



VG-1443-2024-2402536

**Freestone
County
Renee Reynolds
Freestone County
Clerk**

Instrument Number: 2402536

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: April 30, 2024 03:57 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$8.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2402536
Receipt Number: 20240430000032
Recorded Date/Time: April 30, 2024 03:57 PM
User: Glena W
Station: CCLERK02

Record and Return To:

CHAD MORGAN



STATE OF TEXAS
COUNTY OF FREESTONE

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Freestone County, Texas.

Renee Reynolds
Freestone County Clerk
Freestone County, TX

Notice of Foreclosure Sale

April 30, 2024

Deed of Trust ("Deed of Trust"):

Dated: December 30, 2020

Grantor: Jovani Rodriquez Munoz

Trustee: George M. Robinson

Lender: Everarado Baez Davila

Recorded in: Document Number 2004356 of the real property records of Freestone County, Texas.

Legal Description: **Part One:** All that certain lot, tract, or parcel of land being 1.28 acres, lying and being situated in the HUGH SHEPHERD SURVEY, A-23, Freestone County, Texas and being more particularly described in that certain Warranty Deed with Vendors Lien recorded at Instrument Number 2004355, Deed Records, Freestone County, Texas; and

Part Two: All that certain lot, tract, or parcel of land being a 20' wide ingress/egress easement, lying and being situated in the HUGH SHEPHERD SURVEY, A-23, Freestone County, Texas and being more particularly described in that certain Warranty Deed with Vendors Lien recorded at Instrument Number 2004355, Deed Records, Freestone County, Texas

Secures: Promissory Note ("Note") in the original principal amount of \$33,000.00, executed by Jovani Rodriquez Munoz ("Borrower") and payable to the order of Lender

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Foreclosure Sale:

Date: Tuesday, June 4, 2024

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 1:00 PM and not later than three hours thereafter.

Place: 118 E. Commerce Street, Fairfield, Texas 75840, Front Courthouse Steps

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 Everarado Baez Davila'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, Everarado Baez Davila, 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 Everarado Baez Davila's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Everarado Baez Davila's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

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 Everarado Baez Davila 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 Everarado Baez Davila. 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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) 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.



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