 Martin Luther King, Georgetown, Williamson County, Texas 78626, at the northeast basement door in the new addition to the Williamson County Justice Center, or at the area designated by the Commissioner's Court of Williamson County, Texas, where foreclosures are to take place.

INFORMATION REGARDING THE LIEN THAT IS THE SUBJECT OF THIS SALE:

NAME OF DOCUMENT: Declaration of Condominium Regime for Donnell Parke Condominiums, recorded under Document No. 2016029972, Williamson County, Texas (the "Declaration"). The real property encumbered by the Assessment Lien granted under the Declaration is described on Exhibit "A" attached hereto and made a part hereof for all purposes together with all and singular the rights, appurtenances, improvements and fixtures thereto (collectively, the "Property").

INDEBTEDNESS SECURED: Pursuant to the *Declaration of Condominium Regime for Donnell Parke Condominiums*, recorded under Document No. 2016029972, Williamson County, Texas (the "Declaration"), Donnell Parke Condominium Community, Inc. (the "Association") is authorized to impose maintenance assessments upon the Property to meet the common expenses associated with the improvement, maintenance, operation, administration, and preservation of Donnell Parke Condominium Community, Inc. (the "Assessments") and has an express contractual lien on the Property to secure the payment of any due but unpaid Assessments owed by the owner of the Property.

APPOINTMENT OF TRUSTEE:

NAME OF DOCUMENT: Appointment of Trustee

DATE:

NAME OF TRUSTEE: Gregory S. Cagle, and/or Adam Pugh, and/or Kevin Slater, and/or Kelly Combs, and/or Greg Garza, and/or Kathleen Kilanowski, and/or Shawna Dalrymple, 4301 Westbank Drive, Building A, Suite 150, Austin, Texas 78746.

The Property is a condominium unit in the Donnell Parke Condominiums (the "Project") and is subject to the Declaration of Condominium Regime for Donnell Parke Condominiums, (the "Declaration").

Ann Marie Tidwell ("Debtor") is the owner of the Property pursuant to a General Warranty Deed recorded at Document No. 2022091590, Official Public Records, Williamson County, Texas;

The Declaration establishes Donnell Parke Condominium Community, Inc. (the "Association"), an association as that term is used in the Texas Uniform Condominium Act, to manage and administer the affairs of the Project and authorizes the Association to impose maintenance assessments upon all owners of the condominium units in the Project to meet the common expenses associated with the improvement, maintenance, operation, administration, and preservation of the Project (the "Assessments");

The Declaration and/or the Texas Uniform Condominium Act creates an express contractual lien on each condominium unit in the Project to secure the payment of any due but unpaid Assessments owed by any unit owner (the "Lien") and authorizes the Association to enforce such Lien through nonjudicial foreclosure;

The Declaration and/or the Texas Uniform Condominium Act provides that by accepting a deed to his or her condominium unit, such owner shall be deemed to have expressly granted to the Association a power of sale upon his or her unit to secure payment of the Assessments thereafter imposed upon such owner and without other formality than executing an instrument in writing, the Association shall have the right to appoint a successor or trustee to exercise the power of sale;

Debtor has failed to pay the Assessments imposed by the Association;

The Association has requested that Gregory S. Cagle, and/or Adam Pugh, and/or Kevin Slater, and/or Kelly Combs, and/or Kathleen Kilanowski, and/or Shawna Dalrymple, and/or Greg Garza, act as trustee pursuant to the Appointment of Trustee, sell the Property, and apply the proceeds of such sale in accordance with the provisions of the Declaration. Pursuant to section 51.009 of the Texas Property Code, the sale of the Property will be AS IS condition, without any express or implied warranties, and subject to any prior encumbrances to title filed of record and/or expressly set forth in the Declaration.

Therefore, at the date, time, and place set forth above, the undersigned, as Trustee, will conduct the sale of the Property as a public auction to the highest bidder for cash pursuant to the terms of the Declaration, subject to all prior encumbrances (including but not limited to prior liens), easements, restrictive covenants, liens, rights of parties in possession, mineral interests and leases, and other matters affecting title to the Property that would be shown by a review of the Official Public Records of Williamson County, Texas, or by an on-the-ground inspection of the Property.

Pursuant to section 51.0075 of the Texas Property, Code, the Trustee or any Substitute 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.

Please be advised that, pursuant to Section 3.311 of the Texas Business and Commerce Code, all communications concerning a dispute of this debt, including an instrument tendered as full and final satisfaction of this debt, are to be sent to the undersigned. This firm is a debt collector. Should you wish to obtain more information regarding your rights as a debtor, please visit: <https://www.consumerfinance.gov/>. Additionally, should you dispute all or any part of the sums set forth above please email debtverification@caglepugh.com.

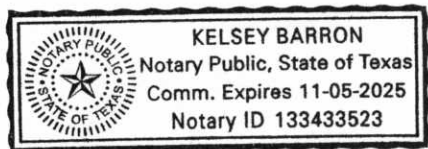
IN WITNESS WHEREOF, this Notice of Trustee's Sale has been executed on this the 23rd day of June, 2023.



Gregory S. Cagle, and/or Adam Pugh, and/or Greg P. Garza, and/or Kevin Slater, and/or Kelly Combs, and/or Kathleen Kilanowski, and/or Shawna Dalrymple, any to act as trustee

**THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §**

This instrument was acknowledged before me on this 23rd day of June, 2023, by Gregory S. Cagle, and/or Adam Pugh, and/or Greg P. Garza, and/or Kevin Slater, and/or Kelly Combs, and/or Kathleen Kilanowski, and/or Shawna Dalrymple, Trustee.





Notary Public Signature

NAME AND ADDRESS OF TRUSTEE:

Gregory S. Cagle, and/or Adam Pugh, and/or Greg P. Garza, and/or Kevin Slater, and/or Kelly Combs, and/or Kathleen Kilanowski, and/or Shawna Dalrymple, any to act as trustee

CAGLE PUGH
4301 Westbank Drive, Building A, Suite 150,
Austin, Texas 78746

EXHIBIT "A"

PROPERTY DESCRIPTION

ADDRESS: 2880 DONNELL DRIVE #303, ROUND ROCK, TEXAS 78664.

UNIT 303, BUILDING 3 OF DONNELL PARKE CONDOMINIUMS, A CONDOMINIUM PROJECT IN WILLIAMSON COUNTY, TEXAS; TOGETHER WITH THE LIMITED COMMON ELEMENTS AND AN UNDIVIDED INTEREST IN AND TO THE GENERAL COMMON ELEMENTS, AS DEFINED IN THAT DECLARATION RECORDED IN DOCUMENT NOS, 2016029972, 2016090470, 2016115767, 2017003951, 2017012296, 2017021186, 2017037848, 2017055646, 2017065692, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, AND ANY AMENDMENTS THEREAFTER.