

FILED AND RECORDED

JUL 10 2025

**Notice of Foreclosure Sale**



*Sharon Blasig*  
SHARON BLASIG  
COUNTY CLERK, LEE COUNTY, TEXAS

1. *Property to Be Sold.* The property to be sold is described as follows:

TRACT ONE: Being 5.000 acres of land, a part of the William H. Moore 1/3 League, Abstract 208, and partly in the B.B.B. & C. Railroad Company Survey, Abstract 52, more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes pertinent.

Being the same property described in Deed dated November 27, 1996, executed by The Ross T. Dungan and Josephine Dungan Living Trust to Albert J. Dungan, recorded in Volume 791, Page 670, Real Property Records of Lee County, Texas.

2. *Instrument to be Foreclosed.* The instruments to be foreclosed are the deed of trust recorded in Volume 972, Page 218, Real Property Records, Lee County, Texas, and the deed of trust recorded in Volume 1340, Page 899, Real Property Records, Lee County, Texas.

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: August 5, 2025

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter.  
The sale will be completed by no later than 4:00 p.m.

Place: Lee County Courthouse Annex, 898 E. Richmond Street, Giddings, Texas 78942, at the following location: Front Entrance

The deeds of trust permit the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deeds of trust needs not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deeds of trust permitting the beneficiary thereunder to have the bid credited to the notes up to the amount of the unpaid debt secured by the deeds of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid

immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the deeds of trust, but prospective bidders are reminded that by law the 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 deeds of trust. The sale shall not cover any part of the property that has been released of public record from the liens of the deeds of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the deeds of trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part 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 express or implied warranties, except as to the warranties of title (if any) provided for under the deeds 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 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust (1) executed by A.J.'S CUSTOM PAINT & STRIPE, INC., a Texas corporation, and ALBERT J. DUNGAN AND WIFE, LINDA DUNGAN, INDIVIDUALLY; and, the deed of trust (2) executed by A.J.'S CUSTOM PAINT & STRIPE, INC., a Texas corporation.

The real property and personal property encumbered by the deeds of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.


6. *Obligations Secured.* The deed of trust (1) provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$260,000.00, executed by A.J.'S CUSTOM PAINT & STRIPE, INC., a Texas corporation, and ALBERT J. DUNGAN AND WIFE, LINDA DUNGAN, INDIVIDUALLY, and payable to the order of FIRST NATIONAL BANK OF GIDDINGS, TEXAS; and (b) all renewals and extensions of the note; and, the deed of trust (2) provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$49,902.43, executed by A.J.'S CUSTOM PAINT & STRIPE, INC., a Texas corporation, and payable to the order of FIRST NTIONAL BANK OF GIDDINGS, TEXAS, and (b) all renewals and extensions of the note; FIRST NATIONAL BANK OF GIDDINGS, TEXAS is the current owner and holder of the Obligations and is the beneficiary under the deeds of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, FIRST NATIONAL BANK OF GIDDINGS, TEXAS at P. O. BOX 269, GIDDINGS, Texas 78942.

7. *Default and Request to Act.* Default has occurred under the deeds of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

8. **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.**

Dated: July 10, 2025

A handwritten signature in black ink, appearing to read "Forrest R. Stewart", is written over a horizontal line.

FORREST R. STEWART, Substitute Trustee

PO Box 661

Giddings, TX 78942

Telephone (979) 542-8008

*Louis Knox & Associates*

SURVEYORS

P.O. DRAWER 629 404-542-5519  
OFFICE: 261 EAST HEMPHREY  
GIDDINGS, TEXAS 78942

W. O. 6414

STATE OF TEXAS )  
COUNTY OF LEE )

A. J. DUNGAN

REAL PROPERTY DESCRIPTION

All that certain tract or parcel of land, lying and being situated in Lee County, Texas, a part of the William H. Moore 1/3 League, Abstract 208, and partly in the S. B. B. & C. Railroad Company Survey, Abstract 52, and being out of and a part of a parent tract said to contain 253 Acres, more or less, as described in a deed dated May 7, 1942, from Mrs. L. E. Hickey, et al, to Albert R. Dungan, of record in Volume 80, page 507, et seq., of the deed records of Lee County, and being further described as being a part of the same land described in a deed from A. R. Dungan and wife, Grace Truman Dungan, to Ross Truman Dungan, of record in Volume 206, Page 490, et seq., of the deed records of Lee County and being more fully described by metes and bounds as follows, to-wit:

COMMENCING at a 60D nail set in the approximate center of Lee County Road No. 118, at the most Western corner of said Parent tract, from which a 5/8 inch steel pin set at a corner post at the intersection of the upper Southwest boundary line of said parent tract with the Southeast margin of said road bears South 45°00'00" East 32.75 feet;

THENCE with the Northwest boundary of said tract, and within the right-of-way of said County road, North 28°00'00" East 1,327.78 feet to an angle corner of said tract;

THENCE North 37°30'00" East 10.69 feet to a 60D nail set for the West corner and BEGINNING POINT of the premises herein described, from which a 5/8 inch steel pin set in the Southeast margin of said County road bears South 45°16'26" East 35.00 feet;

THENCE continuing with the upper Northwest line of said parent tract, North 37°30'00" East, at 160.09 feet intersecting the common line between the William H. Moore and the S.B.B. & C. Railroad Co. Surveys, and continuing on the same course a total distance of 391.16 feet to a 60D nail set for the North corner hereof, from which a 5/8 inch steel pin set in the Southeast margin of said Road bears South 45°16'26" East 38.57 feet;

THENCE severing said parent tract, South 45°16'26" East 585.87 feet to a 5/8 pin steel pin set for the East corner hereof;

THENCE South 44°43'34" West, at approximately 226.24 feet intersecting said Survey line, at a total distance of 388.05 feet, a 5/8 pin steel pin set for the South corner hereof;

Exhibit A



*Louis Knox & Associates*

SURVEYORS

P.O. DRAWER 539 409-542-5518  
OFFICE 251 EAST HEMPSTEAD  
GIDDINGS, TEXAS 78942H. O. 6414  
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THENCE North 45°16'26" West 536.66 feet to the PLACE OF BEGINNING, and containing 5.000 acres of land.

BEARINGS ARE BASED ON BEARINGS OF THE SOUTHWEST AND NORTHWEST LINES OF THE PARENT TRACT AS DESCRIBED IN VOL. 206, PAGE 490 DEED RECORDS OF LEE COUNTY, TEXAS.

I, Louis Knox, a Registered Professional Land Surveyor, do hereby certify that the above and foregoing description was prepared from an actual on the ground survey, made under my direction and supervision, and that said survey substantially conforms to the standards and specifications of a Category 1A, Condition IV Survey, of the minimum practice standards adopted by the Texas Society of Professional Surveyors.

Reference is hereby made to a plat attached hereto and made a part hereof.

Date of Signature, October 21, 1996.



LOUIS KNOX AND ASSOCIATES SURVEYORS

*Louis Knox*  
LOUIS KNOX  
REGISTERED PROFESSIONAL LAND  
SURVEYOR, NO. 875.

FILED AND RECORDED

JUL 10 2025



*Sharon Blasig*  
SHARON BLASIG  
COUNTY CLERK, LEE COUNTY, TEXAS

Exhibit A

*SP*  
ADD