

JUN 08 2021

Ricardo Alvarado
COUNTY & DISTRICT CLERK, KINNEY CO.
Deputy

Notice of Foreclosure Sale

June 7, 2021

Deed of Trust ("Deed of Trust"):

Dated: April 29, 2019

Grantor: Jose M. Ortiz and Alma Y. Villarreal

Trustee: Gary Glick

Lender: Hwy 90 Sycamore Ranch, LP

Recorded in: Instrument No. 00000073853 of the real property records of Kinney County, Texas

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$55,000.00, executed by Jose M. Ortiz and Alma Y. Villarreal ("Borrower") and payable to the order of Lender

[Original] Property: Lot 54, containing 10.52 acres of land, according to the plat thereof recorded in Volume 2, Page 49 of the Plat Records of Kinney County, Texas together with all improvements, fixtures, and appurtenances thereto and mortgaged in the Deed of Trust and all rights and appurtenances thereto.

Substitute Trustee: Gary Glick or Renata Castro or Jane Whaley

[Substitute] Trustee's Address: 1301 S. Capital of Texas Hwy. #A234, Austin, TX 78746

Mortgage Servicer: Lone Star Land Company

Mortgage Servicer's Address: P.O. Box 4688; Horseshoe Bay, TX 78657

Foreclosure Sale:

Date: Tuesday, July 6, 2021

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; **the earliest time at which the Foreclosure Sale will begin is 12:00 P.M.**

Place: Front courthouse door of the Kinney County Courthouse, facing James Street, located at 501 South Ann Street, Bracketville, Texas 78832.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Lender's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Lender/Beneficiary, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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

Mortgage Servicer is representing Lender/Beneficiary in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Lender/Beneficiary. The address of Mortgage Servicer is set forth above.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Lender/Beneficiary passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure Sale will necessarily be made subject to all prior 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by [Lender/Beneficiary]. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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 Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

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.

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.



Trustee – Renata Castro