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at 1:17 o'clock P M

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

NOV 12 2024 mg

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 sent 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.

DEED OF TRUST INFORMATION:

- Dated:** March 20, 2023
- Grantor:** Tiki Marie, LLC
- Trustee:** T. Alan Ceshker
- Lender:** Elevare Investments, LLC
- Recorded in:** Instrument No. 2023021904 of the real property records of Williamson County, Texas.
- Secures:** Real Estate Lien Note ("Note") in the original principal amount of \$275,000.00, executed by Tiki Marie, LLC ("Borrower") and payable to the order of Lender.
- Property:** The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, and all rights and appurtenances thereto
- Substitute Trustee:** Angela Zavala, Michelle Jones, Richard Zavala, Jr., or Sharlet Watts
- Substitute Trustee's Address:** c/o Brough & Resendez, PLLC, 1213 W. Slaughter Ln., Ste. 100, Austin, Texas 78748

DATE OF SALE: December 3, 2024

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 10:00am, and the sale will commence no later than 1:00pm

PLACE OF SALE: OUTSIDE THE NORTHEAST LOWER LEVEL DOOR OF THE WILLIAMSON COUNTY JUSTICE CENTER AT 405 MLK STREET, GEORGETOWN, TX OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE.

PROPERTY TO BE SOLD: The property to be sold is described as follows:

Lot 18, Block "K", BENBROOK RANCH, SECTION ONE, PHASE ONE, a Subdivision in Williamson County, Texas, according to the Map or Plat thereof recorded in Cabinet W, Slides 295-299, of the Plat Records of Williamson County, Texas.

TERMS OF SALE: The foreclosure sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Lender's bid may be credited against the indebtedness secured by the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Lender, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the foreclosure sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Lender passes the foreclosure sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The foreclosure 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 foreclosure 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. For the avoidance of doubt, the foreclosure sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Lender. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold **without any expressed or implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purposes, except as to the warranties (if any) provided for under the Deed of Trust.** The Property shall be sold "AS-IS", purchaser will but the Property "at the purchaser's own risk" and "at his peril" and no representation is made concerning the quality or nature of the title to be acquired. Purchaser will receive whatever interest Grantor and Grantor's assigns have in the Property, subject to any liens or interest of any kind that

may survive the sale. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property and to consult counsel of their own choice prior to participating in the sale of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

/s/ Trenton L. Brough _____

Trenton L. Brough

Brough & Resendez, PLLC

Attorney for Elevare Investments, LLC