

NOTICE OF TRUSTEE'S SALE

Accepted for Filing in
Refugio County, TX
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by Margie A. Castellano

THE STATE OF TEXAS §

COUNTY OF REFUGIO §

WHEREAS, pursuant to that one certain Second Lien Deed of Trust hereinafter referred to as the "Deed of Trust" dated January 1, 2015, which was executed by Cantu's Wrecker Service, Inc., hereinafter referred to as the "Mortgagor", said Mortgagor conveyed all of its right, title, and interest in and to that one certain real property hereinafter referred to as the "Property" which is situated in Refugio County, Texas to Scott C. Winn, as Trustee, hereinafter referred to as the "Trustee" and thereafter the aforesaid Deed of Trust was duly recorded under Document No. 20170398db of the Official Records of the County Clerk of Refugio County, Texas; said Property is described as follows:

TRACT 1: Lot Thirteen (13), in Block One Hundred Eleven (111) of the Original Town of Refugio, in Refugio County, Texas, according to the plat of said Town in the Office of the County Clerk of Refugio County, Texas;

TRACT 2: 0.20 of an acre out of Lot Fourteen (14), in Block One Hundred Thirteen (113) of the Original Town of Refugio, in Refugio County, Texas, which 0.20 of an acre is more particularly described by metes and bounds on EXHIBIT "A" attached hereto.

TRACT 3: 0.039 of an acre out of Lot Fourteen (14), in Block One Hundred Thirteen (113) of the Original Town of Refugio, in Refugio County, Texas, which 0.039 of an acre is more particularly described by metes and bounds on EXHIBIT "B" attached hereto.

EASEMENT 1: That certain 38" x 70' easement described as Easement No. 2 in that certain Partition Deed executed by and between Calvin J. Skrobarcek, et al, dated December 11, 2006, recorded in Volume 199, Page 75, Official Public Records of Refugio County, Texas;

EASEMENT 2: That certain water and sewer easement described as Easement No. 3 in that certain Partition Deed executed by and between Calvin J. Skrobarcek, et al, dated December 11, 2006, recorded in Volume 199, Page 75, Official Public Records of Refugio County, Texas;

EASEMENT 3: That certain triangular shaped easement described as Easement No. 4 in that certain Partition Deed executed by and between Calvin J. Skrobarcek, et al, dated December 11, 2006, recorded in Volume 199, Page 75, Official Public Records of Refugio County, Texas.

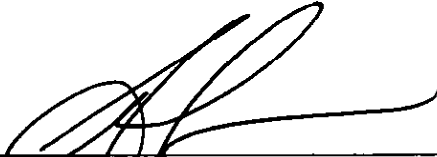
together with all improvements thereon and further includes all other property set forth in the aforesaid Deed of Trust, to secure the payment of (1) one certain Real Estate Lien Note dated January 1, 2015, in the original principal amount of \$50,000.00, which was executed by Mortgagor and payable to the order of Holland REIT Advisors, LLC, a Wyoming Limited Liability Company, as Trustee for Refugio Commons Family Trust, hereinafter referred to as the "Beneficiary".

WHEREAS, the aforesaid Note and Deed of Trust are in default and the entire unpaid balance thereof is due and payable and Beneficiary intends to enforce the power of sale set forth in the above-referenced Deed of Trust; and

WHEREAS, the Beneficiary has directed said Trustee to enforce the power of sale under the Deed of Trust for the purpose of collecting the indebtedness secured thereunder after the giving of at least 21 consecutive days notice and the recording of a Notice in the Refugio County Clerk's Office giving the time, place, and terms of said sale, and a description of the property to be sold, pursuant to the Deed of Trust and the laws of the State of Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That I, Scott C. Winn, Trustee, hereby give notice that I will, after due posting, publication, and filing of this Notice, and after having giving written notice of at least 21 consecutive days prior to the date of such sale by certified mail, return receipt request, to debtor obligated to pay the Note and indebtedness secured by the aforesaid Deed of Trust, at the last known address of such debtor, according to the records of Beneficiary, as required by the aforesaid Deed of Trust and the laws of State of Texas, sell the Property at public auction to the highest bidder or bidders for cash at the area in the Refugio County Courthouse which has been designated by the Commissioner's Court for the conducting of trustee sales, in the City of Refugio, Refugio County, Texas, at a time no earlier than 11:00 o'clock a.m., or within three hours after that time, but in no event will such sale occur beyond 4:00 o'clock p.m., on the first Tuesday in **AUGUST**, the same being the 1st day of **AUGUST, 2017**.

EXECUTED ON THE 6TH DAY OF JULY, 2017




Scott C. Winn, Trustee

THE STATE OF MICHIGAN §

COUNTY OF OTTAWA §

This instrument was acknowledged before me on the 6th day of JULY, 2017, by Scott C. Winn.


