

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SUBSTITUTE TRUSTEE'S DEED

Deed of Trust Date: 6/17/2016	Foreclosure Sale Date: 1/2/2024
Original Grantor(s)/Mortgagor(s): CHRISTIAN C AGUSTIN, A SINGLE MAN	Foreclosure Sale Time: 10:16
Original Beneficiary/Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR ACADEMY MORTGAGE CORPORATION, ITS SUCCESSORS AND ASSIGNS	Sale Amount: \$190,000.00
Current Beneficiary/Mortgagee: U.S. BANK NATIONAL ASSOCIATION	Grantee/Buyer: Texas Sky Properties & Investments LLC
Property County: HARRIS	Grantee/Buyer Address: 510 Earls Court Katy, TX 77450
Recorded in: Volume: N/A Page: N/A Instrument No: RP-2016-264754	

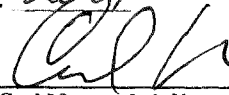
Legal Description of Property: SEE "EXHIBIT A" ATTACHED HERETO AND MADE A PART HEREOFF.

Grantor conveyed the Property to Trustee in trust to secure payment of the Note. Beneficiary declared that Grantor defaulted in performing the obligations of the Deed of Trust. Current Beneficiary of the Note, accordingly, has appointed Substitute Trustee, as authorized under the Deed of Trust, and has requested Substitute Trustee to enforce the trust.

Notices stating the time, place, and terms of sale of the property were mailed, posted and filed, as required by law. Substitute Trustee sold the property to Buyer, who was the highest bidder at the public auction, for the amount of sale in the manner prescribed by law. The subject sale was conducted no earlier than 10:00 am as set forth in the Notice of Substitute Trustee's Sale and was concluded within three (3) hours thereafter. All matters, duties and obligations of Beneficiary were lawfully performed as evidenced by the affidavit(s) attached hereto and made a part hereof for all purposes.

Substitute Trustee, by the authority conferred by Current Beneficiary and by the Deed of Trust, subject to prior liens and other exceptions in the Deed of Trust, if any, and for the amount of sale paid by buyer as consideration, grants, sells and conveys to Buyer, buyer's heirs, executors, administrators, successors or assigns forever, the property together with all rights and appurtenances belonging to Grantor. Substitute Trustee binds Grantor and Grantor's heirs, executors, administrators, successors or assigns, to Buyer's heirs, executors, administrators, successors or assigns against every person lawfully claiming to warrant and defend all right, title and interest in the property or any part thereof. Substitute Trustee sold the Property described above on an "AS IS" and "WHERE IS" basis without any express or implied warranties, except as to warranties of title, and at Purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009.

WITNESS MY HAND, this 17th day of January, 2024


 Carl Meyers, Leb Kemp, Traci Yeaman, Israel Curtis,
 John Sisk, Clay Golden, Stephen Mayers, Colette
 Mayers, Wayne Wheat, Dana Dennen, Kinney Lester,
 Thomas Lester, Joshua Sanders, Wesley Fowler-
 Williams, Ramiro Cuevas, Matthew Hansen, Evan Press,
 Auction.com, Anna Sewart, David Barry, Byron Sewart,
 Patricia Poston, Austin DuBois, Sandy Dasigenis, Jeff
 Leva, John Burger, Martin Beltran, Steve Leva or
 Patricia Poston

STATE OF TEXAS §
COUNTY OF Harris §

Before me, the undersigned Notary Public, on this day personally appeared Carl Meyers, Leb Kemp, Traci Yeaman, Israel Curtis, John Sisk, Clay Golden, Stephen Mayers, Colette Mayers, Wayne Wheat, Dana Dennen, Kinney Lester, Thomas Lester, Joshua Sanders, Wesley Fowler-Williams, Ramiro Cuevas, Matthew Hansen, Evan Press, Auction.com, Anna Sewart, David Barry, Byron Sewart, Patricia Poston, Austin DuBois, Sandy Dasigenis, Jeff Leva, John Burger, Martin Beltran, Steve Leva or Patricia Poston as Substitute Trustee, known to me or proved to me through a valid State driver's license or other official identification described as TX DL, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 17th day of January, 2024.


