

FILED

AUG 20 2024

Brenda Fietsam
BREND A FIETSAM

CO. CLERK, FAYETTE CO., TEXAS

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 this office immediately.

Foreclosure Sale

County: Fayette County, Texas

Date of Sale (first Tuesday of month): Tuesday, October 1, 2024

Time of Sale: The sale of the Property will be held between the hours of 10:00 a.m. and 1:00 p.m. local time; and the beginning not earlier than 10:00 a.m., and the sale will be conducted no later than 1:00 p.m.

Place of Sale: Stone wall enclosure located on the northwest portion of the Fayette County Courthouse Square, on and in that portion of the stone wall enclosure facing West Colorado Street near its intersection with North Main Street, and that portion of the stone wall enclosure designated and determined to be the official location of the Fayette County Courthouse Postings Board.

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

All of Lots 7 and 8, in Block 41, in the City of Schulenburg, in Fayette County, Texas, according to the map of said City of Schulenburg recorded in Volume 1 at page 320 of the Deed Records of Fayette County, Texas, to which map and its record refer, and same are hereby made a part hereof, and being the same land described in Gift Deed dated February 16, 2000, from Robert Janicek to Kaye Lynn Janicek Kasperek, recorded in Volume 1088 at page 843 of the Official Records of Fayette County, Texas and also being the same property described in deed dated February 24, 2000, from Kaye Lynn Janicek Kasperek to Larry Gene Osina and wife, Carolyn Osina, recorded in Volume 1090, page 314 of the Official Records of Fayette County, Texas.

Being the same land described in deed dated April 9, 2021 from Larry Gene Osina, et ux, to Jose A. Espinosa, et ux, recorded in Volume 1992, Pages 71-73, Official Records of Fayette County, Texas.

Instrument to be Foreclosed: The instrument to be foreclosed is the Deed of Trust dated April 9, 2021 and recorded in the office of the County Clerk of Fayette County, Texas, recorded on May 3, 2021, in 1992, Pages 74-82, Official Records of Fayette County, Texas.

Grantor: Jose A. Espinosa and Ma Luisa Martinez Hernandez, a married couple

Original Trustee: David Osina

Substitute Trustee: Shannon M. Raabe-Barnes

Substitute Trustee's Address: 236 West Colorado Street, La Grange, Texas 78945

Beneficiary: Larry Gene Osina and Carolyn Osina, a married couple. That Larry Gene Osina passed away on December 27, 2023, and that Carolyn Ann Muras Osina inherited his property upon his death, as evidenced in the Affidavit of Heirship recorded in Volume 2121, Page 806 of the Official Records of Fayette County, Texas.

Obligations Secured: Indebtedness evidenced by Promissory Mortgage Note dated April 9, 2021, in the original principal amount of \$95,200.00, due and unpaid to Carolyn Osina, or any other debt secured by the Property.

Appointment of Substitute Trustee: Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, Carolyn Osina, the owner and holder of the Note, has appointed Shannon M. Raabe-Barnes of Schovajsa, Mayer, Holub & Barnes, LLP whose address is 236 West Colorado Street, La Grange, Texas 78945, as substitute trustee to sell the property. The Trustee has been appointed Substitute Trustee in the place of original trustee, in the manner authorized by the deed of trust.

Term 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 Beneficiary'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, Beneficiary, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

Therefore, notice is given that the Date of Sale, Substitute Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, on the date and time specified to satisfy the debt secured by the Deed of Trust, and applicable Texas law.

If Beneficiary passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be re-posted and re-filed in accordance with the posting, and filing requirements of the Deed of Trust and the Texas Property Code.

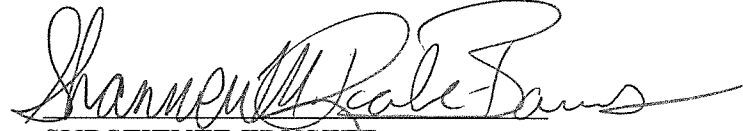
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For 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 Beneficiary. Prospective bidders are strongly urged to examine the applicable property to determine the nature and extent of such matters, if any.

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

Carolyn Osina
209 Schulz
Schulenburg, Fayette County, Texas 78956
(979) 743-4987

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold **“AS IS,” without any express 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.



SUBSTITUTE TRUSTEE

Shannon M. Raabe-Barnes

Schovajsa, Mayer, Holub & Barnes, LLP

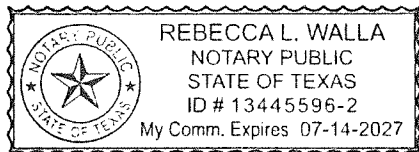
236 West Colorado Street

La Grange, Texas 78945

THE STATE OF TEXAS
COUNTY OF FAYETTE

Before me, the undersigned authority, on this day personally appeared Shannon M. Raabe-Barnes, as Substitute Trustee, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and who acknowledged to me that she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 20th day of August, 2024.


Notary Public, State of Texas

FILED

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Brenda Fietsam KS
BRENDA FIETSAAM
CO. CLERK, FAYETTE CO. TEXAS