

**APPOINTMENT OF SUBSTITUTE TRUSTEE AND
NOTICE OF SUBSTITUTE TRUSTEE SALE**

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.

Deed of Trust Date: November 29, 2006	Original Mortgagor / Grantor: Jackson L. Kilgore
Original Beneficiary/ Mortgagee: Land Funds Two & Three, Joint Venture	Current Beneficiary / Mortgagee: Land Funds Two & Three, Joint Venture, Inc.
Recorded Under: County Clerk File No. 2007002971 of the Official Public Records of Galveston County, Texas	Property County: Galveston
Mortgage Servicer: Galveston County Municipal Utility District No. 35	Mortgage Servicers Address: 3200 Southwest Freeway, Suite 2600 Houston, Texas 77027.

*The mortgage servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

Secures: Promissory Note ("Note") in the original principal amount of \$75,000.00, executed by Jackson L. Kilgore ("Borrower") and payable to the order of Lender.

Property to Be Sold: See Attached as Exhibit "A".

The foreclosure sale is scheduled to be held at the following date, time and place:

Date: Tuesday, July 2, 2024

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 1:00 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: The sale will take place Outside West Entrance of the Galveston County Courthouse, 722 Moody (21st Street), Galveston, Texas 77550 or as designated by the County Commissioner's Office pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place or as further designated by the Galveston County Commissioners.

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 Land Funds Two & Three, Joint Venture, Inc.'s bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Appointment of:

Substitute Trustee: WHEREAS, in my capacity as the attorney of the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Hisamitsu Shinoda, Sipra Boyd, Clinton F. Brown, Cliff Davis, Paul Gaines, Noelle Hicks, Brittan Johnson, Ashley Koirtyohann, Jeff Libersat, Melissa McLain, Brittany Olsen, Hisamitsu Shinoda, Alex Ogundare, Eric B. Tonsul, Chris Trevino, Derrick Verdun and/or Kelton Wilkins, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust securing the payment of the Note.

Substitute Trustee's

Address: C/O Roberts Markel Weinberg Butler Hailey PC, Mailing Address: 2800 Post Oak Blvd, Suite 5777, Houston, Texas 77056.

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, Land Funds Two & Three, Joint Venture, Inc., 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 Land Funds Two & Three, Joint Venture, Inc.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Land Funds Two & Three, Joint Venture, Inc.'s rights and remedies under the Deed of Trust.

Mortgage Servicer is representing Land Funds Two & Three, Joint Venture, Inc. in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Land Funds Two & Three, Joint Venture, Inc.. 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 Land Funds Two & Three, Joint Venture, Inc. 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 Land Funds Two & Three, Joint Venture, Inc. 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.



Hisamitsu Shinoda, Sipra Boyd, Clinton F. Brown, Cliff Davis, Paul Gaines, Noelle Hicks, Brittan Johnson, Ashley Koirtyohann, Jeff Libersat, Melissa McLain, Brittany Olsen, Hisamitsu Shinoda, Alex Ogundare, Eric B. Tonsul, Chris Trevino, Derrick Verdun and/or Kelton Wilkins, Attorneys and Substitute Trustee(s) for Galveston County Municipal Utility District No. 35

C/O Roberts Markel Weinberg Butler Hailey PC,
2800 Post Oak Blvd, Suite 5777, Houston, Texas
77056.

EXHIBIT A

GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NUMBER 35
DIRECTORS LOT NUMBER 5
I. & G.N. R.R. COMPANY SURVEY, SECTION 9, ABSTRACT 597
GALVESTON COUNTY, TEXAS

Being a tract or parcel containing 5000 square feet of land, situated in the I. & G.N. R.R. COMPANY SURVEY, SECTION 9, ABSTRACT 597, Galveston County, Texas, and being out of and a part of those same tracts described in a deed to Dave S. Smith, Jr. originally recorded in Volume 1075, Page 530, and also described in Volume 2667, Page 748, and also that tract described in a deed to Dave S. Smith, Jr. recorded in Volume 2867, Page 126, all of the Deed Records of Galveston County, Texas, said 311.06 acre tract being more particularly described as follows (bearings are oriented to the Texas State Plane Coordinate System of 1983, South Central Zone):

COMMENCING at a point in the West line of the Ira R. Lewis Survey, Abstract 15, said point being the Southeast corner of the I. & G.N. R.R. Company Survey, Section 6, Abstract 615 and the Northeast corner of Section 9;

THENCE S 03°01'35" E, along the East line of Section 9 and the West line of the Lewis Survey, a distance of 200.00 feet to the POINT OF BEGINNING and Northeast corner of the herein described tract;

THENCE S 03°01'35" E, continuing along the East line of Section 9 and the West line of the Lewis Survey, a distance of 50.00 feet to a point for the Southeast corner of the herein described tract;

THENCE S 86°58'25" W, a distance of 100.00 feet to a point for the Southwest corner of the herein described tract;

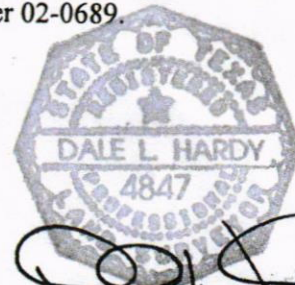
THENCE N 03°01'35" W, a distance of 50.00 feet to a point for the Northwest corner of the herein described tract;

THENCE N 86°58'25" E, a distance of 100.00 feet to the POINT OF BEGINNING and containing 5000 square feet of land. This description is based on a Land Title Survey of 838.32 acres prepared by GeoSurv, LLC, dated October 1, 2002, Project Number 02-0689.

PREPARED
JULY 21, 2004, REVISED FEBRUARY 28, 2005
BY

DALE L. HARDY / GEOSURV, LLC
REGISTERED PROFESSIONAL LAND SURVEYORS
P.O. BOX 246, LEAGUE CITY, TEXAS 77574

PH 281-554-7739 FAX 281-554-6928 E-MAIL: dhardy@geosurvllc.com



FILED

Instrument Number: *FILED2024000707*

Filing Fee: 2.00

Number Of Pages: 5

Filing Date: 06/11/2024 2:57PM

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.*