Notary Public Signature



After recording return to:
McCarthy & Holthus, LLP
1255 West 15th Street, Suite 1060
Plano, TX 75075

RP-2024-31354

AFFIDAVIT

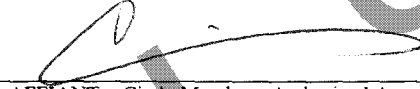
STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority on this day personally appeared Cindy Mendoza, who after being duly sworn, deposed as follows:

- 1. I am a duly authorized agent of McCarthy & Holthus, LLP, attorney for U.S. Bank National Association (mortgage servicer and duly authorized agent of the Current Beneficiary and Mortgagee as referenced in the foregoing Substitute Trustee's Deed) at the time of the events hereinafter set forth and make this affidavit to the best of my knowledge and belief for the purpose of declaring the incidents of statutory and contractual compliance of the entity or entities set out below.
- 2. This affidavit is made with respect to the foreclosure of that certain Deed of Trust dated 6/17/2016, recorded in Volume: N/A Page: N/A Instrument No: RP-2016-264754 of the Real Property Records, HARRIS County, Texas, executed by CHRISTIAN C AGUSTIN, A SINGLE MAN, borrower(s), to ALLAN B. POLUNSKY, Trustee, to secure payment of a Note to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR ACADEMY MORTGAGE CORPORATION, ITS SUCCESSORS AND ASSIGNS.
- 3. To the best of my knowledge and belief, proper notice was sent prior to acceleration of indebtedness. All obligations duties of the holder of the debt were performed in the manner required by law and all notices were served on the Debtor at the Debtor's last known address as shown by the records of the holder of the debt.
- 4. To the best of my knowledge and belief, the mortgagors holding an interest in the above described property 1) were not members of the Armed Forces of the United States of America or were not protected by the Servicemembers' Civil Relief Act or Tex. Prop. Code § 51.015 on the date of the Trustee's Sale, and 2) were alive at the time of the foreclosure sale or, if deceased, the subject Trustee's Sale is not void or voidable pursuant to Tex. Estates Code § 256.003.
- 5. At the instruction and on behalf of the note holder or its agent, notice of acceleration of indebtedness and Notice of Trustee's Sale was served on every Debtor obligated on the debt, in strict compliance with the Texas Property Code, by certified mail at least twenty-one (21) days prior to the date therein specified for sale at the last known address of each such Debtor according to the records of the mortgage servicer.
- 6. At the instructions and on behalf of the holder of the debt or its agent, the attached Notice of Trustee's Sale was filed with the County Clerk in the county or counties in which the subject property is situated and copies thereof posted at said courthouse(s) as required by law and in the manner specified by ordinance or custom."

FURTHER AFFIANT SAYETH NAUGHT.

Executed on: 1/26/2024

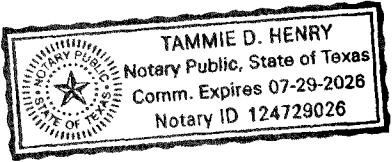

AFFIANT - Cindy Mendoza, Authorized Agent of McCarthy & Holthus, LLP

STATE OF TEXAS §
COUNTY OF COLLIN §

Sworn to and subscribed before me, the undersigned Notary Public, on this day personally appeared Cindy Mendoza who is a duly authorized agent of McCarthy & Holthus, LLP, on behalf of said law firm, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office dated this 26 day of January 2024


Notary Public Signature



After recording return to:
McCarthy & Holthus, L.L.P
1255 West 15th Street, Suite 1060
Plano, TX 75075

MII FILE NO.: TX-19-72718-POS

RP-2024-31354

UNOFFICIAL COPY

EXHIBIT "A"

A PARCEL OF LAND CONTAINING 2785 SQUARE FEET BEING OUT OF AND A PART OF TRACT FOUR (4), UNIVERSITY GREEN, SECTION ONE (1), AS RECORDED IN VOLUME 228 AT PAGE 52, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER, SAID POINT BEING LOCATED SOUTH 23 DEG. 14 MIN. 00 SEC. WEST, A DISTANCE OF 130.52 FEET FROM THE NORTHEAST CORNER OF THE AFOREMENTIONED TRACT FOUR (4);

THENCE NORTH 66 DEG. 46 MIN. 00 SEC. WEST, A DISTANCE OF 51.75 FEET TO A POINT FOR ANGLE;

THENCE NORTH 21 DEG. 46 MIN. 00 SEC. WEST, A DISTANCE OF 6.36 FEET TO A POINT FOR ANGLE;

THENCE NORTH 66 DEG. 46 MIN. 00 SEC. WEST, A DISTANCE OF 50.00 FEET TO A POINT FOR CORNER, SAID POINT BEING IN EASTERLY LINE OF A 28 FOOT PRIVATE STREET;

THENCE SOUTH 23 DEG. 14 MIN. 00 SEC. WEST, ALONG THE SAID EASTERLY LINE OF A 28 FOOT PRIVATE STREET, A DISTANCE OF 28.50 FEET TO A POINT FOR CORNER;

THENCE SOUTH 66 DEG. 46 MIN. 00 SEC. EAST, A DISTANCE OF 20.50 FEET TO A POINT FOR CORNER;

