

**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE**

**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.**

**DEED OF TRUST INFORMATION:**

**Date: February 10, 2012**  
**Grantor(s): Tanya Jean Iselt**  
**Original Mortgagee: United States of America acting through the Rural Housing Service or successor agency, United States Department of Agriculture**  
**Original Principal: \$140,000.00**  
**Recording Information: Book 1088, Page 518**  
**Property County: Lee**

Property:

Being a 5.000 acre tract, a part of the Everton Kennerly Survey, Abstract 183, Lee County, Texas, and being all of a 5.00 acre tract conveyed to Robert W. Kuehn et ux by deed recorded In Volume 713, Page 553 of the Real Property Records of Lee County, Texas. Said 5.000 acre tract being more particularly described as follows: **BEGINNING** at a 1/2 inch pipe found at a fence corner in the Northwest line of the T. Freeman Survey, Abstract 128, the Southeast line of said Kennerly Survey, the Northwest line of a 68.449 acre tract conveyed to Henry J. Grimm by deed recorded in Volume 380, Page 728, for the South corner of a 76 acre tract conveyed to William L. Becker by deed recorded in Volume 423, Page 341, the East corner of a 113.543 acre tract conveyed to Robert H. Kuehn by Last Will and Testament of Margaret Els Kuehn Miertschin same as recorded in Volume 681, Page 811, the East corner of said 5.00 acre Kuehn tract and the East corner hereof; **THENCE** with the Northwest line of said Freeman Survey, the Northwest line of said 68.449 acre tract, the Southeast line of said Kennerly Survey, a Southeast line of said 113.543 acre Kuehn tract, the Southeast line of said 5.00 acre Kuehn tract South 43 deg. 54 min. 32 sec. West-633.30 feet to a concrete marker found in the Northeast margin of Lee County Road 117, for the West corner of said 68.449 acre tract, a South corner of said 113.543 acre Kuehn tract, the South corner of said 5.00 acre Kuehn tract and the South corner hereof; **THENCE** with the Southwest line of said 5.00 acre Kuehn tract, a Southwest line of said 113.543 acre Kuehn tract, North 64 deg. 04 min 28 sec. West-332.70 feet to a 3/4 inch iron rod found for the West corner of said 5.00 acre Kuehn tract and the West corner hereof; **THENCE** across said 113.543 acre Kuehn tract, with the Northwest line of said 5.00 acre Kuehn tract, North 43 deg. 54 min. 32 sec. East 743.92 feet to a 3/4 inch rebar found for the West corner of said 5.00 acre Kuehn tract and the West corner hereof; **THENCE** with the most Southerly Southwest line of said 76 acre Becker tract, the most Southerly Northeast line of said 113.543 acre Kuehn tract, the Northeast line of said 5.000 acre Kuehn tract, South 44 deg. 39 min. 35 sec. East 316.54 feet to the **PLACE OF BEGINNING** and containing 5.000 acres of land.

Property Address: 2010 County Road 117  
Giddings, TX 78942

**MORTGAGE SERVICING INFORMATION:**

**The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.**

Current Mortgagee: **United States Department of Agriculture, Rural Housing Service**  
Mortgage Servicer: **USDA Rural Development**  
Mortgage Servicer **4300 Goodfellow Blvd.**  
Address: **Bldg. 105F, FC 215**  
**St. Louis, MO 63120**

**SALE INFORMATION:**

Date of Sale: **February 7, 2023**  
Time of Sale: **1:00 PM or within three hours thereafter.**  
Place of Sale: **THE WEST SIDE OF 843 E. INDUSTRY (THE COUNTY CLERK'S BUILDING),  
OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE.**

Substitute Trustee: **Pete Florez, Zachary Florez, Orlando Rosas or Bobby Brown, or Michael J. Burns, any to act**  
Substitute Trustee Address: **5501 LBJ Freeway, Suite 925 Dallas, TX 75240 TXAttorney@PadgettLawGroup.com**

After January 15, 2023: **546 Silicon Drive, Suite 103 Southlake, TX 76092 TXAttorney@PadgettLawGroup.com**

**APPOINTMENT OF SUBSTITUTE TRUSTEE:**

**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.**

The undersigned is the attorney for the mortgagee and/or mortgage servicer, and in such capacity does hereby remove the original trustee and all successor substitute trustees under the above-described Deed of Trust and appoints in their place Pete Florez, Zachary Florez, Orlando Rosas or Bobby Brown, or Michael J. Burns, any to act, whose address is c/o Padgett Law Group, 5501 LBJ Freeway, Suite 925, Dallas, TX 75240 (after January 15, 2023: 546 Silicon Drive, Suite 103, Southlake, TX 76092) as Substitute Trustee, who shall hereafter exercise all powers and duties to set aside the said original trustee under said Deed of Trust, and further does hereby request, authorize, and instruct said Substitute Trustees to conduct and direct the execution of remedies set aside to the beneficiary therein.

WHEREAS, the above-named Grantor(s) previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared, such default was reported to not have been cured, and all sums secured by such Deed of Trust are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee under said Deed of Trust has been hereby removed and the herein described Substitute Trustees, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
2. The herein appointed Substitute Trustees, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien imposed by the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be sold "AS-IS", purchaser's will buy the property "at the purchaser's own risk" and "at his peril" and no representation is made concerning the quality or nature of title to be acquired.

Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interest of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

- 5. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.

Michael J. Burns

**CERTIFICATE OF POSTING**

My name is Peter Florez, and my address is c/o Padgett Law Group, 5501 LBJ Freeway, Suite 925, Dallas, TX 75240 (after January 15, 2023: 546 Silicon Drive, Suite 103, Southlake, TX 76092). I declare under penalty of perjury that on 1/12/23, I filed at the office of the Lee County Clerk to be posted at the Lee County courthouse this notice of sale.

Declarant's Name: \_\_\_\_\_

Date: \_\_\_\_\_

Padgett Law Group  
5501 LBJ Freeway, Suite 925  
Dallas, TX 75240  
TXAttorney@PadgettLawGroup.com  
(850) 422-2520

After January 15, 2023:        546 Silicon Drive, Suite 103  
   Southlake, TX 76092  
   TXAttorney@PadgettLawGroup.com  
   (850) 422-2520

WITNESS MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**FILED AND RECORDED**

**JAN 12 2023**



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