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at 12:10 o'clock
OCT 11 2024
Nancy E. Ruter
County Clerk, Williamson Co., TX

NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Property To Be Sold. The property to be sold is described as follows:

See **Exhibit A** attached hereto and made a part hereof as if copied herein verbatim.

2. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: Tuesday, November 5, 2024

Time: The sale shall begin no earlier than 1:00 p.m. or no later than three hours thereafter. The sale shall be completed no later than 4:00 p.m.

Place: The area of the Williamson County Justice Center in Georgetown, Texas, designated by the Commissioner's Court pursuant to Section 51.002 of the Texas Property Code as a place where foreclosure sales are to take place.

The Deed of Trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust 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. Such reposting or refiling may be after the date originally scheduled for this sale.

3. Terms of 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.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the date the property is sold.

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 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. The sale shall not cover any part of the property that has been released of public record 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 or substitute trustee to sell the property in one or more parcels and/or 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. Prospective bidders are advised to conduct an independent investigation of the nature and condition of the property.

Pursuant to the Texas Property Code, the trustee or 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 sale.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. app. Section 501 et seq.) and state law, including section 51.015 Texas Property Code. 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.

4. Type of Sale. The sale is a nonjudicial Deed of Trust lien foreclosure sale being conducted pursuant to the power of sale granted by that one certain Deed of Trust (Security Agreement and Financing Statement) executed by Breckenridge SFR SCHTX, LLC, dated August 21, 2023 and recorded in Document Number 2023069894 of the Official Public Records of Williamson County, Texas.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described in the original principal amount of \$5,826,000.00 executed by Breckenridge SFR SCHTX, LLC payable to the order of Western Bank (collectively the "Obligation"). Western Bank is the current owner and holder of the Obligation and is the beneficiary under the Deed of Trust.

6. Default and Request To Act. Default has occurred under the Deed of Trust, and the beneficiary has requested me, as trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

DATED: October 9, 2024.



Blake Rasner
Substitute Trustee
Haley & Olson, P.C.
100 N. Ritchie Road, Suite 200
Waco, Texas 76712
Telephone: (254) 776-3336
Facsimile: (254) 776-6823
Email: brasner@haleyolson.com



TBPLS Firm #10174300
PO Box 90876
Austin, TX 78709
512.537.2384
www.4wardls.com

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 22.7356 ACRES (990,362 SQUARE FEET) OUT OF THE NATHANIAL EDWARDS SURVEY, ABSTRACT NO. 225 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 30.3083 ACRES TRACT CONVEYED TO BRECKENRIDGE SFR SCHTX, LLC IN DOCUMENT NO. 2021193691 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.T.), SAID 22.7356 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod with "4Ward-Boundary" cap set in the east right-of-way line of Ed Schmidt Boulevard (County Road 119 – right-of-way varies) and the west line of said Breckenridge SFR SCHTX REMAINDER tract, and being the northwest corner of a called 4.9736 acres tract conveyed to WCD Ed Schmidt, LLC in Document No. 2023012971 (O.P.R.W.C.T.), and being the southwest corner and **POINT OF BEGINNING** hereof, from which a 1/2-inch iron rod found in the east right-of-way line of said Ed Schmidt Boulevard, being the northwest corner of a called 10.000 acres tract conveyed to Hutto United Methodist Church in Document No. 2004071799 (O.P.R.W.C.T.) bears, S06°23'31"W, a distance of 314.16 feet;

THENCE, leaving the north line of said WCD Ed Schmidt tract, with the west line of said Breckenridge SFR SCHTX remainder tract and the east right-of-way line of aid Ed Schmidt Boulevard, N06°23'30"E, a distance of 83.00 feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof, being the southwest corner of a called 2.599 acres tract conveyed to Breckenridge SFR SCHTX Parcel 2, LLC in Document No. 2022101633 (O.P.R.W.C.T.), from which an iron rod with "RPLS 4249" cap found bears, N06°23'30"E, a distance of 24.70 feet;

THENCE, leaving the east right-of-way line of aid Ed Schmidt Boulevard, with the common line of said Breckenridge SFR SCHTX remainder tract and said Breckenridge SFR SCHTX Parcel 2 tract the following thirteen (13) courses and distances:

- 1) S83°36'29"E, a distance of 291.03 feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for a point of curvature hereof,
- 2) along the arc of a curve to the right, whose radius is 641.43 feet, whose arc length is 60.57 feet and whose chord bears S80°54'10"E, a distance of 60.55 feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof,
- 3) N11°46'28"E, a distance of 60.40 feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for a point of curvature hereof,
- 4) along the arc of a curve to the right, whose radius is 185.00 feet, whose arc length is 83.01 feet and whose chord bears N24°37'47"E, a distance of 82.32 feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof,
- 5) N52°46'48"W, a distance of 63.68 feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof,
- 6) N43°59'54"W, a distance of 32.30 feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof,
- 7) N38°57'59"W, a distance of 56.64 feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof,
- 8) N07°42'54"W, a distance of 140.38 feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof,

