

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

THE STATE OF TEXAS           §  
  §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF GALVESTON       §

**WHEREAS**, on August 29, 2016, **HSA Enterprises, LLC, a Texas limited liability company** ("Maker" or "Borrower"), executed and delivered that certain **Promissory Note** in the original principal amount of FIVE HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS (\$530,000.00), payable to Post Oak Bank, N.A., and bearing interest as stated therein (the "Note"), said Note being secured by that certain **Deed of Trust, Security Agreement-Financing Statement** dated August 29, 2016, executed by **HSA Enterprises, LLC, a Texas limited liability company** as "Grantor" in favor of Charles H. Carmouche, Trustee, and filed for record on August 30, 2016 in the Official Public Records of Real Property, Galveston County, Texas, under Instrument No. 2016052950 (the "Galveston County Deed of Trust") covering and describing the "Property" as such term is defined in the Deed of Trust; and being further secured by that certain **UCC Financing Statement** in favor of Post Oak Bank, N.A. being filed for record on September 6, 2016 in the Office of the Texas Secretary of State under File No. 16-0029571536 further perfecting the security interest of Post Oak Bank, N.A. (all of the above described instruments and documents being hereinafter referred to as the "Loan Documents"); and

**WHEREAS**, default has occurred under the terms and provisions of the referenced Note, Deed of Trust and UCC Financing Statement and the same is now wholly due, and Allegiance Bank, successor by merger with Post Oak Bank, N.A. (the "Mortgagee"), the

owner and holder of the Note, has requested the undersigned to sell the Property and Collateral described below; and

**WHEREAS**, the above named Trustee and any previously appointed Substitute Trustee(s) was removed in accordance with the Deed of Trust and the Mortgagee designated and appointed **Ted L. Walker, 125 Main Street, PO Box 62, Jasper, Texas 75951**, as Substitute Trustee to enforce the Trust.

**NOW, THEREFORE**, pursuant to the authority conferred upon me by the Deed of Trust, I hereby give notice that I will sell the Property and Collateral described below at public auction to the highest bidder, for cash, on **Tuesday, March 3, 2020**. The earliest time at which the sale will occur shall be at **1:30 o'clock p.m.** and it may take place not later than 4:00 p.m. The sale shall take place at **the Lobby of the Galveston County Courthouse, First Floor, at 722 Moody (21st Street), Galveston, Galveston County, Texas 77550**, which has been designated as the area for foreclosure sales to take place. This conveyance will be made subject to any exceptions referenced in the Deed of Trust, if any, to the extent the same are still in effect and shall not cover any part of the Property and Collateral that has been released from the liens of the Deed of Trust and UCC Financing Statement. The Property and Collateral that will be sold at the foreclosure sale includes the following:

- Property:**
1. LOT TWELVE (12) OF CLEARVIEW TERRACE, SECTION, III, AN ADDITION TO THE CITY OF TEXAS CITY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 77 OF THE MAP RECORDS OF GALVESTON COUNTY, TEXAS;
  2. LOT SIXTEEN (16), BLOCK ELEVEN (11), OF SECTION F MAINLAND PARK ADDITION, AN ADDITION TO THE CITY OF TEXAS CITY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 39 OF THE MAP RECORDS OF GALVESTON COUNTY, TEXAS; AND
  3. TOGETHER WITH (1) ALL RIGHT, TITLE AND INTEREST OF GRANTOR IN AND TO (A) ALL STREETS, ROADS, ALLEYS, EASEMENTS, RIGHTS-OF-WAY, LICENSES, RIGHTS OF INGRESS AND EGRESS, VEHICLE PARKING RIGHTS AND PUBLIC PLACES, EXISTING OR PROPOSED, ABUTTING, ADJACENT, USED IN CONNECTION WITH OR PERTAINING TO

