

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Ronald Byrd, Jonathan Schendel, Ramiro Cuevas,  
Charles Green, Patrick Zwiers, Ericka Zepeda, Lisa  
Bruno  
c/o Malcolm Cisneros/Trustee Corps  
17100 Gillette Avenue  
Irvine, CA 92614  
(949) 252-8300

TS No TX08000027-24-1

APN 1SF30000810000000 |  
1BLM00300360000000

TO No 240108696-TX-RWI

### NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on April 13, 2005, JUAN HERNANDEZ AND JO ANN AGUILERA as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of MALCOLM GIBSON as Trustee, STATE FARM BANK, F.S.B. as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$59,500.00, payable to the order of FREEDOM MORTGAGE CORPORATION as current Beneficiary, which Deed of Trust recorded on April 14, 2005 as Document No. 227562 in Book 272, on Page 611 in Yoakum County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

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WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **Ronald Byrd, Jonathan Schendel, Ramiro Cuevas, Charles Green, Patrick Zwiers, Ericka Zepeda, Lisa Bruno** or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and **FREEDOM MORTGAGE CORPORATION**, the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust.

FILED 3/28 2024 AT 8 O'CLOCK A-M.  
SUMMER LOVELACE, COUNTY CLERK, YOAKUM COUNTY, TX  
BY Crystal Vargao DEPUTY

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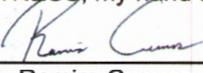
NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, May 7, 2024 at 01:00 PM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Yoakum County, Texas, at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a Deed of Trust or other contract lien as follows: **Yoakum County Courthouse, 603 Cowboy Way, Plains, TX 79355, or in the area designated by the Commissioner's Court.**

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

NOTICE IS FURTHER GIVEN, that except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition 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 expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 22nd day of March, 2024.

  
By: Ramiro Cuevas  
Substitute Trustee(s)

**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.**

**SALE INFORMATION CAN BE OBTAINED ONLINE AT [www.Auction.com](http://www.Auction.com)  
FOR AUTOMATED SALES INFORMATION PLEASE CALL: [Auction.com](http://Auction.com) at 800.280.2832**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

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**EXHIBIT "A"**

ALL OF LOT 36, AND A PORTION OF LOT 35, ALL IN BLOCK 3, OF THE BELMONT ADDITION TO THE CITY OF DENVER CITY, YOAKUM COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 165, PAGE 651, DEED RECORDS, YOAKUM COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED IN ONE SURVEY ATTACHED AS EXHIBIT "A", AND INCORPORATED BY REFERENCE FOR ALL PURPOSES. PROPERTY DESCRIPTION FOR THE PORTION OF LOT 35 IS CONSISTENT WITH ONE BOUNDARY AGREEMENT BETWEEN GRANTOR AND THE RONALD G. KIRBY LIVING TRUST, DATED NOVEMBER 27, 2002.