

**STATE OF TEXAS §
COUNTY OF WILSON §**

NOTICE OF FORECLOSURE SALE
AND APPOINTMENT OF SUBSTITUTE TRUSTEE

**THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED
WILL BE USED FOR THAT PURPOSE.**

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.

Date of Notice: May 8, 2019

Filed for Record in:
Wilson County
by Honorable Eva Martinez
County Clerk
On: May 08, 2019 at 03:38P
As a Recording

Mortgagee: FALLS CITY NATIONAL BANK
100 S Front Street
Falls City, Karnes County, Texas 78113

Mortgage Servicer: Same as Mortgagee.

Total Fees \$ 2.00

Security Instrument(s): Deed of Trust dated January 28, 2016, recorded at Vol. 1891, Page 688, Official Public Records of Wilson County, Texas and Mechanic's and Materialman's Lien Contract and Mechanic's Lien Note, recorded in Vol. 1891, Page 681, Official Public Records of Wilson County, Texas, as modified by Modification Agreement – Real Estate Note and Lien with Disclaimer of Oral Agreements Construction Loan Mechanic's Lien and Deed of Trust dated October 28, 2016, recorded in Vol. 1945, Page 639, Official Public Records of Wilson County, Texas.

No Bankruptcy Proceeding(s) In Effect: As of the date and time this notice is posted, the undersigned has diligently search and has not found any pending bankruptcy case which would preclude the sale contemplated by this notice. **NOTICE IS HEREBY GIVEN TO ANY DISTRICT JUDGE RECEIVING THIS NOTICE IN CONNECTION WITH ANY APPLICATION FOR A TEMPORARY RESTRAINING ORDER:**

1. On February 22, 2019, the Chapter 13 bankruptcy case of Debtor Ross Barrera, filed on or about February 4, 2019, in the United States Bankruptcy

Court for the Western District of Texas, Case No. 19-50250-CAG, was dismissed by written order.

2. On March 7, 2019, the Chapter 13 bankruptcy case of Debtor Diana Reyna-Barrera, filed on or about September 3, 2017, in the United States Bankruptcy Court for the Western District of Texas, Case No. 17-52108-RBK, was dismissed by written order.
3. On or about April 16, 2019, the Chapter 13 bankruptcy case of Debtors Diana Reyna-Barrera and Ross Barrera, filed on or about April 4, 2019, in the United States Bankruptcy Court for the Western District of Texas, Case No. 19-50761-RBK, was dismissed by written order.

Default: Default has occurred under the above-referenced Security Instrument(s). Because of that default, Lender, the owner and holder of the above-referenced Modification Agreement – Real Estate Note and Lien with Disclaimer of Oral Agreements Construction Loan Mechanic's Lien and Deed of Trust and a certain note(s) described in the above-referenced Deed of Trust dated January 28, 2016, has requested Substitute Trustee to sell the Property in accordance with the Security Instrument(s), as more particularly described herein.

Property: The same property described in the Security Instrument(s), more particularly described as: **Lot 6, Abrego Lake Subdivision, Unit One** as shown on the plat recorded in **Vol. 10, Page 10-11**, Plat Records of Wilson County, Texas.

Date, Time, and Place of Sale: Substitute Trustee will conduct the Foreclosure Sale of the Property at the following date, time, and place:

Date: Tuesday, June 4, 2019

Time: The Foreclosure Sale of the Property will be held between 10:00 AM and 4:00 PM local time. The earliest time at which the foreclosure sale will begin is 1:00 PM and not later than 3 hours thereafter.

Place: The most northeasterly door of the Wilson County Courthouse, being the courthouse door facing the office of the Wilson County Tax Assessor-Collector on Library Lane, in Floresville, Wilson County, Texas, said courthouse bearing the address of 1420 Third Street, Floresville, Texas 78114, in Wilson County, Texas, and being the officially designated location for foreclosure sales.