- 9) **N00°34'56"W**, a distance of **39.06** feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for a non-tangent point of curvature hereof,
- 10) along the arc of a curve to the right, whose radius is **150.00** feet, whose arc length is **24.35** feet and whose chord bears **N85°57'08"W**, a distance of **24.32** feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for a point of tangency hereof,
- 11) **N81°18'07"W**, a distance of **62.42** feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for a point of curvature hereof,
- 12) along the arc of a curve to the right, whose radius is **500.00** feet, whose arc length is **44.61** feet and whose chord bears **N78°44'44"W**, a distance of **44.60** feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for a point of tangency hereof,
- 13) **N76°11'21"W**, a distance of **47.19** feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for a non-tangent point of curvature hereof, being the northwest corner of said Breckenridge SFR SCHTX Parcel 2 tract, and being in the east right-of-way line of aid Ed Schmidt Boulevard and being in the west line of said Breckenridge SFR SCHTX remainder tract;

THENCE, with the east right-of-way line of aid Ed Schmidt Boulevard and being in the west line of said Breckenridge SFR SCHTX remainder tract the following two (2) courses and distances:

- 1) along the arc of a curve to the left, whose radius is **3204.56** feet, whose arc length is **326.46** feet and whose chord bears **N10°52'10"E**, a distance of **326.32** feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof,
- 2) **N07°36'31"E**, a distance of **383.85** feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof, for the northwest corner hereof, being the southwest corner of the remainder of a called 71.096 acres tract conveyed to Harry Ronald Hanson & Susan Diane Tasto in Document No. 20090227740 (O.P.R.W.C.T.), and being the south line of a 100' and a 10' wide Oncor Electric Delivery Company Easement recorded in Document No. 2002096196 (O.P.R.W.C.T.);

- **THENCE**, with the south line of said Hanson & Tasto remainder tract and the south line of said Oncor Electric Delivery Company Easement and the north line of said Breckenridge SFR SCHTX remainder tract, the following three (3) courses and distances:

- 1) **N83°57'39"E**, a distance of **286.44** feet to a 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof,
- 2) **N82°17'02"E**, a distance of **445.11** feet to a 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof,
- 3) **N82°58'26"E**, a distance of **84.48** feet to a 1/2-inch iron rod with "4Ward-Boundary" cap set for the northeast corner hereof, being the west line of Lot 1, Block A, The Landing Final Plat, a subdivision recorded in Document No. 2022102050 (O.P.R.W.C.T.) and conveyed to Hutto II Acquisition, LP in Document Mo. 2021128119 (O.P.R.W.C.T.);

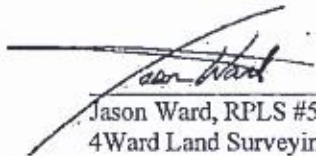
THENCE, leaving the south line of said Hanson & Tasto remainder tract and said Oncor Electric Delivery Company Easement, with the common line of said Breckenridge SFR SCHTX remainder tract and said Lot 1, Block A, in part with the west line of Lot 2, Block A of said The Landing Final Plat conveyed to Hutto I Acquisition, LP in Document No. 2021128148 (O.P.R.W.C.T.), in part with the west right-of-way line of West Live Oak Street (83' right-of-way), **S07°36'50"W**, a distance of **1,680.57** feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point hereof, being the northeast corner of said WCD Ed Schmidt tract, from which an iron rod with "Chaparral" cap found for the common east corner of said WCD Ed Schmidt tract and said Hutton United Methodist Church tract bears, **S07°36'50"W**, a distance of **47.78** feet;

THENCE, leaving the west right-of-way line of said West Live Oak Street, with the common line of said Breckenridge SFR SHTX remainder tract and said WCD Ed Schmidt tract the following three (3) courses and distances:

- 1) **N44°24'15"W**, a distance of **249.80** feet to 1/2-inch iron rod with "4Ward-Boundary" cap set for a point of curvature hereof,
- 2) along the arc of a curve to the left, whose radius is **558.43** feet, whose arc length is **382.07** feet and whose chord bears **N64°00'46"W**, a distance of **374.66** feet to
- 3) **N83°36'29"W**, a distance of **291.04** feet to the **POINT OF BEGINNING** and containing **22.7356** Acres (990,362 Square Feet) of land, more or less.

Notes:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000111448862. See attached sketch (reference drawing: 01274_22.7356 ACRE REMAINDER ALTA.dwg.)

 7/20/2023
Jason Ward, RPLS #5811
4Ward Land Surveying, LLC

