

# NOTICE OF TRUSTEE'S SALE

## DEED OF TRUST INFORMATION:

Grantor(s)	Ernest O.H. Mueller, Jr. and Dorothy Gay Mueller	Deed of Trust Date	November 13, 2013
Original Mortgagee	Mortgage Electronic Registration Systems, Inc. ("MERS"), as beneficiary, as nominee for Liberty Home Equity Solutions, Inc., its successors and assigns	Original Principal	\$938,250.00
Recording Information	Instrument #: 20135310 in Gillespie County, Texas	Original Trustee	Fielder F. Nelms
Property Address	354 Hacienda Rd., Fredericksburg, TX 78624	Property County	Gillespie

## MORTGAGE SERVICER INFORMATION:

Current Mortgagee	PHH Mortgage Corporation	Mortgage Servicer	PHH Mortgage Corporation
Current Beneficiary	PHH Mortgage Corporation	Mortgage Servicer Address	1661 Worthington Road, Suite 100, West Palm Beach, FL 33409

## SALE INFORMATION:

Date of Sale	02/04/2025
Time of Sale	10:00 AM or no later than 3 hours thereafter
Place of Sale	The main front door facing Main Street of the Courthouse in Gillespie County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the Gillespie County Commissioner's Court.
Substitute Trustees	Kevin Key, Jay Jacobs, Martha Rossington, Deanna Ray, Juanita Cox, Jimmy Carroll Brewer, Stephen Rawlings, Chris LaFond, T. Reynolds Rossington, Selim Taherzadeh, or Michael Linke, any to act
Substitute Trustees' Address	15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

## PROPERTY INFORMATION:

### Legal Description as per the Deed of Trust:

TRACT I: BEING 1.92 ACRES OF LAND, MORE OR LESS, SITUATED IN GILLESPIE COUNTY, TEXAS, PART OF THE JOHN WEINHEIMER SURVEY NO. 990, ABSTRACT NO. 1696; SAID 1.92 ACRE TRACT OF LAND IS DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF.

TRACT II: A NON-EXCLUSIVE ACCESS EASEMENT OVER AND ACROSS THAT 30 FOOT WIDE TRACT OF LAND, SITUATED IN GILLESPIE COUNTY, TEXAS, AND PASSES THROUGH PART OF THE JOHN WEINHEIMER SURVEY NO. 990, ABSTRACT NO. 1696; THE CENTERLINE OF WHICH IS DESCRIBED BY METES AND BOUNDS ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

TRACT III: A NON-EXCLUSIVE ACCESS EASEMENT OVER AND ACROSS THAT 30 FOOT WIDE TRACT OF LAND, SITUATED IN GILLESPIE COUNTY, TEXAS, AND PASSES THROUGH PART OF THE W.F. FAIRCHILD SURVEY NO. 994 (W 1/2), ABSTRACT NO. 1752, AND THROUGH PART OF THE JOHN WEINHEIMER SURVEY NO. 990, ABSTRACT NO. 1696; THE CENTERLINE OF WHICH IS DESCRIBED BY METES AND BOUNDS ON EXHIBIT "C", ATTACHED HERETO AND MADE A PART HEROF.

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

Default has occurred under the Deed of Trust and all sums secured by the Deed of Trust were declared immediately due and payable. The Beneficiary has, or caused another to, removed the Original Trustee and appointed Substitute Trustees. On behalf of the Mortgagee, Mortgage Servicer, and Substitute Trustees, the undersigned is providing this Notice of Trustee's Sale.

TAHERZADEH, PLLC

NOTICE OF TRUSTEE'S SALE- 281-01003

FILED SEP 26 2024  
LINDSEY BROWN  
COUNTY CLERK-Gillespie Co., Texas  
By *[Signature]* Deputy  
and Posted @ 10:58 AM  
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## NOTICE OF TRUSTEE'S 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 Beneficiary thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of 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 other matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released 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 Beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to 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. Purchasers will buy the property "at the purchaser's own risk" and "at his/her peril", and no representation is made concerning the quality of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property.

Pursuant to the Texas Property Code, the 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 any Substitute Trustee.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee, or any subsequently appointed Trustee, need not appear at the date, time, and place of a scheduled sale to 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 requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

Interested parties are encouraged to consult counsel of their choice prior to participating in the sale of the property.

**Assert and protect your rights as a member of the armed forces of the United States. If you 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.**

**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.**

Posted by  
T. Reynolds  
T. Reynolds Rossington

Dated September 23, 2024.

/s/ Selim H. Taherzadeh

Selim H. Taherzadeh  
15851 N. Dallas Parkway, Suite 410  
Addison, TX 75001  
(469) 729-6800

Return to: **TAHERZADEH, PLLC**  
15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

# **S J L T E M E I E R**

## **SURVEYING & ENGINEERING**

805 North Llano  
Fredericksburg, TX 78624  
Tel.: (830) 990-1221 Fax: (830) 990-1222

**1.92 ACRES  
GILLESPIE COUNTY, TEXAS**

**FN-13-5633  
SEPTEMBER 4, 2013**

### **EXHIBIT " A "**

**A DESCRIPTION OF A 1.92 ACRE TRACT OF LAND OUT OF THE JOHN WEINHEIMER SURVEY NO. 990, ABSTRACT NO. 1696, SITUATED IN GILLESPIE COUNTY, TEXAS; BEING PART OF THAT CERTAIN 124.6 ACRE (DEED/CALLED ACREAGE) TRACT OF LAND DESCRIBED IN A CONVEYANCE FROM THE MUELLER FAMILY LIMITED PARTNERSHIP TO ERNEST O. H. MUELLER, JR. ET AL, FOUND OF RECORD IN A GENERAL WARRANTY DEED DATED OCTOBER 31, 2011, RECORDED IN DOCUMENT NO. 20114336 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY; SAID 1.92 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING** at a 3/8 Inch Iron rod set for the northerly northeast corner hereof, whence a 2.875 inch iron pipe fence post found at the northwest corner of the said 124.6 acre tract bears N 34 ° 34' 24" W, a distance of 674.81 feet;