Terms of Sale: The sale will be conducted as a public auction to the highest bidder for cash, except that Lender may bid by credit against the indebtedness secured by the Deed of Trust. Pursuant to Texas Property Code § 51.009, 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. 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.

Personal Property: The Security Instrument(s) may encumber both real and personal property. Formal notice is hereby given of Lender's election to proceed against and sell both the real and any personal property described in the Security Instrument(s) in accordance with its rights and remedies under the Security Instrument(s) and section 9.604(a) of the Texas Business and Commerce Code.

Substitute Trustee Appointed to Conduct Sale: In accordance with Texas Property Code §§ 51.0075 and 51.0076, the mortgagee or mortgage servicer has authorized the undersigned attorney to appoint, and the undersigned attorney has named and appointed and does hereby name and appoint the following persons as Substitute Trustee to act and under and by virtue of said Security Instrument(s), who may each exercise said powers singularly and alone, without consent or action by any other person named herein:

NOHL BRYANT as Substitute Trustee to act under and by virtue of said Security Instrument(s). The street address and telephone number of said Substitute Trustee is: 111 W. Olmos Dr., San Antonio, Texas 78212, (210) 910-6625

ELOY J. HITA as Substitute Trustee to act under and by virtue of said Security Instrument(s). The street address and telephone number of said Substitute Trustee is: 1024 C. Street, Floresville, TX 78114, (830) 216-4075

Sender of Notice: The name, address, and telephone number of the sender of this Notice of Foreclosure Sale and Appointment of Substitute Trustee is:

Nohl Bryant, Substitute Trustee
111 W. Olmos Dr.
San Antonio, TX 78212
(210) 910-6625

Manner of Delivery and Recipients of Notice: This Notice of Foreclosure Sale and Appointment of Substitute Trustee has been posted at the courthouse door of each county in which the Property is located and states that the Property will be sold in Wilson County. A copy of this Notice of Foreclosure Sale and Appointment of Substitute Trustee has been filed in the office of the County Clerk of Wilson County. This Notice of Foreclosure Sale and Appointment of Substitute Trustee has been sent by Certified Mail and First Class Mail on each debtor who, according to the records of the mortgage servicer of the debt, is obligated to pay the debt, to wit:

TO: MR. ROSS BARRERA
104 Medora Branch
Floresville, TX 78114
VIA CMRRR # 7018 0680 0001 0593 8121
& FIRST CLASS MAIL

TO: MRS. DIANA C. REYNA-BARRERA
104 Medora Branch
Floresville, TX 78114
VIA CMRRR # 7018 0680 0001 0593 8114
& FIRST CLASS MAIL

Multiple Originals: This Notice of Foreclosure Sale and Appointment of Substitute Trustee is executed in multiple originals, each of which shall constitute a copy and an original hereof.

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.



NOHL BRYANT, SUBSTITUTE TRUSTEE

STATE OF TEXAS

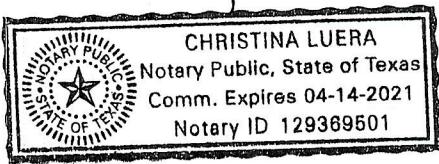
COUNTY OF WILSON

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ACKNOWLEDGMENT

"Before me, the undersigned notary public, on this day personally appeared NOHL BRYANT, who proved to me through presentation of government-issued identification, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and consideration therein expressed.

Given under my hand and seal of office this 8th day of
May, 2019."



C. Luera

Notary Public in and for the State of Texas

AFTER RECORDING, RETURN TO:

NOHL BRYANT
Texas Bar No. 24050346
BRYANT LAW PC
111 W. Olmos Dr.
San Antonio, TX 78212

STATE OF TEXAS §
COUNTY OF WILSON §

NOTICE OF FORECLOSURE SALE
AND APPOINTMENT OF SUBSTITUTE TRUSTEE

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WILL BE USED FOR THAT PURPOSE.**

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.

