

DEC 12 2025

SUSAN STRICKLAND
COUNTY CLERK VAN ZANDT COUNTY
BY _____ DEP

NOTICE OF FORECLOSURE SALE

1. **Foreclosure Sale.**

Date of Sale: January 6, 2026

Time of Sale: The sale shall begin no earlier than 10:00 a.m. and shall end no later than three hours after, or by 1:00 p.m.

Place of Sale: At the Van Zandt County Courthouse located at 121 E. Dallas St., #302, Canton, TX at the following location: The steps of the North entrance to the Van Zandt County Courthouse or as designation by the County Commissioner's Office.

2. **Lien Instrument:**

Date of Instrument: August 16, 2022

Name of Instrument: Builder's and Mechanic's Lien Contract

Grantor: Marlon O. Herrera and Madeline Herrera, husband and wife

Substitute Trustees: Jim Mills, George Hawthorne, Susan Mills, Andrew Mills-Middlebrook, Ed Henderson, Sharon Hobbs, Tony Hulsey.

Address: 9130 Jollyville Rd., Suite 100-21, Austin, TX 78759

Lender & Holder: United Built Homes, L.L.C.

Recording location: Document No. 2022-009630 of the real property records of Van Zandt County, Texas

Legal Description: See attached Exhibit "A"

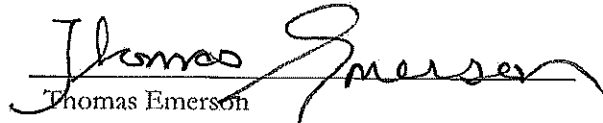
3. **Debt Secured.**

Date of Instrument: August 16, 2022
Name of Instrument: Retail Installment Contract
Debtor(s): Marlon O. Herrera
Lender & Holder: United Built Homes, L.L.C.
Original amount: \$311,867.00

4. **Default and Request to Act:** Default has occurred in the payment of the Retail Installment Contract and in the performance of the obligations of the Builder's and Mechanic's Lien Contract. Because of that default, United Built Homes, L.L.C., the owner and holder of the Builder's and Mechanic's Lien Contract, has requested Substitute Trustee to sell the Property. Therefore, notice is given that on and at the Date, Time and Place for Foreclosure Sale described above, the Substitute Trustee will sell the Property in accordance with the Terms of Sale described below, the Builder's and Mechanic's Lien Contract and the Texas Property Code.
5. **Postponement, Withdrawing, or Rescheduling of the Sale** - The Builder's and Mechanic's Lien Contract permits the Holder to postpone, withdraw, or reschedule the sale for another day. In that case, the Substitute Trustee need not appear at the scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of any rescheduled foreclosure sale will be re-posted and re-filed, and may be after the date originally scheduled for this sale.
6. **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Builder's and Mechanic's Lien Contract permitting the Holder to have the bid credited up to the amount of the unpaid debt secured by the Builder's and Mechanic's Lien Contract. Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold. The sale will be made expressly subject to any title matters set forth in the Builder's and Mechanic's Lien Contract. Prospective bidders are reminded that, by law, the sale will be subject to all prior matters of record affecting the property. Prospective bidders are strongly urged to examine the property records to determine the nature and extent of such matters, if any.
7. **Property Sold "AS IS."** Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Builder's and Mechanic's Lien Contract. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.
8. **Conditions.** Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.
9. **Inquiries.** Questions concerning the sale may be directed to the undersigned Agent and Attorney for the Lender

10. 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.
11. THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEES IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY AND AUTHORIZED AGENT OF THE LENDER AND HOLDER.

DATED November 21, 2025

A handwritten signature in black ink, appearing to read "Thomas Emerson", written over a horizontal line.

Thomas Emerson

Director of Loan Servicing and Agent for
Holder

2790 S. Thompson St., Suite 102

Springdale, AR 72764

Phone: 479.872.3841

Fax: 479.872.3841

legal@ubh.com

Exhibit "A"

BEING all that lot, tract or parcel of land, located in the George Reeves Survey, A-727, Van Zandt County, Texas, surveyed as 1.747 acres of land and being the same land described as Tract 1, called 0.33 of an acre and Tract 2, called 1.42 acres of land in a General Warranty Deed from Genesis Green to Madeline Herrera and Marlon Herrera, dated June 16, 2022 and recorded as County Clerk File Number 2022-07320 Official Public Records of Van Zandt County, Texas and both Tracts 1 and 2 being part of land described in a Warranty Deed dated November 11, 1950 and conveyed by J. S. Stricklin et ux Maud Stricklin to W. B. Hale and Christine Hale, recorded in Volume 396, Page 361 of the Deed Records of Van Zandt County, Texas and being more particularly described as follows:

The basis of orientation herein is the record bearing of S 21°08'20" E (CCFN 2022-07320) along the east boundary line of Tract 2 cited above, between found monuments held for control.

BEGINNING at a 3/8-inch iron rod, found for the northeast corner herein, being the northeast corner of the cited Tract 2 and the northwest corner of the Lance Green called 0.844 of an acre tract (CCFN 2018 000702) in a wire fence which runs east and west;

THENCE S 07°54'23" W 88.11 feet with the east boundary line of Tract 1 and the upper west boundary line of the Green tract to a 3/8-inch iron rod found at a fence corner post for the northeast corner of Tract 2 (control monument) and the southeast corner of Tract 1;

THENCE S 21°08'20" E 190.93 feet with the common line between Tract 2 and the Green tract to a 3/8 inch iron rod found (control monument) at a fence corner, said iron rod is the southeast corner of Tract 2 and the southwest corner of the Green tract in the north right of way of Farm to Market Road 858 (eighty foot wide right of way), from which another 3/8 inch iron rod found for the southeast corner of the Green tract Bears N 69°16'44" E 124.80 feet;

THENCE S 69°16'44" W 247.72 feet with the south boundary line of Tract 2 and the north right of way of F.M. 858 to a Cross-Tie Fence corner held for the southwest corner of Tract 2 and the southeast corner of the W. J. Williams called 36-acre tract (cited in the Van Zandt Tax Records but no deed located);

THENCE N 13°22'15" W 373.03 feet with the east boundary line of the Williams 36 acre tract and the west boundary lines of Tracts 1 and 2 to a 3/8 inch iron rod found for the northwest corner of Tract 1, 3 feet north of a fence corner post and from which the southwest corner of Tract 1 bears S 13°22'15" E 70.58 feet, said iron rod being a westerly southwest corner of the Ken and Patsy Kendall Family Partnership called 43.872 acre tract (Volume 1360, Page 903 of the Official Records of Van Zandt Co.);

THENCE S 87°49'40" E 261.41 feet along the north boundary line of Tract 1 and a westerly south boundary line of the Kendall Family Partnership 43.872-acre tract to the **PLACE OF BEGINNING**, containing 1.747 acres of land, of which none lies within the right of way of F.M. 858.

The lien granted herein extends to and includes any water meter, water transmission lines and water rights appurtenant to the property.