

APR 05 2024

Nancy E. Rafter

County Clerk, Williamson Co., TX

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE****Notice of Substitute Trustee's Sale is provided to:**

**Sarah Boydston-Herrera, Individually,  
and as the Independent Executor/Personal  
Representative of the Estate of  
William D. Boydston, Deceased  
16445 South Hwy 195  
Florence, Texas 76527**

**Sarah Boydston-Herrera, Individually,  
and as Independent Executor/Personal  
Representative of the Estate of  
William D. Boydston, Deceased  
P.O. Box 96  
Florence, Texas 76527**

WHEREAS, William D. Boydston executed the Real Estate Lien Note ("Lien Note") and a Deed of Trust ("Deed of Trust"), both instruments dated April 14, 2010, the said Deed of Trust conveying to the initial trustee, the real estate herein described, in payment of a debt therein described. The Deed of Trust was filed in the Official Public Records of Williamson County, Texas, and is recorded under Instrument Number 2010023466 of the Official Public Records of Williamson County, Texas, to which reference is made for all purposes;

WHEREAS, William D. Boydston is deceased, and Sarah Boydston-Herrera is the personal representative of the Estate of William D. Boydston ("Estate"), and more than six months has passed since the appointment of the personal representative of this Estate;

WHEREAS, a default has occurred in the payment of said indebtedness and payment obligations contained in the Lien Note and Deed of Trust, and notice of the default of the said Real Estate Lien Note and Deed of Trust has been provided to Sarah Boydston-Herrera, both in her individual capacity and in her capacity as the personal representative of the Estate of William D. Boydston, and the default has not been cured, and the said indebtedness is now wholly due;

WHEREAS, written Notice of Acceleration has been provided to Sarah Boydston-Herrera, both in her individual capacity and in her capacity as the personal representative of the Estate of William D. Boydston, said Notice of Acceleration accelerated the amounts due under the Deed of Trust and Lien Note;

WHEREAS, the Trustee of the Trust of Homer Elbert Mick, Sr., dated October 15, 1995, is the Beneficiary/Mortgagee of the Lien Note, and the successor trustees are the owners and holders of the said Lien Note and Deed of Trust and mortgage and are the legal owners and holders of such indebtedness and the liens securing the same. Said successor trustees have: (1) appointed Substitute Trustee(s) to sell the Property to satisfy the indebtedness in accordance with applicable law and the terms and provisions of the Deed of Trust and (2) have requested either one of the appointed Substitute Trustee(s) to sell the Property to satisfy the indebtedness in accordance with applicable law and the terms and provisions of the Deed of Trust;

WHEREAS, the defaults have not been cured. Payments of amounts due to under the Lien Note and Deed of Trust remain unpaid and due, and the amounts due under the Deed of Trust and Lien Note have been accelerated;

WHEREAS, Lender/Mortgagee/Owners and holders of said Lien Note, Deed of Trust and mortgage, are exercising Lender's/Mortgagee's/Owner's and holders of the Lien Note their rights



as provided and authorized in the Deed of Trust and this Notice shall further serve as Lender's Notice of Acceleration of the debt and Notice of Foreclosure Sale and Notice that Mortgagee/Lender, successor trustees of The Trust of Homer Elbert Mick, Sr., dated October 15, 1995, have declared the unpaid principal balance and earned interest on the Lien Note immediately due as provided in the Deed of Trust and Lien Note. The Foreclosure Sale shall take place as set forth below.

**NOW THEREFORE, NOTICE OF THE SUBSTITUTE TRUSTEE'S SALE IS HEREBY GIVEN AS FOLLOWS:**

**1. Date, Place, and Time of Sale:**

**Date:** **May 7, 2024**

**Time:** The sale shall begin no earlier than 10:00 A.M., or no later than three (3) hours thereafter.

**Place:** OUTSIDE THE NORTHEAST LOWER LEVEL DOOR OF THE WILLIAMSON COUNTY JUSTICE CENTER LOCATED AT 405 MARTIN LUTHER KING (MLK) STREET, GEORGETOWN, TEXAS 78626, or in the area as designated by the Williamson County Commissioners Court, pursuant to Section 51.002 of the Texas Property Code.

**2. Property to be Sold:** 8.006 acres, more or less, of Land out of the HARRISON JOHNSTON SURVEY, Abstract No. 344 in Williamson County, Texas, the same property described in a Deed recorded under Clerk's Document No. 2002016827 of the Official Public Records of Williamson County, Texas, locally known as 16445 South Highway 195, Florence, Texas 76527 ("Property"), and as described in the Deed of Trust filed in the Official Public Records of Williamson County, Texas, and recorded under Instrument Number 2010023466 of the Official Public Records of Williamson County, Texas.

**3. Instrument to be Foreclosed:** Deed of Trust or contract lien dated April 14, 2010 ("Deed of Trust") and executed by William D. Boydston and recorded under Instrument Number 2010023466, Official Public Records of Williamson County, Texas, securing the payment of indebtedness, an obligations therein described, including but not limited to the promissory note entitled as the Real Estate Lien Note which is dated April 10, 2010, Homer Elbert Mick, Sr., Trustee of The Trust of Homer Elbert Mick, Sr., dated October 15, 1995, is the mortgagee of the Lien Note, Deed of Trust, and or contract lien succeed by current trustees of the said Trustees of The Trust of Homer Elbert Mick, Sr., dated October 15, 1995.

**4. Terms of Sale:** The Property will be sold for cash.

NOTICE IS FURTHER GIVEN, that 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 in the Deed of Trust.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. If the Sale is set aside for any reason, the Purchaser at the sale shall be entitle

only to a return of the deposit paid. The Purchaser shall have not further recourse against the Mortgagor, Mortgagee, the successor trustees of The Trust of Homer Elbert Mick, Sr., dated October 15, 1995, or their legal counsel.

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 ARMY 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.

Appointment of Substitute Trustees: The below persons are appointed Substitute Trustee(s) in the place of the said original Trustee identified in the Deed of Trust and Lien Note, upon contingency and in the manner authorized by said Deed of Trust,

James D. Parker  
Richard Cahan  
Substitute Trustee(s) whose address is c/o:  
The Parker Law Firm, PLLC  
1000 Gattis School Road, Suite 650  
Round Rock, Texas 78664.

NOTICE OF ACCELERATION. If the maturity date of the above-described Real Estate Lien Note has not been accelerated, the Payee/Mortgagee/Lender, successor trustees of The Trust of Homer Elbert Mick, Sr., dated October 15, 1995, declare the unpaid principal balance and earned interest on the Real Estate Lien Note immediately due and hereby accelerates the maturity date of the above-described Real Estate Lien Note such that the remaining unpaid principal balance, together with all sums due thereunder, are due and owing at this time.

The Parker Law Firm, PLLC

  
James D. Parker