Date of Notice: May 8, 2019

Filed for Record in:
Wilson County
by Honorable Eva Martinay

Mortgagee: FALLS CITY NATIONAL BANK
100 S Front Street
Falls City, Karnes County, Texas 78111

County Clerk

Mortgage Servicer: Same as Mortgagee.

Total Fees 7

Security Instrument(s): Deed of Trust dated November 3, 2011, made by Betty A. Valdez and Robert S. Valdez (Debtor), recorded in Volume 1632, Page 655, Official Public Records of Wilson County, Texas, securing an Adjustable Rate Note of even date in the principal amount of \$20,743.32 made by Debtor and payable to the order of Falls City National Bank.

No Bankruptcy Proceeding(s) In Effect: As of the date and time this notice is posted, the undersigned has diligently search and has not found any pending bankruptcy case which would preclude the sale contemplated by this notice.

Default: Default has occurred under the above-referenced Security Instrument(s). Because of that default, Lender, the owner and holder of the above-referenced Modification Agreement - Real Estate Note and Lien with Disclaimer of Oral Agreements Construction Loan Mechanic's Lien and Deed of Trust and a certain note(s) described in the above-referenced Deed of Trust dated January 28, 2016, has

requested Substitute Trustee to sell the Property in accordance with the Security Instrument(s), as more particularly described herein.

Property: The same property described in the Security Instrument(s), more particularly described as:

BEING 0.233 acres of land in Wilson County, Texas, a part of the S. & J. Arocha Grant, lying within the corporate limits of the City of Floresville and being described by metes and bounds as follows:

BEGINNING at on the southeast boundary of what is known as A Street of said City of Floresville, whence the intersection of such southeast boundary with the northeast boundary of what is known as Seventh Street of said City of Floresville bears S. 48 deg. 45 min. W., a distance of 319.00 feet;

THENCE S. 41 deg. 15 min. E., a distance of 203.00 feet to a corner;

THENCE N. 48 deg. 45 min. E. a distance of 50.00 feet to a corner;

THENCE N. 41 deg. 15 min. W., a distance of 203.00 feet to said A Street;

THENCE S. 48 deg. 45 min. W., a distance of 50.00 feet to the PLACE OF BEGINNING.

And being the same property described in Deed dated July 28, 2008, executed by John May to Betty A. Valadez, recorded in Volume 1469, Page 703 of the Official Public Records of Wilson County, Texas.

Date, Time, and Place of Sale: Substitute Trustee will conduct the Foreclosure Sale of the Property at the following date, time, and place:

Date: Tuesday, June 4, 2019

Time: The Foreclosure Sale of the Property will be held between 10:00 AM and 4:00 PM local time. The earliest time at which the foreclosure sale will begin is 1:00 PM and not later than 3 hours thereafter.

Place: The most northeasterly door of the Wilson County Courthouse, being the courthouse door facing the office of the Wilson County Tax Assessor-Collector on Library Lane, in Floresville, Wilson County, Texas, said courthouse bearing the address of 1420 Third

Street, Floresville, Texas 78114, in Wilson County, Texas, and being the officially designated location for foreclosure sales.

Terms of Sale: The sale will be conducted as a public auction to the highest bidder for cash, except that Lender may bid by credit against the indebtedness secured by the Deed of Trust. Pursuant to Texas Property Code § 51.009, 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. 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.

Personal Property: The Security Instrument(s) may encumber both real and personal property. Formal notice is hereby given of Lender's election to proceed against and sell both the real and any personal property described in the Security Instrument(s) in accordance with its rights and remedies under the Security Instrument(s) and section 9.604(a) of the Texas Business and Commerce Code.