**THENCE** passing over and across the said 124.6 acre tract with the following nine (9) courses:

1. S 61 ° 55' 17" E, a distance of 100.01 feet to a 3/8 Inch Iron rod set,
2. S 03 ° 04' 11" E, a distance of 181.56 feet to a 3/8 Inch Iron rod set,
3. S 56 ° 39' 08" W, a distance of 75.60 feet to a 3/8 Inch Iron rod set,
4. S 09 ° 15' 01" E, a distance of 212.03 feet to a 3/8 Inch Iron rod set for the southeast corner hereof,
5. S 87 ° 55' 53" W, a distance of 83.47 feet to a 3/8 Inch Iron rod set for the southerly southwest corner hereof,
6. N 09 ° 04' 30" W, a distance of 25.58 feet to a 3/8 Inch Iron rod set,
7. N 19 ° 21' 01" W, a distance of 161.71 feet to a 3/8 Inch iron rod set,
8. N 23 ° 35' 48" W (BASE BEARING FOR DIRECTIONAL CONTROL FROM GPS OBSERVATION), a distance of 231.63 feet to a 3/8 Inch Iron rod set, and
9. S 62 ° 49' 46" W, a distance of 186.94 feet to a 3/8 Inch Iron rod set on the east line of Hacienda Road, a 30 Foot Wide Roadway described in said Doc. No. 20114336,

**THENCE** continuing over and across the said 124.6 acre tract with the said east line of Hacienda Road, N 06 ° 27' 00" W, a distance of 46.74 feet to a 3/8 Inch Iron rod set for the northwest corner hereof,

**THENCE** departing from said east line and continuing over and across the said 124.6 acre tract with the following two (2) courses:

1. N 64 ° 37' 55" E, a distance of 174.65 feet to a 3/8 Inch Iron rod set, and
2. N 72 ° 31' 48" E, a distance of 187.25 feet to the POINT OF BEGINNING, containing 1.92 acres of land, more or less.



EXHIBIT " B "

BEING a 30 foot wide road situated in Gillespie County, Texas, the centerline of which passes through part of the John Weinheimer Survey No. 990, Abstract No. 1696, and through part of the W. F. Fairchild Survey No. 994, (W 1/2), Abstract No. 1752.

Said centerline of road is described by metes and bounds as follows, to-wit:

BEGINNING at a point in the North line of a County Road, being a point 15.0 feet N, 88° 26' W. from the S.S.E. corner of a 186.0 acre tract of land, and being a point 1937.3 feet S. 38° 10' E. from the N.E. corner of the H. E. & W. T. R. R. Co. Survey No. 393, Abstract No. 950, for the point of beginning.

THENCE with the centerline of said road as follows:

N. 0° 02' E. 1248.9 feet;

N. 0° 16' E. 932.2 feet;

N. 12° 19' E. 161.0 feet;

N. 11° 35' W. 114.2 feet;

N. 23° 29' W. 250.9 feet;

N. 5° 18' W., at 762.4 feet fork No. 1 in road;

THENCE continuing with survey of said road to the left fork No. 1, N. 74° 00' W. 160.6 feet to Fork No. 2 in road;

THENCE with the left Fork, N. 74° 00' W. 435.8 feet to a point in fence along the N.W. line of said 186 acre tract, being a point in the East line of a 168 acre tract of land, for the end of survey.

# EXHIBIT " C "

Centerline of a  
30 foot wide road

THE STATE OF TEXAS,     \*  
COUNTY OF GILLESPIE.   \*

Field notes of a survey of the centerline of a road made at the request of Elaine Richardson. Said road is situated in Gillespie County, Texas, passes through part of the W.F. Fairchild Survey No. 994 (W 1/2), Abstract No. 1752, through part of the John Weinheimer Survey No. 990, Abstract No. 1696, and through part of that 168 acre tract of land described in Exhibit "B" of a conveyance to Elaine Richardson by Partition Deed, dated January 18, 1985, found of record in Volume 164, pages 756-768 of the Deed Records of Gillespie County, Texas.

Said centerline of road is described by metes and bounds as follows, to wit:

BEGINNING at a stake in the South line of that 205 acre tract of land described in Exhibit "C" of a conveyance to Myrtle Oestreich by Partition Deed found of record in Volume 164, pages 756-768 of the Deed Records of Gillespie County, Texas, 981.4 feet West of it's S.E. corner, and being a point in the North line of that 168 acre tract of land described in Exhibit "B" of a conveyance to Elaine Richardson by said Partition Deed, 981.4 feet West of it's N.E. corner, for the point of beginning, from which a steel bar set for the N.W. corner of a 40.0 acre tract bears East 15.0 feet;

THENCE with the centerline of said road as follows:

S. 2 deg. 00 min. W. 1780.5 feet;

S. 4 deg. 35 min. E. 1967.4 feet;

S. 16 deg. 54 min. W. 15.1 feet;

S. 74 deg. 00 min. E. 15.0 feet to a point in the East line of said 168 acre tract, 17.7 feet S. 16 deg. 54 min. W. from a S.E. corner, and being a point in the West line of that 186 acre tract of land described in Exhibit "A" of a conveyance to Julia Seidensticker by said Partition Deed, for the ending point of the left fork of the centerline of a road surveyed by Charles Ottmers at the request of the Carl Mazinke Estate on August 7, 1984, for the end of this survey and description of said road.