

## Notice of Trustee's Sale

Notice is hereby given that a public sale at auction of the Property (as the term is defined and described below) will be held at the date, time and place specified in this notice.

### Certain Terms and Information

**Date of Sale:** Tuesday, May 3, 2022

**Time of Sale:** The earliest time at which the sale shall occur is 1:00 p.m., Trinity, Texas time. The sale shall begin at that time or not later than three hours after that time.

**Place of Sale:** Trinity County Courthouse, 162 West 1<sup>st</sup> St., Groveton, Texas 75845, or in the area designated by the Commissioners' Court, pursuant to Section 51.002 of the Texas Property Code; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent to the location where this notice was posted.

### Information Regarding the Deed of Trust Lien That Is the Subject of this sale:

**Name of Document:** Deed of Trust and Security Agreement – Financing Statement

**Date:** August 7, 2020

**Grantor:** Mellyssa Locket

**Beneficiary:** *A to Z Holdings, LLC - Series B*, a Texas series limited liability company

**Trustee:** Joshua L. McMahon IV

**Recording Information:** Volume 2280, Page 790 et seq., Official Public Records of Trinity County, Texas.

### **Property Description:**

0.278 Acre in the A. Viesca Survey, A-78, Polk County, Texas and being the Southwest 1/2 of a Lot 120 and all of Lot 121, Section 1 of Lake Livingston Village Subdivision as shown on a plat recorded in Volume 9, Page 19 of the Polk County Plat Records. Said 0.278 Acre being more particularly described by metes and bounds on Exhibit "A" attached hereto.

**Indebtedness Secured:**

**Name of Document:** Promissory Note

**Date:** August 7, 2020

**Face Amount:** EIGHTY-SIX THOUSAND AND NO/100 DOLLARS  
(\$86,000.00)

**Maker:** Mellyssa Locket

**Lender:** *A to Z Holdings, LLC - Series B*, a Texas series limited liability company

**Current Owner and Holder of the Note:** *A to Z Holdings, LLC - Series B*, a Texas series limited liability company

**Postponement Rights**

The Deed of Trust permits the Lender to postpone, withdraw or reschedule the sale for another day. In that case, the Trustee, or, if appropriate, the Substitute Trustee, under the Deed of Trust need not appear at the date, time and place of a scheduled sale 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 requirement of the Texas Property Code. The reposting or refiling may be after the date originally schedule for this sale.

**Terms of Sale**

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Lender thereunder to have the bid credited to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the Property will need to demonstrate his, her, its or their ability to pay cash on the day the Property is sold.

The sale will be made expressly subject to any liens, security interests, encumbrances and other title matters set for in the Deed of Trust, so prospective bidders are reminded that by law the sale will necessarily be made subject to all liens, security interests, encumbrances and other prior matters of record affecting the Property, if any to the extent that they remain in full force and effect and have not been subordinated to the Deed of Trust.

The sale shall not cover any 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 the Deed of Trust, the Current Owner and Holder of the Note has the right to direct the Trustee, or, if appropriate, the Substitute 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 its "as is, and 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. 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, or if appropriate, Substitute 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 if appropriate Substitute Trustee.

#### **Type of Sale**

The sale is a nonjudicial deed-of-trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by Grantor.

The real property and personal property encumbered by the Deed 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.

#### **Default in Indebtedness Secured**

Default has occurred in the payment of the Indebtedness Secured by the Deed of Trust and in the performance of the covenants, agreements and conditions set forth in the Deed of Trust. The maturity of the Indebtedness Secured by the Deed of Trust has been accelerated and such Indebtedness Secured is now wholly due and payable.

#### **Request to Act and Conduct Sale**


Therefore, at the date, time and place set forth above, the undersigned, as Trustee, will sell the Property to the highest bidder pursuant to the terms of the Deed of Trust.

Questions concerning the sale may be direct to the undersigned at 501 W. Church St., Livingston, Texas 77351 or to the Lender, *A to Z Holdings, LLC - Series B*, a Texas series limited liability company, at 190 Ashton Bend, Livingston, Texas 77351.

Notice is also given that before the sale the Lender may appoint another person as Trustee to conduct the sale.

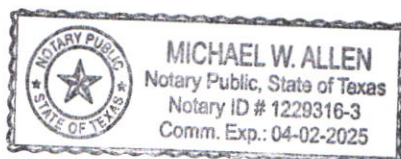
**Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.**


IN THE WITNESS WHEREOF, this Notice of Trustee's Sale has been executed on the 6th day of April, 2022.

  
Joshua L. McMahon IV, Trustee

THE STATE OF TEXAS     §  
                                     §  
COUNTY OF POLK       §

This instrument was acknowledged before me on this 6th day of April, 2022, Joshua L. McMahon IV, Trustee, who acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.



  
Notary Public, State of Texas

## EXHIBIT "A"

FIELDNOTES of 0.278 Acre in the A. Viesca Survey, A-78, Polk County, Texas and being the Southwest 1/2 of a Lot 120 and all of Lot 121, Section 1 of Lake Livingston Village Subdivision as shown on a plat recorded in Volume 9, Page 19 of the Polk County Plat Records. Said 0.278 Acre being more particularly described as follows :

BEGINNING at the South corner of said Lot 121 and the East corner of Lot 122 of said Section 1, found a 5/8" iron rod for corner in the Northwest right of way of Windwood;

THENCE with the Southwest Line of said Lot 121 and the Northeast Line of said Lot 122, N49°07'02"W 135.10 feet to the West corner of said Lot 121 and the North corner of Lot 122, found a 5/8" iron rod for corner in the Southeast Line of Lot 18, Section 2 of Lake Livingston Village Subdivision as shown on a plat recorded in Volume 10, Page 14 of said Plat Records;

THENCE with the Northwest Line of said Lot 121 and Lot 120 and the Southeast Line of said Section 2, N40°57'18"E 89.81 feet to a 5/8" iron rod set for corner;

THENCE across and severing said Lot 120, S49°04'45"E 135.02 feet to a 5/8" iron rod set for corner in the Southeast Line of said Lot 120 and said Northwest right of way;

THENCE with said right of way, the Southeast Line of said Lot 120, and the Southeast Line of said Lot 121, S40°54'08"W 89.72 feet to the Place of Beginning and containing 0.278 Acre of Land.

Bearings described herein are based upon plat calls for said Section 1.

Surveyed : February 4, 2020



Alan Cook, Registered Professional  
Land Surveyor, No. 5368



**FILED**  
at 2:25 o'clock  M  
APR 08 2022

SHASTA BERGMAN  
COUNTY CLERK, TRINITY CO., TEXAS  