THE REAL PROPERTY OF THE IMPROVEMENTS (AS HEREINAFTER DEFINED); (B) ANY STRIPS OR GORES BETWEEN THE REAL PROPERTY AND ABUTTING OR ADJACENT PROPERTIES; AND (C) ALL WATER AND WATER RIGHTS, TIMBER, CROPS AND MINERAL INTERESTS PERTAINING TO THE REAL PROPERTY (SUCH REAL ESTATE AND OTHER RIGHTS, TITLES AND INTERESTS BEING HEREINAFTER SOMETIMES CALLED THE "LAND,""); (II) ALL BUILDINGS, COVERED GARAGES, AIR CONDITIONING, TOWERS, OPEN PARKING AREAS, STRUCTURES AND OTHER IMPROVEMENTS OF ANY KIND OR NATURE, AND ANY ADDITIONS, ALTERATIONS, BETTERMENTS OR APPURTENANCES THERETO, (THE "IMPROVEMENTS"); (III) ALL FIXTURES, SYSTEMS, MACHINERY, BUILDING AND CONSTRUCTION MATERIALS, OF EVERY KIND AND CHARACTER, OWNED BY GRANTOR, WHICH ARE ATTACHED TO OR SITUATED IN, ON OR ABOUT THE LAND OR THE IMPROVEMENTS, OR USED IN OR NECESSARY TO THE COMPLETE AND PROPER PLANNING, DEVELOPMENT, USE, OCCUPANCY OR OPERATION THEREOF, OR ACQUIRED (WHETHER DELIVERED TO THE LAND OR STORED ELSEWHERE) FOR USE OR INSTALLATION IN OR ON THE LAND OR THE IMPROVEMENTS, AND ALL RENEWALS AND REPLACEMENTS OF, SUBSTITUTIONS FOR AND ADDITIONS TO THE FOREGOING, INCLUDING, BUT WITHOUT LIMITING THE FOREGOING, ANY AND ALL FIXTURES, EQUIPMENT, MACHINERY, SYSTEMS, FACILITIES AND APPARATUS FOR HEATING, VENTILATING, AIR CONDITIONING, REFRIGERATING, PLUMBING, SEWER, LIGHTING, GENERATING, CLEANING, STORAGE, INCINERATING, WASTE DISPOSAL, SPRINKLER, FIRE EXTINGUISHING, COMMUNICATIONS, TRANSPORTATION (OF PEOPLE OR THINGS, INCLUDING, BUT NOT LIMITED TO, STAIRWAYS, ELEVATORS, ESCALATORS AND CONVEYORS), DATA PROCESSING, SECURITY AND ALARM, LAUNDRY, FOOD OR DRINK PREPARATION, STORAGE OR SERVING, GAS, ELECTRICAL AND ELECTRONIC, WATER, AND RECREATIONAL USES OR PURPOSES; ALL TANKS, PIPES, WIRING, CONDUITS, DUCTS, DOORS, PARTITIONS, RUGS AND OTHER FLOOR COVERINGS, WALL COVERINGS, WINDOWS, DRAPES, WINDOW SCREENS AND SHADES, AWNINGS, FANS, MOTORS, ENGINES AND BOILERS; BUT EXCLUDING INVENTORY AND OTHER TRADE OR BUSINESS MOVABLE PERSONAL PROPERTY (ALL OF WHICH ARE HEREIN SOMETIMES REFERRED TO TOGETHER, AS THE "ACCESSORIES"); (IV) ALL (A) PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS; (B) CONTRACTS RELATING TO THE LAND, OR THE IMPROVEMENTS OR THE ACCESSORIES OR ANY PART THEREOF, INCLUDING WITHOUT LIMITATIONS, CONTRACTS FOR THE PURCHASE OR SALE OF ANY OF THE PROPERTY; (C) DEPOSITS, (INCLUDING, BUT NOT LIMITED TO, EARNEST MONEY DEPOSITS OR LETTERS OF CREDIT UNDER PURCHASE OR SALE CONTRACTS, GRANTOR'S RIGHTS IN TENANTS' SECURITY DEPOSITS, DEPOSITS WITH RESPECT TO UTILITY SERVICES TO THE LAND, OR THE IMPROVEMENTS OR THE ACCESSORIES OR ANY PART THEREOF, REFUNDABLE OR REIMBURSABLE TAP FEES, COMMITMENT FEES OR DEVELOPMENT COSTS), AND ANY DEPOSITS OR RESERVES HEREUNDER OR UNDER ANY OTHER LOAN DOCUMENT FOR TAXES, INSURANCE OR OTHERWISE, FUNDS, ACCOUNTS, CONTRACT RIGHTS, INSTRUMENTS, DOCUMENTS, COMMITMENTS, GENERAL INTANGIBLES (INCLUDING, BUT NOT LIMITED TO, TRADEMARKS, TRADE NAMES AND SYMBOLS), NOTES AND CHATTEL PAPER USED IN CONNECTION WITH OR ARISING FROM OR BY VIRTUE OF ANY TRANSACTIONS RELATED TO THE LAND, OR THE IMPROVEMENTS OR THE ACCESSORIES OR ANY PART THEREOF; (D) PERMITS, LICENSES, FRANCHISES, CERTIFICATES AND OTHER RIGHTS AND PRIVILEGES OBTAINED IN CONNECTION WITH THE LAND, OR THE IMPROVEMENTS OR THE ACCESSORIES OR ANY PART THEREOF; (E) LEASES, RENTS AND OTHER BENEFITS OF THE LAND, THE IMPROVEMENTS AND THE ACCESSORIES; (F) AWARDS, REMUNERATIONS, REIMBURSEMENTS, SETTLEMENTS AND/OR COMPENSATION MADE BY ANY GOVERNMENTAL AUTHORITY, INCLUDING,

