

Notice of Foreclosure Sale

June 21, 2024

Deed of Trust ("Deed of Trust"):

Dated: April 9, 2021

Grantor: Katherine Earley

Trustee: Patrick F. Doyle, Dennis R. Bettison, Jeff Adams, Donnie Quintanilla, Jana L. Hartnett, et. al.

Lender: Todd Anthony Kahla

Recorded in: Instrument No. 2021025787 of the real property records of Galveston County, Texas, being in renewal and extension of the Deed of Trust recorded in Instrument No. 2021025787 of the real property records of Galveston County, Texas

Legal Description: Lot Eighty-Five (85) and Eighty Six (86), of Ty-Jay Subdivision, an unrecorded subdivision out of Outlet 7 and 8 and the intervening portion of Nelson Avenue (abandoned), in the Port Bolivar Townsite, recorded in Volume 113, Page 1, and corrected in Volume 212, Page 32, of the Official Records of Galveston county, Texas, and being more particularly described on attached Exhibit "A"

Secures: Promissory Note ("Note") in the original principal amount of \$155,000.00, executed by Katherine Earley ("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, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Substitute Trustee: Marybeth M. Nelson, Attorney at Law

Substitute Trustee's Address: 1830 Hwy 87, Crystal Beach, TX, 77650

Mailing Address: P.O. Box 580511, Houston, Texas 77258

Foreclosure Sale:

Date: Tuesday, August 6, 2024

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 11:00 a.m. and not later than three hours thereafter.

Place: Lobby, Galveston County Courthouse, 1st Floor, 722 Moody (21st Street), Galveston, TX 77550

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 Todd Anthony Kahla'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, Todd Anthony Kahla, the owner and holder of the Note, has requested a Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Todd Anthony Kahla's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Todd Anthony Kahla'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 Todd Anthony Kahla 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 Todd Anthony Kahla. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

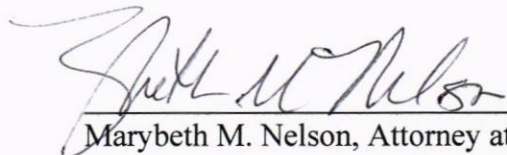
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "**AS IS,**" **without any expressed or implied warranties, except as to the warranties (if any)**

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.

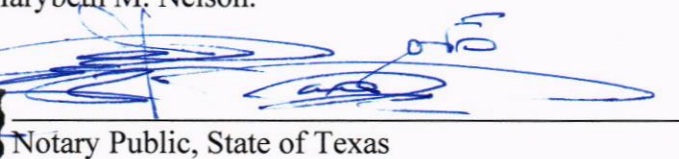
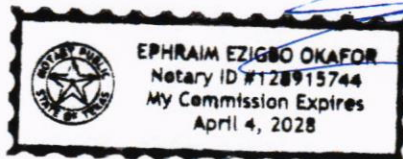


Marybeth M. Nelson, Attorney at Law
Substitute Trustee for Todd A. Kahla Sr.
Email: marybethmnelson@yahoo.com
Physical Address: 1830 Hwy 87,
Crystal Beach, TX 77650
Mailing Address: P.O. Box 580511,
Houston, Texas 77258
Telephone (409) 684-3067

STATE OF TEXAS §

COUNTY OF GALVESTON §

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, this 24th day of July ~~June~~, 2024, by Marybeth M. Nelson.



Notary Public, State of Texas

EXHIBIT "A"

Lot Eighty-five (85) and Eighty-six (86) of TY-JAY SUBDIVISION, an unrecorded subdivision out of Outlet 7 and 8 and the intervening portion of Nelson Avenue (abandoned) in the Port Bolivar Townsite, recorded in Volume 113, Page 1 of the Records of Galveston County, Texas, and according to the correction map thereof recorded in Volume 212, Page 32 of the Records of Galveston County, Texas, said lots being more particularly described by metes and bounds as follows, to-wit:

Being all that certain tract or parcel of land out of Outlet 7 in Port Bolivar Townsite, Samuel Parr Survey and beginning at a point in the Southwest line of Outlet 7, being in the Northeast line of 23rd Street, said point being North 43 degrees 32 minutes 44 seconds West, a distance of 300 feet from the South corner of Outlet 7;

THENCE North 43 degrees 32 minutes 44 seconds West, along the Southwest line of Outlet 7 and the Northeast line of 23rd Street, a distance of 120 feet to point for corner;

THENCE North 46 degrees 27 minutes 16 seconds East, parallel with the Southeast line of Outlet 7, a distance of 136 feet to point for corner;

THENCE South 43 degrees 2 minutes 44 seconds East, parallel with the Southwest line of Outlet 7, a distance of 120 feet to point for corner in the Northwesterly line of Madison Avenue as dedicated by instrument recorded in Volume 2117, Page 361 of the Deed Records of Galveston County, Texas;

THENCE South 46 degrees 27 minutes 16 seconds West along the Northwesterly line of Madison Avenue and parallel with the Southeast line of Outlet 7, a distance of 136 feet to the PLACE OF BEGINNING, also known as 2301 Madison, Port Bolivar, Texas.

FILED

Instrument Number: *FILED2024000755*

Filing Fee: 2.00

Number Of Pages: 5

Filing Date: 07/01/2024 1:46PM

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.*