Substitute Trustee Appointed to Conduct Sale: In accordance with Texas Property Code §§ 51.0075 and 51.0076, the mortgagee or mortgage servicer has authorized the undersigned attorney to appoint, and the undersigned attorney has named and appointed and does hereby name and appoint the following persons as Substitute Trustee to act and under and by virtue of said Security Instrument(s), who may each exercise said powers singularly and alone, without consent or action by any other person named herein:

NOHL BRYANT as Substitute Trustee to act under and by virtue of said Security Instrument(s). The street address and telephone number of said Substitute Trustee is: 111 W. Olmos Dr., San Antonio, Texas 78212, (210) 910-6625

ELOY J. HITA as Substitute Trustee to act under and by virtue of said Security Instrument(s). The street address and telephone number of said Substitute Trustee is: 1024 C. Street, Floresville, TX 78114, (830) 216-4075

Sender of Notice: The name, address, and telephone number of the sender of this Notice of Foreclosure Sale and Appointment of Substitute Trustee is:

Nohl Bryant, Substitute Trustee
111 W. Olmos Dr.
San Antonio, TX 78212
(210) 910-6625

Manner of Delivery and Recipients of Notice: This Notice of Foreclosure Sale and Appointment of Substitute Trustee has been posted at the courthouse door of each county in which the Property is located and states that the Property will be sold in Wilson County. A copy of this Notice of Foreclosure Sale and Appointment of Substitute Trustee has been filed in the office of the County Clerk of Wilson County. This Notice of Foreclosure Sale and Appointment of Substitute Trustee has been sent by Certified Mail and First Class Mail on each debtor who, according to the records of the mortgage servicer of the debt, is obligated to pay the debt, to wit:

TO: MRS. BETTY A. VALADEZ
964 US HWY 181 N
FLORESVILLE, TX 78114-3173
VIA CMRRR # 7018 0680 0001 0593 8091 &
FIRST CLASS MAIL

TO: MR. ROBERT S. VALADEZ
PO BOX 863
Poth, TX 78147
VIA CMRRR # 7018 0680 0001 0593 8107 &
FIRST CLASS MAIL

Multiple Originals: This Notice of Foreclosure Sale and Appointment of Substitute Trustee is executed in multiple originals, each of which shall constitute a copy and an original hereof.

**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.**



NOHL BRYANT, SUBSTITUTE TRUSTEE

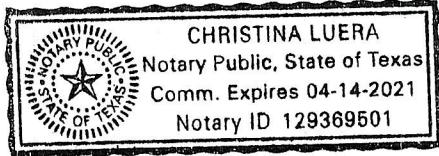
STATE OF TEXAS
COUNTY OF WILSON

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ACKNOWLEDGMENT

"Before me, the undersigned notary public, on this day personally appeared NOHL BRYANT, who proved to me through presentation of government-issued identification, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and consideration therein expressed.

May 8th day of
2019.



C. Luera
Notary Public in and for the State of Texas

AFTER RECORDING, RETURN TO:

NOHL BRYANT
Texas Bar No. 24050346
BRYANT LAW PC
111 W. Olmos Dr.
San Antonio, TX 78212

COPY

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 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.

1. *Property to Be Sold.* The property to be sold is described as follows: SEE EXHIBIT "A"

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 11/29/2012 and recorded in Document 00019136 real property records of Wilson County, Texas.

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

Date: 07/02/2019

Time: 12:00 PM

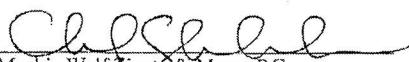
Place: Wilson County Courthouse, Texas, at the following location: THE MOST NORTH-EASTERLY DOOR OF THE WILSON COUNTY COURTHOUSE, BEING THE COURTHOUSE DOOR FACING THE OFFICE OF THE WILSON COUNTY TAX ASSESSOR-COLLECTOR, IN FLORESVILLE, WILSON COUNTY, TEXAS, WHICH BEARS THE ADDRESS OF 2 LIBRARY LANE OR 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.

