



## NOTICE OF FORECLOSURE 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 OR 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.

**1. Property to Be Sold.** The property to be sold is described as follows: PURSUANT TO AMENDED AGREED FINAL JUDGMENT ENTERED ON NOVEMBER 17, 2020 IN CAUSE #1:19-CV-00836-JRN IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION, THE ENCUMBERED PROPERTY CONSISTS OF ONLY THE FOLLOWING 1.00 ACRE TRACT:

BEING 1.00 ACRES OF LAND OUT OF THE OLIVER BUCKMAN SURVEY, ABSTRACT NO. 60, TRAVIS COUNTY, TEXAS AND BEING A PART OR PORTION OF LOT 1, DECKERS CREEK ESTATES AS SHOWN ON THE PLAT OF RECORD IN 81, PAGE 345 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A SET 1/2 INCH REBAR WITH A "POLLOK & SONS" CAP ON THE WESTERLY LINE OF THE GILBERT AUSTIN, LLC LAND AS DESCRIBED IN DOCUMENT 2019039491 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS FOR A CORNER OF A 9.14 ACRE TRACT ALSO SURVEYED THIS DAY AND THE NORTHEASTERLY CORNER OF THIS TRACT FROM WHICH A SET 1/2 INCH REBAR WITH A "POLLOK & SONS" CAP FOR AN INTERIOR CORNER OF SAID GILBERT AUSTIN, LLC LAND AND THE NORTHEASTERLY CORNER OF LOT 1 AND SAID 9.14 ACRE TRACT BEARS NORTH 27 DEGREES 43 MINUTES 45 SECONDS EAST, A DISTANCE OF 110.54 FEET

THENCE SOUTH 27 DEGREES 43 MINUTES 45 SECONDS WEST, WITH THE COMMON LINE OF SAID GILBERT AUSTIN, LLC LAND, A DISTANCE OF 168.47 FEET TO A SET 1/2 INCH REBAR WITH A "POLLOK & SONS" CAP FOR A CORNER OF SAID 9.14 ACRE TRACT AND THE SOUTHEASTERLY CORNER OF THIS TRACT;

THENCE NORTH 62 DEGREES 16 MINUTES 45 SECONDS WEST, INTO LOT 1 AND WITH THE COMMON LINE OF SAID 9.14 ACRE TRACT, A DISTANCE OF 258.56 FEET TO A SET 1/2 INCH REBAR WITH A "POLLOK & SONS" CAP FOR AN INTERIOR CORNER OF SAID 9.14 ACRE TRACT AND THE SOUTHWESTERLY CORNER OF THIS TRACT;

THENCE NORTH 27 DEGREES 43 MINUTES 45 SECONDS WEST, CONTINUING WITH THE COMMON LINE OF SAID 9.14 ACRE TRACT, A DISTANCE OF 168.47 FEET TO A SET 1/2 INCH REBAR WITH A "POLLOK & SONS" CAP FOR AN INTERIOR CORNER OF SAID 9.14 ACRE TRACT AND THE NORTHWESTERLY CORNER OF THIS TRACT;

THENCE SOUTH 62 DEGREES 16 MINUTES 45 SECONDS EAST, CONTINUING WITH THE COMMON LINE OF SAID 9.14 ACRE TRACT, A DISTANCE OF 258.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.00 ACRES OF LAND AS SHOWN ON A PLAT THAT ACCOMPANIES THIS DESCRIPTION.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 07/05/2006 and recorded in Document 2006136576 real property records of Travis County, Texas.

**3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:

Date: 01/04/2022

Time: 10:00 AM

Place: Travis County, Texas at the following location: THE AREA UNDER THE REAR PORTICO OF THE COURTHOUSE LOCATED ON THE WEST SIDE OF COURTHOUSE IMMEDIATELY SOUTH OF AND SLIGHTLY EAST OF 11TH & SAN ANTONIO STREET, REFERRED TO AS THE SALLYPORT OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

**4. Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee 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 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.

**5. Obligations Secured.** The Deed of Trust executed by LARRY R. BEARD AND LILA NELSON BEARD, provides that it secures the payment of the indebtedness in the original principal amount of \$650,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Deutsche Bank Trust Company Americas, as Trustee for Residential Accredited Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-QS11 is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is Deutsche Bank Trust Company Americas, as Trustee for Residential Accredited Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-QS11 c/o PHH MORTGAGE CORPORATION, 1 Mortgage Way, Mail Stop SV-22, Mt. Laurel, NJ 08054 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

**6. Order to Foreclose.** Deutsche Bank Trust Company Americas, as Trustee for Residential Accredited Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-QS11 obtained a Order from the UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION on 11/17/2020 under Cause No. 1:19-cv-00836-JRN. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

7. *Substitute Trustee(s) Appointed to Conduct Sale.* In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**

*[Signature]*  
 Mackie Wolf Zientz & Mann, P.C.  
 Brandon Wolf, Attorney at Law  
 E. Keller, Mackie, Attorney at Law  
 Michael Zientz, Attorney at Law  
 Lori Liane Cong, Attorney at Law  
 Chelsea Schneider, Attorney at Law  
 Ester Gonzales, Attorney at Law  
 Parkway Office Center, Suite 900  
 14160 Dallas Parkway  
 Dallas, TX 75244

#### Certificate of Posting

I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the Travis County Clerk and caused it to be posted at the location directed by the Travis County Commissioners Court.



**202140332**

**FILED AND RECORDED  
 OFFICIAL PUBLIC RECORDS**

*[Signature]*

**Dana DeBeauvoir, County Clerk  
 Travis County, Texas**

**Nov 12, 2021 09:16 AM**

**Fee: \$3.00**

**MEDINAE**