

Notice of Foreclosure Sale

July 10, 2023

Deed of Trust

Dated on or about: September 16, 2013

Grantor: Darwyn Duderstadt, a single person

Trustee: Loretta Williams

Current Mortgagee: Texas Dow Employees Credit Union

Recorded in: Filed of record under clerk's file number 00133404 of the real property records of Goliad County, Texas

Legal Description: **Being 4.42 acres situated in and a part of the Joseph Simmons Survey, Abstract No. 253, Goliad County, Texas; said 4.42 acres being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.**

Property Address: 4739 State Highway 119, Goliad, Texas 77963

Secures: Note ("Note") in the original principal amount of \$206,000.00, executed by Darwyn Duderstadt ("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: Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra Mendoza, Jodi Steen, Janice Stoner.

Substitute Trustee's Address: 1770 St. James Place, Suite 150, Houston, Texas 77056

Mortgage Servicer: Texas Dow Employees Credit Union

Mortgage Servicer's Address: 1001 FM 2004, Lake Jackson, Texas 77566

CERTIFICATE OF POSTING

11:16 o'clock AM

JUL 10 2023

Vickie Quinn
County Clerk, Goliad County, Texas

By: 

3/11

Foreclosure Sale:

Date: August 1, 2023

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time; **the earliest time at which the Foreclosure Sale will begin is 1:00 p.m. and not later than three hours thereafter.**

Place: 127 N. Courthouse Square, Goliad TX 77963; Outside the north door to the Goliad County Courthouse or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner Court.

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 Current Mortgagee's bid may be by credit against the indebtedness secured by the lien of 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, the Current Mortgagee, 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 the Mortgage Servicer of Current Mortgagee's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Current Mortgagee's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Mortgage Servicer is representing Current Mortgagee in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Current Mortgagee. The address of Mortgage Servicer is set forth above.

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 Mortgage Servicer of the Current Mortgagee 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 Current Mortgagee. 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 **“AS IS,” without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.** Prospective bidders are advised to conduct an independent investigation of the nature and physical condition 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.

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.

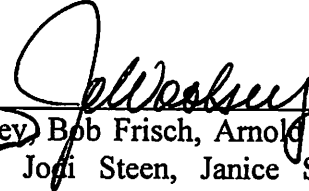

Jo Woolsey, Bob Frisch, Arnold Mendoza, Sandra
Mendoza, Jodi Steen, Janice Stoner, Substitute
Trustee

EXHIBIT "A"

Being 4.42 acres situated in and a part of the Joseph Simmons Survey, Abstract No. 253, Goliad County, Texas, and being the same as that certain 4.42 acre tract recorded in Volume 316, Page 1112 of the Deed Records of Goliad County, Texas. This 4.42 acres is more fully described by metes and bounds as follows;

BEGINNING at a chain line fence post for the East corner of this 4.42 acres, also being the North corner of a 2.92 acre tract recorded in Volume 303, Page 309 of the Deed Records of Goliad County, Texas;

THENCE, with the common line of this tract and said 2.92 acre tract as follows;

1. S 69°59'13" W a distance of 191.07 feet to a corner;
2. S 43°45'21" W a distance of 76.52 feet to a iron found for a corner;
3. S 17°43'00" W a distance of 118.54 feet to a iron pipe found for a corner;
4. S 09°47'30" E a distance of 120.00 feet to a iron pipe found for the Southeast corner of this 4.42 acres;

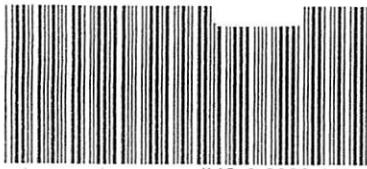
THENCE, with the common line of this tract and the residue of a 15.93 acre tract recorded in Volume 549, Page 566 of the Deed Records of Goliad County, Texas, as follows:

1. S 80°12'30" W a distance of 120.00 feet to a iron pipe found for the Southwest corner of this 4.42 acres;
2. N 06°14'21" W a distance of 1007.30 feet to a iron rod found for the North corner of this 4.42 acres;

THENCE, with the Southwest line of State Highway No. 119 as follows;

1. S 35°30'00" E a distance of 301.43 feet to a concrete monument found for a corner;
2. S 48°40'10" E a distance of 89.49 feet to a fence post for a corner;
3. S 36°30'00" E a distance of 404.39 feet to a corner;

S 03°29'36" E a distance of 3.94 feet to the PLACE OF BEGINNING; CONTAINING within these metes and bounds 4.42 acres.



Goliad County
Vickie Quinn
Goliad County Clerk

Instrument Number: 11

Foreclosure Posting

Recorded On: July 10, 2023 11:22 AM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$3.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 11
Receipt Number: 20230710000005
Recorded Date/Time: July 10, 2023 11:22 AM
User: Annie B
Station: clerk01

Record and Return To:

WOOLSEY LEGAL SERVICES
5906 Raven Hill Rd
Corpus Christi TX 78414



STATE OF TEXAS
Goliad County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Goliad County, Texas

Vickie Quinn
Goliad County Clerk
Goliad County, TX