

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DEFAULT having been made in the payment of the note described in that certain Deed of Trust (herein, the "Deed of Trust") executed by **VERNON T. LANG and MELISSA A. LANG, Husband and Wife** dated June 29, 2015, and duly filed for record on January 25, 2016 in the Office of the County Clerk of Milam County, Texas in Volume 1272, Page 664 of the Official Records of Milam County, Texas, conveying to **PAUL J. FRANZETTI, Trustee**, the following described real property and improvements thereon in Milam County, Texas, to-wit:

BEING 66.290 acres out of a 359.029 acre tract in the Samuel Jones Survey, A-121, Milam County, Texas and being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein, said property being located in Milam County, Texas; and

WHREAS, the Deed of trust secured the payment of that certain indebtedness described therein payable to the order of **HOMEWAY MORTGAGE, LLC**, a Texas limited liability company; and

WHEREAS, the indebtedness, the payment of which is secured by the herein described Deed of Trust was duly transferred and assigned to **ONEIDA HOLDINGS, LLC, a Texas limited liability company** pursuant to that certain Transfer of Lien dated June 3, 2020 and filed for record on June 5, 2020 and recorded as Document No. 2020-2033 of the Official Records of Milam County, Texas; and

WHEREAS, **ONEIDA HOLDINGS, LLC, a Texas limited liability company**, the legal owner and holder of said Deed of Trust, in accordance with its terms, in writing removed the Trustee named there and appointed:

**Pete Flores, and/or
R. L. Westbrook**

as Substitute Trustee(s), to act under the terms of the Deed of Trust (each of whom may act alone and without the joinder of any other person including any other Substitute Trustee); and

WHEREAS, the said Deed of Trust vests power in the Trustee named above to execute the provisions of said Deed of Trust and whereas, the legal owner and holder of said Note and Deed of Trust having declared the whole debt due as secured thereby, and having requested that the undersigned as Trustee proceed to exercise the power of sale so conferred upon said Trustee, I will, in accordance with the request of the said legal owner and holder, on

February 7, 2023

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Filed 17th day of January
in 2023, At 2:25 PM.
JODI MORGAN
County Clerk, Milam County, Texas
By Taney Schneider
Deputy



4771099

to commence at the hour of 10:00 o'clock a.m., or within three (3) hours thereafter, on said day, sell the above described property to the highest bidder for cash at the following location:

At the East door of the Milam County Courthouse at 107 West Main Street in Cameron, Texas, or if the preceding area is no longer the designated area, as the area most recently designated by the County Commissioners Court

being the location designated pursuant to Article 51.002 of the Texas Property Code for the purpose of satisfying said debt and costs of executing said sale.

Notice is given that on the date of the sale, the Substitute Trustee will offer the property for sale at public auction at the location designated herein, to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Beneficiary to have the bid credited to the amount of the indebtedness secured by the Deed of Trust at the time of sale.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or re-schedule the sale for another day. In that case, the Trustee or any Substitute Trustee under the Deed of Trust need not appear at the date, time and place of the scheduled sale to announce the postponement, withdrawal or re-scheduling of said sale. Notice of the date of any re-scheduled sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting and/or re-filing may be after the date originally scheduled for this sale.

The 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 sale will necessarily be made subject to all prior matters of record affecting the property described herein, if any, to the extent that they are of record and remain in force and effect and have not been subordinated to the Deed of Trust. The sale will not cover any part of the Property that has been released of public record from the lien of the Deed 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 terms of the Deed of Trust, the Beneficiary has the right to direct the Trustee or any Substitute Trustee to sell the property in one or more parcels and/or to sell all or only part of the property described herein.

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 DEED OF TRUST. WITHOUT LIMITATION OF THE FOREGOING, THERE WILL BE NO WARRANTY RELATING TO POSSESSION, QUIET ENJOYMENT, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR THE LIKE FOR THE PERSONAL PROPERTY, IF ANY, INCLUDED IN THIS SALE. PROSPECTIVE BUDDERS ARE ADIVED TO CONDUCT AN INDEPENDENT INVESTIGATION OF THE NATURE AND PHYSICAL CONDITION OF THE PROPERTY.

The name and address of the sender of this Notice are:

Oneida Holdings, LLC
P. O. Box 131276
Houston, Texas 77219
RAB@RABPC.com

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.