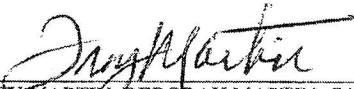
5. *Obligations Secured.* The Deed of Trust executed by MARY E. DE LA ZERDA AND JOHNNY DE LA ZERDA, provides that it secures the payment of the indebtedness in the original principal amount of \$110,626.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. First Guaranty Mortgage Corporation is the current mortgagee of the note and deed of trust and RUSHMORE LOAN MANAGEMENT SERVICES, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is First Guaranty Mortgage Corporation c/o RUSHMORE LOAN MANAGEMENT SERVICES, LLC, 15480 Laguna Cyn Road, Suite 100, IRVINE, CA 92618 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *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 TROY MARTIN, DEBORAH MARTIN, CASSIE MARTIN, TERRI MARTIN, DEANNA RAY, ALEXIS MARTIN, ELIZABETH ANDERSON, BOB FRISCH, JAMIE STEEN, JODI STEEN OR JO WOOLSEY, 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.



Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
Lori Liane Long, Attorney at Law
 Chelsea Schneider, Attorney at Law
Ester Gonzales, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254



TROY MARTIN, DEBORAH MARTIN, CASSIE MARTIN, TERRI MARTIN, DEANNA RAY, ALEXIS MARTIN, ELIZABETH ANDERSON, BOB FRISCH, JAMIE STEEN, JODI STEEN OR JO WOOLSEY
c/o AVT Title Services, LLC
5177 Richmond Avenue Suite 1230
Houston, TX 77056

Certificate of Posting
I am _____ whose address is c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on _____ I filed this Notice of Foreclosure Sale at the office of the Wilson County Clerk and caused it to be posted at the location directed by the Wilson County Commissioners Court.



CASE: 17-18344
Investor/Loan Type: FHA

EXHIBIT "A"
Legal Description

The land hereinafter referred to is situated in the City of Floresville, County of Wilson, State of TX, and is described as follows:

Being 0.57 acres of land within the Corporate City Limits of the City of Floresville out of the S. & J. Arocha Grant, Abstract No. 1, Wilson County, Texas and being the same land described in a conveyance to Alfonso Flores and wife, Elida G. Flores, in a deed of record in Volume 423, Page 135 of the Deed Records of Wilson County, Texas said 0.57 acres being more particularly described by metes and bounds as follows:

Beginning at a found pin on the Southwest right-of-way line of the 4th Street for the East corner of the Elizabeth Ann Price land as described in Volume 654, Page 914 of the Deed Records of Wilson County, Texas and the North corner of this tract;

Thence South 41 degrees 15 minutes 00 seconds East, (the record bearing for this survey per the plat) with said right-of-way, a distance of 112.75 feet to a found pin for the North corner of the Leona Flieller land as described in Volume 487, Page 449 of the Deed Records of Wilson County, Texas and the East corner of this tract;

Thence South 50 degrees 26 minutes 44 seconds West, with the common line of the said Flieller land, a distance of 219.24 feet to a found pin on the Northeast line of the Charles J. Franklin, et ux land as described in Volume 903, Page 497 of the Official Public Records of Wilson County, Texas for the West corner of said Flieller land and the South corner of this tract;

Thence North 41 degrees 36 minutes 11 seconds West, with the common line of said Franklin land, a distance of 112.97 feet to a found pin on the Southeast line of the Jeanette Flores land as described in Volume 883, Page 330 of the Official Public Records of Wilson County, Texas for the North corner of said Franklin land and the West corner of this tract;

Thence North 50 degrees 29 minutes 51 seconds East, with the common line of the said Flores land of the aforementioned Elizabeth Ann Price land, a distance of 219.94 feet to the point of beginning containing 0.57 acres of land in the Corporate City Limits of the City of Floresville, Wilson County, Texas.

Filed for Record in
Wilson County
by Honorable Eva Martinez
County Clerk
On: Feb 28, 2018 at 02:56P
As a Recording
Document Number: 00071466
Total Fees: 34.00

Receipt Number: - 215382
By:
Gesla Riches

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 WILSON
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped herein on me and was duly RECORDED in Official Public Records the Volume: 2016 and Page: 483 of the Deed Records of Wilson County as stamped herein by me.

Feb 28, 2018


Eva Martinez
COUNTY CLERK
WILSON COUNTY, TEXAS