THENCE NORTH 23 DEG. 14 MIN. 00 SEC. EAST, A DISTANCE OF 1.33 FEET TO A POINT FOR ANGLE;

THENCE SOUTH 66 DEG. 46 MIN. 00 SEC. EAST, A DISTANCE OF 9.17 FEET TO A POINT FOR ANGLE;

THENCE SOUTH 23 DEG. 14 MIN. 00 SEC. WEST, A DISTANCE OF 2.66 FEET TO A POINT FOR ANGLE;

THENCE SOUTH 66 DEG. 46 MIN. 00 SEC. EAST, A DISTANCE OF 9.33 FEET TO A POINT FOR ANGLE;

THENCE NORTH 23 DEG. 14 MIN. 00 SEC. EAST, A DISTANCE OF 1.33 FEET TO A POINT FOR ANGLE;

THENCE SOUTH 66 DEG. 46 MIN. 00 SEC. EAST, A DISTANCE OF 67.25 FEET TO A POINT FOR CORNER, SAID POINT BEING IN EASTERLY LINE SAID TRACT FOUR (4);

THENCE NORTH 25 DEG. 14 MIN. 00 SEC. EAST, ALONG THE EASTERLY LINE SAID TRACT FOUR (4), A DISTANCE OF 24.00 FEET TO THE PLACE OF BEGINNING.

RP-2024-31354

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RP-2024-31354

TENESHIA HUDSPETH, COUNTY CLERK, HARRIS COUNTY, TEXAS

FRCL-2023-6853

FILED 10/26/2023 9:41:21 AM

NOTICE OF SUBSTITUTE TRUSTEE SALE

Deed of Trust Date: 6/17/2016	Grantor(s)/Mortgagor(s): CHRISTIAN C AGUSTIN, A SINGLE MAN
Original Beneficiary/Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR ACADEMY MORTGAGE CORPORATION, ITS SUCCESSORS AND ASSIGNS	Current Beneficiary/Mortgagee: U.S. BANK NATIONAL ASSOCIATION
Recorded In: Volume: N/A Page: N/A Instrument No: RP-2016-264754	Property County: HARRIS
Mortgage Servicer: U.S. Bank National Association is representing the Current Beneficiary/Mortgagee under a servicing agreement with the Current Beneficiary/Mortgagee.	Mortgage Servicer's Address: 2800 Tamarack Road, Owensboro, KY 42301
Date of Sale: 1/2/2024	Earliest Time Sale Will Begin: 10:00 am
Place of Sale of Property: The Bayou City Event Center, Magnolia South Ballroom, located at 9401 Knight Rd, Houston, TX 77045 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.	

Legal Description: SEE "EXHIBIT A" ATTACHED HERETO AND MADE A PART HEREOF.

In accordance with TEX. PROP. CODE §51.0076 and the Deed of Trust referenced above, the undersigned as attorney for Mortgagee or Mortgage Servicer does hereby remove the original Trustee and all successor substitute trustees and appoints in their stead, Carl Meyers, Leb Kemp, Traci Yeaman, Israel Curtis, John Sisk, Clay Golden, Stephen Meyers, Colette Mayers, Wayne Wheat, Dana Dennen, Kinney Lester, Thomas Lester, Joshua Sanders, Wesley Fowler-Williams, Ramiro Cuevas, Matthew Hansen, Evan Prens, Auction.com, Anna Sewart, David Barry, Byron Sewart, Patricia Poston, Austin DuBois, Sandy Dasigenis, Jeff Love, John Burger, Martin Beltran, Steve Love or Patricia Poston, Cole Patton, Myra Homayoun, Thuy Frazier, McCarthy & Holthus, LLP, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original Trustee under their said Deed of Trust; and, further, does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.


Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by 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.

NOTICE PURSUANT TO TEX. PROP. CODE § 51.002(i): ASSERT AND PROTECT YOUR RIGHTS AS MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE ARE SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL 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: 10/24/2023

Dated: 10/25/23



 Thuy Frazier, Attorney
 McCarthy & Holthus, LLP
 1255 West 15th Street, Suite 1060
 Plano, TX 75075
 Attorneys for U.S. Bank National Association

SANDY DASIGENIS
 Printed Name:



 Substitute Trustee
 c/o Auction.com
 1255 West 15th Street, Suite 1060
 Plano, TX 75075

MH File Number: TX-19-72718-POS
Loan Type: FHA

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RP-2024-31354

RP-2024-31354

Pages 6

01/30/2024 11:28 AM

e-Filed & e-Recorded in the
Official Public Records of

HARRIS COUNTY

TENESHIA HUDSPETH

COUNTY CLERK

Fees \$41.00

UNOFFICIAL COPY

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Tenesha Hudspeth

COUNTY CLERK
HARRIS COUNTY, TEXAS

COPY