

JUL 31 2025

Richard M.
COUNTY & DISTRICT CLERK, KINNEY CO.
Deputy

NOTICE OF DEFAULT AND FORECLOSURE SALE

WHEREAS, on February 15, 2012, a certain Deed of Trust was executed by Baldemar Perez and Vicky Perez, as grantors in favor of Mortgage Electronic Registration Systems, Inc., as nominee for American Advisors Group, as beneficiary, and was recorded on February 24, 2012, in Book 195 Page 623 in the Office of the Recorder, Kinney County, Texas; and

WHEREAS the Deed of Trust was insured by the United States Secretary of Housing and Urban Development (the "Secretary") pursuant to the National Housing Act for the purpose of providing single family housing; and

WHEREAS, the Deed of Trust is now owned by the Secretary, pursuant to an assignment dated March 16, 2017, and recorded on April 10, 2017, in Book 0223, Page 0631, in the Office of the Recorder, Kinney County, Texas; and

WHEREAS a default has been made in the covenants and conditions of the Deed of Trust see 9(a)(i) as of July 30, 2019. As of the date of this notice, to the grantors have failed to restore the loan to currency; and

WHEREAS the entire amount delinquent as of June 23, 2025 is \$107,542.65; and

WHEREAS, by virtue of this default, the Secretary has declared the entire amount of the indebtedness secured by the Deed of Trust to be immediately due and payable.

NOW THEREFORE, pursuant to powers vested in me by the Single Family Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR Part 27 subpart B, and by the Secretary's designation of me as Foreclosure Commissioner, recorded on April 12, 2021 in Instrument Number 00000075912 notice is hereby given that, on September 2, 2025 at 1PM - 4PM local time, all real and personal property at or used in connection with the following described premises ("Property"), will be sold at public auction to the highest bidder(s):

See attached Exhibit A for legal description.

Commonly known as: 135 AVENIDA JUAREZ RD BRACKETTVILLE, TX 78832
Permanent Parcel Number(s): 12634

The sale will be held in the lobby of the MAIN ENTRANCE OF THE COURTHOUSE, FACING JAMES STREET ON THE NORTHEAST SIDE OF THE BUILDING OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE.

The Secretary of Housing and Urban Development will bid **\$112,566.00** plus any additional accrual, fees, costs, or charges incurred by the Secretary up to the date of sale.

There will be no proration of taxes, rents or other income or liabilities, except that the purchaser(s) will pay, at or before closing, his (their) pro-rata share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale.

When making their bids, all bidders, except the Secretary, must submit a deposit totaling \$11,256.60 in the form of a certified check or cashier's check made out to the United States Secretary of Housing and Urban Development. A deposit need not accompany each oral bid. If the successful bid is oral, a deposit of \$11,256.60 must be presented before the bidding is closed. The deposit is nonrefundable. The remainder of the purchase price must be delivered within 30 days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a certified or cashier's check. If the Secretary is the high bidder, he need not pay the bid amount in cash. The successful bidder(s) will pay all conveyancing fees, all real estate and other taxes that are due on or after the delivery date of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidder(s) will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee of \$500, paid in advance. The extension fee shall be paid in the form of a certified or cashier's check made payable to the United States Secretary of Housing and Urban Development. If the high bidder(s) close(s) the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due at closing.

If the high bidder(s) is/are unable to close the sale within the required period, or within any extensions of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit, or at the election of the foreclosure commissioner after consultation with the HUD representative, will be liable to the Secretary for any costs incurred as a result of such failure, and the Commissioner may, at the direction of the HUD Field Office Representative, offer the Property to the second highest bidder for an amount equal to the highest price offered by that bidder.

There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant.

The scheduled foreclosure sale shall be cancelled or adjourned if it is established, by documented written application of the mortgagor to the Foreclosure Commissioner not less than 3 days before the date of sale, or otherwise, that the default or defaults upon which the foreclosure is based did not exist at the time of service of this notice of default and foreclosure sale, or all amounts due under the mortgage agreement are tendered to the Foreclosure Commissioner, in the

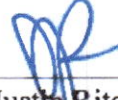
form of a certified or cashier's check payable to the United States Secretary of Housing and Urban Development, before public auction of the property is completed.

The amount that must be paid if the mortgage is to be reinstated prior to the scheduled sale is \$112,566.00 as of September 2, 2025, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred in giving notice, mileage by the most reasonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out-of-pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement.

Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner provided below.

Date: May 24, 2025

Foreclosure Commissioner



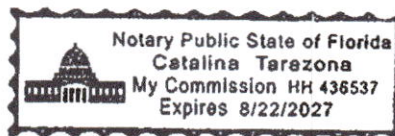
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Irving, TX 75039
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STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

SWORN TO BEFORE ME, and subscribed in my presence by Justin Ritchie, Foreclosure Commissioner, this 25 day of May, 2025

Catalina Tarezona
Notary Public

This Instrument prepared by:
Justin Ritchie, Esq.
6565 North MacArthur, Suite 470
Irving, TX 75039



Firm # 22-004116

EXHIBIT "A"

LEGAL DESCRIPTION

LOT NO. ONE HUNDRED THIRTY-FIVE (135), IN UNIT 1, OF FORT CLARK SPRINGS,
IN KINNEY COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF
RECORDED IN VOLUME 1, PAGES 1-2, OF THE PLAT RECORDS OF KINNEY
COUNTY, TEXAS.