

NOTICE OF SALE

FILED FOR RECORD
at 8:30 o'clock AM

DATE: August 9, 2021

AUG 11 2021

Ricardo Alvarado
COUNTY & DISTRICT CLERK, KINNEY CO.
Deputy

PROPERTY: The real property described as follows:

162 DeZavala, Brackettville, TX 78832, and more fully described as Lot Eighty-Eight (88), Unit Fourteen (14), Fort Clark Springs, a subdivision adjacent to the City of Brackettville, Kinney County, Texas, according to the plat thereof as recorded in Volume 1, Page 27-28, Plat Records of Kinney County, Texas along with Fort Clark Springs Membership No. W-1454, Account No. 31454-01

Together with all improvements, easements, personal property, intangibles, rents, revenues, contracts, and rights appurtenant to the real property, as described in the attached order granting application for foreclosure.

TRUSTEE: Jonathan P Fly
Trustee's Mailing Address: 4901 Broadway, Ste 235, San Antonio, TX 78209

DATE AND TIME OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

09/07/2021, the first Tuesday of the month, to commence at 1:00PM, or within three (3) hours after that time.

PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

At public auction to the highest bidder for cash in the area designated by the Commissioners Court of Kinney County, Texas.

NOTICE

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 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.

RECITALS

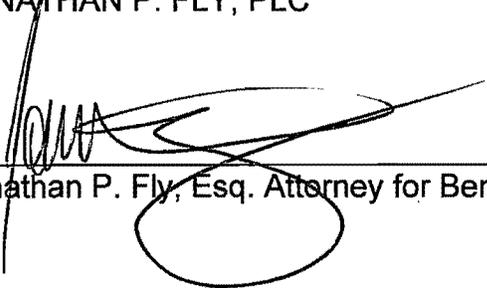
Default has occurred pursuant to the Revised Declaration of Protective Covenants Restrictions for Fort Clark Springs Association, Inc., executed on March 28, 2017, recorded in Book 223, Pages 483 et seq. Official Public Records of Kinney County, Texas, along with all amendments of record thereto ("Declaration")

The 63rd Judicial District, Kinney County Texas, has approved an application for order of nonjudicial foreclosure, attached hereto.

Therefore, notice is given that on the Date and Time of Sale of Property and at the Place of Sale of Property, Trustee will sell the Property by public sale to the highest bidder for cash or acceptable certified funds, according to applicable law. The sale and conveyance of the Property will be subject to all matters of record applicable to the Property that are superior to the Declaration and to any permitted exceptions to title described in the Declaration, along with all applicable rights of redemption, which shall attach to and run with the land. Trustee has not made and will not make any covenants, representations, or warranties about the Property other than providing the successful bidder at the sale with a deed to the Property containing any warranties of title required by the Deed of Trust. The Property will be sold AS IS, WHERE IS, AND WITH ALL FAULTS.

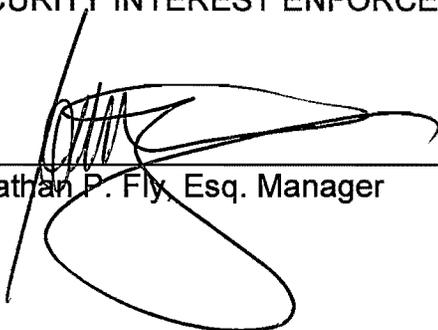
At the sale, the Trustee reserves the right to qualify bidders before accepting that bidder's bid, including but not limited to requiring some or all bidders to show proof of good funds. Substitute Trustee may reject bids made by bidders, bidding groups, or employees of bidding groups that have a prior history of bidding in bad faith.

