

## NOTICE OF FORECLOSURE SALE

January 16, 2024

Deed of Trust ("Deed of Trust"):

Dated: March 27, 2024

Grantor: OH ENGLISH, LLC

Trustee: W. Rhys O'Farrell

Lender: SCHUMER-YARBROUGH DEVELOPMENT, LLC

Property: A part of Lots 14 and 13 in Block 370, in the City and County of Galveston, Texas, more particularly described as follows:  
Beginning at the Northwest corner of Lot 14;  
Thence South along the West line of Lot 14, a distance of 42 feet 6 inches;  
Thence East, a distance of 49 feet 2 inches;  
Thence North, a distance of 4 feet;  
Thence East, a distance of 12 feet 10 inches;  
Thence North, a distance of 38 feet;  
Thence West along the North line of said Lots 13 and 14, a distance of 62 feet to the point of beginning.

Address: 614 11<sup>th</sup> St, Galveston, TX 77550

Recorded: March 28, 2024, file number 2024013670 in the Official Public Records of GALVESTON County, Texas.

Secures: Promissory Note ("Note") in the original principal amount of FOUR HUNDRED THIRTY FIVE THOUSAND AND 00/100 DOLLARS (U.S. \$435,000.00), executed by OH ENGLISH, LLC and payable to the order of Lender.

Guaranty: The Note and all other indebtedness of Borrower to Lender is guaranteed by a Guaranty Agreement dated March 27, 2024 and executed by Dashon English.

Substitute Trustee: Sandy Dasigenis, Jeff Leva, Steve Leva

Substitute Trustee's Address: 10406 Rockley, Houston, Texas 77099

Foreclosure Sale:

- Date: Tuesday, December 3, 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, but no later than three hours after the stated time.
- Place: Outside of the West entrance to the Galveston County Courthouse, 722 Moody, Galveston, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court
- Term 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 SCHUMER-YARBROUGH DEVELOPMENT'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, SCHUMER-YARBROUGH DEVELOPMENT, 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 SCHUMER-YARBROUGH DEVELOPMENT's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with SCHUMER-YARBROUGH DEVELOPMENT'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 SCHUMER-YARBROUGH DEVELOPMENT 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 SCHUMER-YARBROUGH DEVELOPMENT. 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 NOTES 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.**

**PETERKA & ASSOCIATES, PLLC.**

*Joseph J Peterka III*

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**Joseph J. Peterka III**

14002 Pinerock Lane

Houston, TX 77079

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Attorney for SCHUMER-YARBROUGH  
DEVELOPMENT

**FILED**

Instrument Number: *FILED2024001343*

Filing Fee: 2.00

Number Of Pages: 4

Filing Date: 11/12/2024 2:07PM

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.*