

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Patricia Poston, Nick Poston, David Poston, Chris
Poston
c/o Malcolm Cisneros/Trustee Corps
17100 Gillette Avenue
Irvine, CA 92614
(949) 252-8300

TS No TX06000030-22-1

APN 113497

TO No 220322937-TX-RWI

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on December 17, 2018, DWAIN HENDRICKS, AN UNMARRIED PERSON as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of ALLAN B. POLUNSKY as Trustee, NAVY FEDERAL CREDIT UNION as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$155,000.00, payable to the order of NAVY FEDERAL CREDIT UNION as current Beneficiary, which Deed of Trust recorded on December 18, 2018 as Document No. 2018073965 in Galveston County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

APN 113497

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed Patricia Poston, Nick Poston, David Poston, Chris Poston or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and NAVY FEDERAL CREDIT UNION, the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust.

NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, July 2, 2024** at **01:00 PM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Galveston County, Texas, at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a Deed of Trust or other contract lien as follows: **722 Moody, Galveston TX 77550; THE FIRST FLOOR LOBBY OF THE GALVESTON COUNTY COURTHOUSE or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner Court.**

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and NAVY FEDERAL CREDIT UNION's election to proceed against and sell both the real property and any personal property described in said Deed of Trust in accordance with and NAVY FEDERAL CREDIT UNION's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

NOTICE IS FURTHER GIVEN, that except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition, without any expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 01 day of May, 2024.

Patricia Poston
By: Patricia Poston, Nick Poston, David Poston, Chris Poston
Substitute Trustee(s)

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.

**SALE INFORMATION CAN BE OBTAINED ONLINE AT www.insourcelogic.com
FOR AUTOMATED SALES INFORMATION PLEASE CALL: In Source Logic AT 702-659-7766**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300

To the extent your original obligation was discharged or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

EXHIBIT "A"

BEING A TRACT OF LAND OUT OF GALVESTON COUNTY, TEXAS AND BEING A PORTION OF "TRACT B" OF NEUMANN SUBDIVISION, ACCORDING TO THE CORRECTED PLAT OF NEUMANN SUBDIVISION, BY PLAT RECORDED IN VOLUME 254-A, PAGE 62, MAP RECORDS OF GALVESTON COUNTY, TEXAS, SAME BEING A TRACT OF LAND CONVEYED TO ANGELITA PENNINGTON, BY DEED RECORDED IN INSTRUMENT NUMBER 9441119, OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN "X" FOUND FOR CORNER, SAID CORNER BEING THE SOUTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO JERRY E. TODD, A SINGLE PERSON, BY DEED RECORDED IN INSTRUMENT NUMBER 2009047397, OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY, TEXAS, AND BEING ALONG THE WEST LINE OF 57TH STREET (64 FOOT RIGHT-OF-WAY);

THENCE SOUTH 16 DEGREES 43 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID 57TH STREET, A DISTANCE OF 97.31 FEET TO A 1 INCH IRON PIPE FOUND FOR CORNER, SAID CORNER BEING THE NORTHEAST CORNER OF LOT 19, OF SAID NEUMANN SUBDIVISION;

THENCE SOUTH 50 DEGREES 39 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 19, A DISTANCE OF 38.58 FEET TO A FENCE POST FOUND FOR CORNER, SAID CORNER BEING THE SOUTHEAST CORNER OF LOT 18, OF SAID NEUMANN SUBDIVISION;

THENCE NORTH 25 DEGREES 21 MINUTES 15 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 18, A DISTANCE OF 110.37 FEET TO A POINT FOR CORNER, SAID POINT BEING ALONG THE EAST LINE OF LOT 16, OF SAID NEUMANN SUBDIVISION, AND BEING THE BEGINNING OF A NON-TANGENT CURVE TURNING TO THE RIGHT, WITH A RADIUS OF 76.39 FEET, A DELTA ANGLE OF 02 DEGREES 18 MINUTES 07 SECONDS, A CHORD BEARING OF NORTH 24 DEGREES 30 MINUTES 16 SECONDS WEST, AND A CHORD LENGTH OF 3.07 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, ALONG THE EAST LINE OF SAID LOT 16, AN ARC LENGTH OF 3.07 FEET TO A POINT FOR CORNER, SAID CORNER BEING THE SOUTHWEST CORNER OF SAID TODD TRACT;

THENCE NORTH 73 DEGREES 17 MINUTES 00 SECONDS EAST, ALONG THE SOUTH LINE OF SAID TODD TRACT, A DISTANCE OF 52.60 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,685 SQUARE FEET OR 0.11 ACRES OF LAND, MORE OR LESS.

FILED

Instrument Number: *FILED2024000573*

Filing Fee: 2.00

Number Of Pages: 4

Filing Date: 05/09/2024 9:16AM

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

Dwight D. Sullivan, County Clerk
Galveston County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

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