EXECUTED as of August 9, 2021.
JONATHAN P. FLY, PLC



Jonathan P. Fly, Esq. Attorney for Beneficiary

EXECUTED as of August 9, 2021.
SECURITY INTEREST ENFORCEMENT, LLC



Jonathan P. Fly, Esq. Manager

CASE NO. 5102

IN RE: ORDER FOR FORECLOSURE

IN THE DISTRICT COURT

**CONCERNING:
162 DEZAVALA
BRACKETTVILLE, TX 78832**

63RD JUDICIAL DISTRICT

UNDER TEX. R. CIV. P. 736

KINNEY COUNTY, TEXAS

ORDER GRANTING APPLICATION FOR ORDER FOR FORECLOSURE

On this date, the application of Fort Clark Springs Association, Inc. to obtain an order to proceed with foreclosure of the real property located at 162 DeZavala, Brackettville, TX 78832, situated in Kinney County, Texas, and more fully described as Lot Eighty-Eight (88), Unit Fourteen (14), Fort Clark Springs, a subdivision adjacent to the City of Brackettville, Kinney County, Texas, according to the plat thereof as recorded in Volume 1, Page 27-28, Pat Records of Kinney County, Texas along with Fort Clark Springs Membership No. W-1454, Account No. 31454-01, was presented to the Court. The Court is of the opinion that Fort Clark Springs Association, Inc. has proved the elements of TEX. R. CIV. P. 736, has provided all legally required notices prior to the issuance of this Order and is entitled to foreclose its assessment lien due to the default of Michael Karrer in paying all properly levied assessments, late fees, attorney's fees and expenses pursuant to the Declaration described below. Michael Karrer's last known mailing address is 723 CORUNNA AVE, OWOSSO, MI 48867-3625.

IT IS THEREFORE ORDERED by this Court that the foreclosure of the property described above shall proceed in accordance with the terms of Revised Declaration of Protective Covenants Restrictions for Fort Clark Springs Association, Inc., executed on March 28, 2017, recorded in Book 223, Pages 483 et seq. Official Public Records of Kinney

1 County, Texas, along with all amendments of record thereto (the "Declaration"), with respect
2 to the following Property situated in Kinney County, Texas:

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4 162 DeZavala, Brackettville, TX 78832, and more fully described as Lot Eighty-Eight (88),
5 Unit Fourteen (14), Fort Clark Springs, a subdivision adjacent to the City of Brackettville,
6 Kinney County, Texas, according to the plat thereof as recorded in Volume 1, Page 27-28,
7 Pat Records of Kinney County, Texas along with Fort Clark Springs Membership No. W-
8 1454, Account No. 31454-01.

9
10 IT IS FURTHER ORDERED that the Petitioner recover all delinquent assessments,
11 late fees and collection costs in the amount of \$5,309.00 of and from Respondent through
12 this Order.

13 IT IS FURTHER ORDERED that the Petitioner recover all costs of court and
14 attorney's fees in the amount of \$5,309.00 of and from Respondent through this Order.

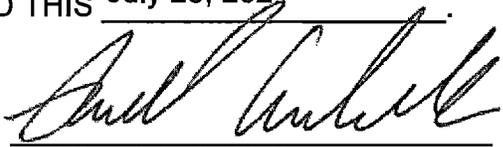
15 IT IS FURTHER ORDERED that Jonathan P. Fly be, and he is hereby, appointed
16 as Trustee of the Property. Petitioner may appoint a Substitute Trustee by filing an
17 Appointment of Substitute Trustee in the Official Public Records of Real Property of Kinney
18 County, Texas, upon which the Substitute Trustee shall replace the person then serving as
19 Trustee and shall thereupon succeed to assume all rights and responsibilities of his
20 predecessor. Upon appointment of a Substitute Trustee by Petitioner, the person who was
21 immediately prior to such appointment serving as Trustee shall be automatically removed
22 and relieved of all rights and responsibilities as such Trustee.

23 IT IS FURTHER ORDERED that Petitioner is entitled to recover all expenses
24 associated with preparation of the Notice of Sale, conduct of the foreclosure sale and
25 conveyance of the Property described herein from the proceeds of the sale of herein-
26 described real property.

27 IT IS FURTHER ORDERED that a copy of this Order Granting Application for Order
28 for Foreclosure be sent by Petitioner to Michael Karrer together with the Notice of Sale.

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SIGNED AND RENDERED THIS July 28, 2021



JUDGE PRESIDING

APPROVED:

DATED: July 27, 2021
San Antonio, Texas



JONATHAN P. FLY, PLC
JONATHAN P. FLY
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CALIFORNIA Bar No. 255821
NEW MEXICO BAR, MEMBER
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**ATTORNEYS FOR FORT CLARK
SPRINGS ASSOCIATION, INC.**