

POSTED

**NOTICE OF FORECLOSURE SALE**

January 6, 2023

1/17/23 @ 12:44pm  
CTA

**Deed of Trust ("Deed of Trust"):**

**Dated:** January 7, 2020

**Grantor:** Stanis Luu Nguyen

**Trustee:** Caroline Ortego

**Lender:** Hawthorne Ventures LP

**Recorded in:** File # 2020-00000121 of the real property records of Wharton County, Texas

**Legal Description:** Called Tract 6, being a 10.50 acre tract of land situated in the G.H. & H. R.R. Co. Survey No. 11, Abstract No. 166 in Wharton County, Texas, being a part of a called 852.157 acre tract of land conveyed to Hawthorne Ventures, LP, in Volume 1120, Page 868 in Official Records of Wharton County, Texas, more particularly described in the attached Exhibit.

**Secures:** Promissory Note ("Note") in the original principal amount of \$142,000.00, executed by Stanis Luu Nguyen ("Borrower") and payable to the order of Lender

**Assignment:** The Note and the liens and security interests of the Deed of Trust were transferred and assigned to Crabtree Legacy Holdings, LLC ("Beneficiary") by an instrument dated April 30, 2020, recorded in File # 2020-00002793 of the real property records of Wharton County, Texas

**Substitute Trustee:** Patsy Anderson, Megan Randle, Carol Kelly, Debby Jurasek, or Michelle Foltz

**Substitute Trustee's Address:** c/o Foreclosure Services, LLC  
8101 Boat Club Rd., Suite 320  
Fort Worth, Texas, 76179

**Foreclosure Sale:**

- Date:** Tuesday, February 7, 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 10:00 A.M. and not later than three hours thereafter.
- Place:** Outside of the front entrance of the Wharton County Courthouse Annex at 309 E Milan St., Wharton, Texas 77488, or any other place designated for real property foreclosures under Texas Property Code Section 51.002 by the Commissioners Court of Wharton 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 Crabtree Legacy Holdings, LLC'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, Crabtree Legacy Holdings, LLC, 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 Crabtree Legacy Holdings, LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Crabtree Legacy Holdings, LLC'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 Crabtree Legacy Holdings, LLC 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.

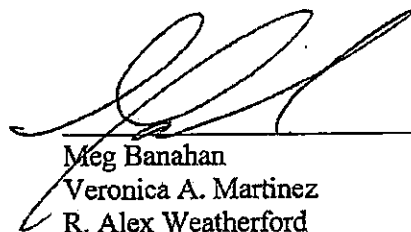
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 Crabtree Legacy Holdings, LLC. 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.**

**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.**



Meg Banahan  
Veronica A. Martinez  
R. Alex Weatherford  
Banahan Martinez Weatherford, PLLC  
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Houston, Texas 77084  
Telephone (281) 394-3122  
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Attorney for Lender



Patsy Anderson, Megan Randle, Carol Kelly,  
Debby Jurasek, Substitute Trustee  
c/o Foreclosure Services LLC  
8101 Boat Club Road, Suite 320  
Fort Worth, Texas 76179

**ARBUCKLE SURVEYING, LLC**

2004 N. Wharton St. - Physical  
P.O. Box 511 - Mailing  
El Campo, TX 77437

**EXHIBIT A** Firm Registration No. 10193819  
(979) 543-7974 - Office  
(979) 541-7974 - Cell

STATE OF TEXAS

COUNTY OF WHARTON

10.50 ACRES

Field Note Description of a 10.50 acre tract of land situated in the G.H. & H. R.R. Co. Survey No. 11, Abstract No. 166 in Wharton County, Texas, being a part or portion of a called 852.157 acre tract of land conveyed to Hawthorne Ventures, LP., in Volume 1120, Page 868 in Official Records of Wharton County, Texas.

**COMMENCING** at a 5/8" Iron Rod called and found in the Southwest line of County Road 264, same being in the Northwest line of a called 423.23 acre tract of land conveyed to David Wintermann, et al, in Volume 387, Page 489 in Deed Records of Wharton County, Texas, and for the upper East corner of said 852.157 acre tract;

**THENCE:** N 47°17'15" W – along and with the Southwest line of County Road 264, same being the upper Northeast line of said 852.157 acre tract, a distance of 1,630.99 feet to a 5/8" Iron Rod set for the East corner and **POINT OF BEGINNING** of this herein described tract;

**THENCE:** S 42°42'45" W – across said 852.157 acre tract, a distance of 1,829.52 feet to a 5/8" Iron Rod set for the South corner of this herein described tract;

**THENCE:** N 47°17'15" W – across said 852.157 acre tract, a distance of 250.00 feet to a 5/8" Iron Rod set for the West corner of this herein described tract;

**THENCE:** N 42°42'45" E – across and severing said 852.157 acre tract, a distance of 1,829.52 feet to a 5/8" Iron Rod set in the Southwest line of County Road 264, same being in the upper Northeast line of said 852.157 acre tract, and for the North corner of this herein described tract;


**THENCE:** S 47°17'15" E – along and with the Southwest line of County Road 264, same being the upper Northeast line of said 852.157 acre tract, a distance of 250.00 feet to the **POINT OF BEGINNING**, containing within these metes and bounds 10.50 Acres, more or less.

Notes:

(1) All set Iron Rods are marked with plastic cap stamped "RPLS No. 6247".

Unless this Field Notes Description, including preamble, seal and signature, appears in its entirety, and in its original form, surveyor assumes no responsibility or liability for its accuracy. All bearings are based on the Texas State Plane Coordinate System, South Central Zone, and North American Datum of 1983/2011. Distances shown hereon are surface values, to derive grid distances, multiply by a combined scale factor of 0.999870515.

*This Field Note Description is true and correct to the best of my knowledge and belief based on data obtained from the Wharton County Clerk, the Wharton County Central Appraisal District and a Survey made On-The-Ground under my direct supervision on May 15, 2019.*

  
ROBERT D. ARBUCKLE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
LICENSE No. 6247  
MAY 20, 2019