Pete Florez and/or
R. L. Westbrook
Substitute Trustee(s)

Richard A. Battaglia
%Robert A. Schlanger
Attorney for Substitute Trustee
5325 Katy Freeway, Suite Two
Houston, Texas 77007
(713) 626-2333

EXHIBIT "A"

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In Re: 66.290 Acres out of a
359.029 Acre Tract
Samuel Jones Survey, 2-121
Milam County, Texas

All that certain tract or parcel of land situated in Milam County, Texas, being a part of the Samuel Jones Survey, Abstract No. 221 and being a part of a "Tract Two" - 359.029 acres as conveyed from Martha L. Calpepper to John H. Clark, Trustee of the Clark Trust B by Deed dated May 9, 1986 and being recorded in Volume 727, Page 723 of the Deed Records of said Milam County and being more particularly described by notes and bounds as follows, to wit;

COMMENCING at a point on the South ROW line of F. M. Highway No. 2095 for the Northeast corner of a Willie Kopriva 117.878 acres tract (672/686) and for the Northwest corner of said original 359.029 acre tract (a reference iron pin found bears $520^{\circ}00'18"W = 47.48$ feet);

THENCE with a common line as fenced between said original 359.029 acre tract and the South ROW line of said F. M. Highway No. 2095 as follows:

$N66^{\circ}17'24"E - 35.17$ feet to a concrete ROW marker;
 $N81^{\circ}23'28"E - 200.77$ feet to a concrete ROW marker for the point of curvature of a curve to the right;
With said curve to the right for an arc distance of 620.25 feet, said curve having a delta angle of $22^{\circ}45'48"$, a radius of 1561.00 feet and a chord bearing of $N74^{\circ}46'02"E - 616.18$ feet to an iron pin set for the PLACE OF BEGINNING and for the Northwest corner of this tract;

THENCE continuing with a common line as fenced between said original 359.029 acre tract and the South ROW line of said F. M. Highway No. 2095 as follows:

with said curve to the right for an arc distance of 119.53 feet, said curve having a delta angle of $04^{\circ}33'15"$, a radius of 1561.00 feet and a chord bearing of $S88^{\circ}20'38"E - 119.51$ feet to a concrete ROW marker for an exterior all corner of this tract;
 $N88^{\circ}40'24"E - 218.08$ feet to a concrete ROW marker for an exterior all corner of this tract;
 $S87^{\circ}37'03"E - 301.16$ feet to a concrete ROW marker for an exterior all corner of this tract;
 $S83^{\circ}41'43"E - 20.28$ feet to a iron pin found for the Northwest corner of a Jesus G. Ramos 65.707 acre tract (735/725 - a part of said original 359.029 acre tract) and for the Northeast corner of this tract;

EXHIBIT "A"
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THENCE with the occupied West fence line of said Ramos 65.787 acre tract as follows:

- S13°35'37"W - 656.62 feet to a fence corner post for an interior ell corner of this tract;
- S22°03'00"W - 144.08 feet to a fence corner post for an exterior ell corner of this tract;
- S18°01'57"W - 484.43 feet to a fence corner post for an interior ell corner of this tract;
- S02°03'34"E - 753.63 feet to a fence corner post for an interior ell corner of this tract;
- S18°28'26"E - 773.33 feet to a fence corner post for interior ell corner of this tract;
- S19°09'37"E - 280.81 feet to a to an iron pin found at a fence corner post on a common line between said Jones Survey and a Francisco Ruiz Survey, Abstract No. 54, same being a common line between said original 139.029 acre tract and a C. S. Nowdy, et ux 68 3/4 acre tract (171/172) for the southwest corner of said Ramos 65.787 acre tract and for the southwest corner of this tract;

THENCE with an occupied common line as fenced between said Jones Survey and said Ruiz survey, same being a common line between said original 139.029 acre tract and said Nowdy 68 3/4 acre tract as follows:

- S73°01'03"W - 171.02 feet to a fence corner post for an interior ell corner of this tract;
- S70°19'03"W - 410.63 feet to a fence corner post for an interior ell corner of this tract;
- S87°32'39"W - 177.13 feet to a fence corner post for an interior ell corner of this tract;
- S72°35'31"W - 473.49 feet to a fence corner post for an exterior ell corner of this tract;
- S80°08'48"W - 117.31 feet to a fence corner post for an exterior ell corner of this tract;
- S82°45'21"W - 115.58 feet to an iron pin set for the southwest corner of this tract;

THENCE N08°57'17"E - 3479.08 feet crossing said original 359.029 acre tract for division to the PLACE OF BEGINNING and containing 66.390 Acres of Land.

I, W. L. Ferguson, Registered Professional Land Surveyor No. 2547 in the State of Texas, do hereby certify that the above survey was performed on the ground under my supervision and the field notes hereon are true and correct to the best of my knowledge.

Given under my hand and seal this 31st day of December, 1997.