NOTARY PUBLIC

SARA VANDERWALL
NOTARY PUBLIC - MICHIGAN
OTTAWA COUNTY
MY COMMISSION EXPIRES APRIL 1, 2023
ACTING IN OTTAWA COUNTY

Ottawa

EXHIBIT "A"

Being a 0.200 acre tract of land situated in Lot 14, Block 113, of the Original Townsite of Refugio, according to the official plat displayed in the Refugio County Clerk's Office, also being a portion of that certain tract of land conveyed to Calvin Skrobarcek, et al from Henry J. Balusek according to instrument recorded in Volume 146, Page 143 of the Deed Records of Refugio County, Texas said 0.200 acre tract of land being more fully described by metes and bounds as follows:

COMMENCING at an existing 1/2 inch steel rebar found in the east line of South Alamo Street, marking the Northwest corner of Lot 4 and that certain tract of land conveyed to Hi-Lo Auto Supply, L.P. according to instrument recorded in Volume 188, Page 383 of the Official Records of said County, the southwest corner of said Lot 14, said Skrobarcek tract, and a 0.039 acre tract this same day surveyed, Thence, South 80 deg. 15'00" East, with the common line between said Skrobarcek tract and said Hi-Lo Auto Supply tract, same being the common line between said Lot 14 and Lot 4 for a distance of 114.53 feet to a 5/8 inch steel rebar set to mark the southeast corner of a 0.239 acre tract of land this same day surveyed and the southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE, North 09 deg. 40'31" East, across said Skrobarcek tract, with the common line between the herein described tract and said 0.239 acre tract for a distance of 166.19 feet to a 5/8 inch steel rebar set in the south line of East Commons Street marking the northwest corner of the herein described tract, and the northeast corner of said 0.239 acre tract;

THENCE, South 80 deg. 15'00" East, with the common line between said Skrobarcek tract and East Commons Street for a distance of 52.42 feet (S 80 deg. 15'00" E, 104.70 feet-deed call) to a point in concrete which bears S 60 deg. 23'30" W, 049 feet from a PK nail set for reference, said point marks the northeast corner of said Skrobarcek tract, the herein described tract, and Lot 14, and said point also marks the northwest corner of that certain tract of land conveyed to JSJH-O, Inc. according to instrument recorded in Volume 183, Page 835, of the Official Records of said County, and Lot 13;

THENCE, South 09 deg. 45'00" West, with the common line between said Skrobarcek tract and said JSJH-O, Inc. tract, same being the common line between said Lot 14 and Lot 13, at 75.00 feet pass an existing 1/4 inch iron pipe found marking the southwest corner of said JSJH-O, Inc. tract and the northwest corner of that certain tract of land conveyed to Sandra P. Ritchie according to instrument recorded in Volume 94, Page 414 of the Official Records of said County, continuing for a total distance of 166.19 feet (S 09 deg. 45'00" W, 166.67 feet-deed call) to a treated corner post found marking the southeast corner of said Skrobarcek tract, and the herein described tract, said corner post also marking the northeast corner of said Hi-Lo Auto Supply tract and being in the west line of that certain tract of land conveyed to Ronald Lee Nelson according to instrument recorded in Volume 156, Page 659 of the Official Records of said County, said corner post also marking the common corners of Lot 14, 13, Lot 4, and Lot 3;

THENCE, North 80 deg. 15'00" West, with the common line between said Skrobarcek tract and said Hi-Lo Auto Supply tract, same being the common line between said Lot 14 and Lot 4, at 0.40 feet pass an existing 1/4 inch iron pipe, continuing for a total distance of 52.20 feet to the POINT OF BEGINNING, CONTAINING within these metes bounds a 0.200 acre tract of land, more or less.

All set 5/8 inch diameter steel rebar marked with yellow plastic cam stamped: "URBAN SURVEYING, INC.,"

Bearings based that certain tract of land conveyed to Calvin Skrobarcek, et al from Henry J. Balusek according to instrument recorded in Volume 146, Page 143 of the Deed Records of Refugio County, Texas.

EXHIBIT "B"

BEING a 0.039 acre tract of land situated in Lot 14, Block Number 113, of the Original Townsite of Refugio, according to the official plat displayed in the Refugio County Clerk's office, also being a portion of that certain tract of land conveyed to Calvin Skrobarcek, et al from Henry J. Balusek according to instrument recorded in Volume 146, Page 143, of the Deed Records of Refugio County, Texas said 0.039 acre tract of land being more fully described by metes and bounds as follows:

BEGINNING at an existing 1/2 inch steel rebar found in the east line of South Alamo Street, marking the northwest corner of Lot 4, that certain tract of land conveyed to Hi-Lo Auto Supply, L.P., according to instrument recorded in Volume 188, Page 383 of the Official Records of said County, the southwest corner of said Lot 14, said Skrobarcek tract, and the herein described tract;

THENCE, North 09 deg. 45'00" East, with the common line between said Skrobarcek tract and South Alamo Street for a distance of 27.57 feet to a 5/8 inch steel rebar set to mark the northwest corner of the herein described tract, and a west corner of a 0.239 acre tract this same day surveyed;

THENCE South 80 deg. 20'S9" East, with the common line between said 0.239 acre tract and the herein described tract, for the herein described tract, for a distance of 62.15 feet to a 5/8 inch steel rebar set to mark and interior corner of said 0.239 acre tract and the northeast corner of the herein described tract;

THENCE, South 09 deg. 40'31" West, with the common line between said 0.239 acre tract and the herein described tract, for a distance of 27.68 feet to a 5/8 inch steel rebar set to mark the southeast corner of the herein described tract and the southwest corner of said corner of said 0.239 acre tract, said rebar being in the north line of said Hi-Lo Auto Supply tract, same being the common line between Lot 14 and Lot 4;

THENCE, North 80 deg. 15'00" West, with the common line between said Skrobarcek tract and said Hi-Lo Auto Supply tract, same being the common line between said Lot 14 and Lot 4 a distance of 62.18 feet to the POINT OF BEGINNING, CONTAINING within these metes and bounds a 0.039 acre tract of land, more or less.

All set 5/8 inch diameter steel rebar marked with yellow plastic cam stamped: "URBAN SURVEYING, INC."

Bearings based that certain tract of land conveyed to Calvin Skrobarcek, et al from Henry J. Balusek according to instrument recorded in Volume 146, Page 143 of the Deed Records of Refugio County, Texas.