

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

T.S. #: 2023-07866-TX

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

Date: 3/5/2024
Time: The earliest time the sale will begin is 1:00 PM, or within three (3) hours after that time.
Place: Uvalde County Courthouse, Texas, at the following location: The east steps of the courthouse, 100 North Getty Street, Uvalde, TX 78801
Or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners Court, pursuant to section 51.002 of the Texas Property Code.

Property To Be Sold - The property to be sold is described as follows:

SEE ATTACHED EXHIBIT 'A'

Commonly known as: 315 MYRTLE STREET UVALDE, TX 78801

Instrument to be Foreclosed - The instrument to be foreclosed is the Deed of Trust dated 9/3/2020 and recorded in the office of the County Clerk of Uvalde County, Texas, recorded on 9/8/2020 under County Clerk's File No 2020006782, in Book -- and Page -- of the Real Property Records of Uvalde County, Texas.

Grantor(s): Mary Ann Garza and Jose A. Garza, wife and husband

Original Trustee: Michael Burns, Attorney at Law

Substitute Trustee: Auction.com, Calvin Speer, Wendy Speer, Melody Speer, Jim Mills, George Hawthorne, Susan Mills, Andrew Mills-Middlebrook, Nancy Gomez, Leo Gomez, Ed Henderson, Jeanine Schuchardt, Anna Tomey, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez, Mary C LaFond, Janice Stoner, Nestor Solutions, LLC

Original Mortgagee: Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for American Pacific Mortgage Corporation, its successors and assigns

Current Mortgagee: Freedom Mortgage Corporation

Mortgage Servicer: Freedom Mortgage Corporation

This 2 day of Feb A.D. 2024
at 11:20 o'clock A.M.
DONNA M. WILLIAMS
County Clerk, Uvalde County, Texas
By Gina Adonidis
Deputy

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is

T.S. #: 2023-07866-TX

authorized to collect the debt and to administer any resulting foreclosure of the referenced property securing the above referenced loan.

Terms of Sale - The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the mortgagee thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

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 deed of trust, but prospective bidders are reminded that by law the 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property. Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

Obligations Secured - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (1) the promissory note in the original principal amount of \$93,279.00, executed by Mary Ann Garza and Jose A. Garza, wife and husband, and payable to the order of Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for American Pacific Mortgage Corporation, its successors and assigns; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of Trustor(s) to the current holder of the Obligations to the mortgagee under the deed of trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Questions concerning the sale may be directed to the undersigned or to the Mortgagee:

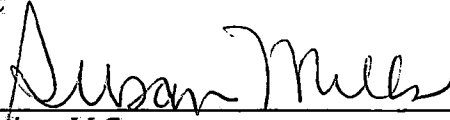
Freedom Mortgage Corporation
10500 Kincaid Drive
Fishers, IN 46037
Phone: 855-690-5900

Default and Request to Act - Default has occurred under the deed of trust, and the mortgagee has requested me, as Trustee, to conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

T.S. #: 2023-07866-TX

Dated: 2-1-24

Auction.com, Calvin Speer, Wendy Speer, Melody Speer, Jim Mills, George Hawthorne, Susan Mills, Andrew Mills-Middlebrook, Nancy Gomez, Leo Gomez, Ed Henderson, Jeanine Schuchardt, Anna Tomey, Bob Frisch, Wayne Daughtrey, Vicki Rodriguez, Mary C LaFond, Janice Stoner, Nestor Solutions, LLC



c/o Nestor Solutions, LLC
214 5th Street, Suite 205
Huntington Beach, California 92648
Phone: (888) 403-4115
Fax: (888) 345-5501

For sale information visit: www.xome.com or Contact (800) 758-8052.

**SENDER OF THIS NOTICE:
AFTER FILING, PLEASE RETURN TO:**

Nestor Solutions, LLC
214 5th Street, Suite 205
Huntington Beach, California 92648

EXHIBIT 'A'

Being 0.298 acres of land, more or less, being a portion of Lot 8, and all of Lot 9, Block 4 of the Kirbey and Smith Addition to the City of Uvalde, Uvalde County, Texas, according to the map or plat thereof recorded in Volume 1, Page 22, Cabinet One, Slide 11B, Plat Records of Uvalde County, Texas, said 0.298 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the northwest corner of this 0.298 acres, same being the northeast corner of Lot 10 of said Kirbey and Smith Addition and on the southeast Right-of-Way line of Myrtle Street, (Baxter Avenue per plat), same also being the **POINT OF BEGINNING**;

THENCE along the southeast Right-of-Way line of said Myrtle Street, North 64 degrees 48 minutes 03 seconds East (called North 65 degrees East), a distance of 86.79 feet to a 2 inch metal pipe found for the northeast corner of this 0.298 acres, same being the northwest corner of the Rosa Davila Kaler Tract (Volume 444, Page 114);

THENCE along the line common to this 0.298 acres and said Kaler tract, South 19 degrees 37 minutes 00 seconds East (bearing basis), a distance of 150.31 feet (called 150 feet) to a 2 inch metal pipe found for the southeast corner of this 0.298 acres, same being the southwest corner of the Kurt M. Johnson Tract (Volume 321, Page 742) and on the northwest line of a 18 foot alley;

THENCE along the line common to this 0.298 acres and said 18 foot alley, South 64 degrees 47 minutes 40 seconds West (called South 65 degrees West), a distance of 86.76 feet to a point from which the center of a wood post bears, South 73 degrees 01 minutes 14 seconds West, 0.62 feet, said point being the southwest corner of this 0.298 acres, same being the southeast corner of said Lot 10;

THENCE along the line common to this 0.298 acres and said Lot 10, North 19 degrees 37 minutes 39 seconds West (called North 19 degrees 37 minutes West), a distance of 150.32 feet (called 150 feet) to the **POINT OF BEGINNING**, and containing 0.298 acres of land, more or less.