BUT NOT LIMITED TO, THOSE FOR MUNICIPAL UTILITY DISTRICT OR OTHER UTILITY COSTS; AND (G) OTHER PROPERTIES, RIGHTS, TITLES AND INTERESTS, IF ANY, SPECIFIED IN ANY SECTION OR ANY ARTICLE OF THE DEED OF TRUST AS BEING PART OF THE PROPERTY; AND ALL (A) PROCEEDS OF OR ARISING FROM THE PROPERTIES, RIGHTS, TITLES AND INTERESTS REFERRED TO ABOVE; AND (B) OTHER INTERESTS OF EVERY KIND AND CHARACTER, AND PROCEEDS THEREOF, WHICH GRANTOR NOW HAS IN, TO OR FOR THE BENEFIT OF THE PROPERTIES, RIGHTS, TITLES AND INTERESTS REFERRED TO ABOVE AND ALL PROPERTY USED OR USEFUL IN CONNECTION THEREWITH.

**Collateral:** THAT PROPERTY DESCRIBED IN PARAGRAPH 3 ABOVE AND THOSE PORTIONS OF THE PROPERTY WHICH CONSTITUTE ACCESSORIES AND EACH AND EVERY PART THEREOF, AND ALL PROCEEDS FROM THE SALE, LEASE, OR OTHER DISPOSITION THEREOF; ALL LEASES OF THE PROPERTY; ALL SUMS, PROCEEDS, FUNDS AND RESERVES WHICH MAY BE AWARDED OR BECOME PAYABLE TO GRANTOR FOR THE CONDEMNATION OF THE PROPERTY OR ANY PART THEREOF; ALL SUMS, PROCEEDS, FUNDS AND RESERVES OF ANY AND ALL INSURANCE UPON THE PROPERTY; AND ALL SUMS, PROCEEDS, FUNDS AND RESERVES FOR THE PAYMENT OF ALL INSURANCE PREMIUMS, TAXES AND ASSESSMENTS AGAINST OR AFFECTING THE PROPERTY.

### ACTIVE MILITARY SERVICE NOTICE

**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE 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. To determine if you are entitled to and what protections may be afforded you under the Servicemembers Civil Relief Act, you may call the toll-free telephone numbers for Military One Source: From the United States: 1-800-342-9647. From outside the United States (where available): 1-800-342-6477. International collect: 484-530-5747.**

**THE SALE OF THE PROPERTY AND COLLATERAL IS "AS-IS" AND "WHERE-IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. THE SUBSTITUTE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE**

**COMPLIANCE WITH THE LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, CONDITION, QUALITY, CAPACITY, A DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROEPRTY AND COLLATERAL, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.**

Dated: January 30, 2020

/s/ Ted L. Walker  
**Ted L. Walker**, Substitute Trustee  
PO Box 62  
Jasper, Texas 75951  
Phone (409) 384-8899  
Facsimile (409) 384-9899  
Email [twalker@walker-firm.com](mailto:twalker@walker-firm.com)

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**FILED**

Instrument Number: *FILED2020000197*

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I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



*Dwight D. Sullivan*

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Dwight D. Sullivan, County Clerk  
Galveston County, Texas

**DO NOT DESTROY** - *Warning, this document is part of the Official Public Record.*