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FILED
HAYS COUNTY, TEXAS
at 9:40 o'clock A.M.

APR 18 2024

23TX373-0493
130 FRASIER DRIVE, SAN MARCOS, TX 78666

NOTICE OF FORECLOSURE SALE


COUNTY CLERK

- Property: The Property to be sold is described as follows:
- LOT 6, BLOCK V, FINAL PLAT: BLANCO VISTA TRACT E-3, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 17043570, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.
- Security Instrument: Deed of Trust dated March 21, 2022 and recorded on March 23, 2022 as Instrument Number 22014151 in the real property records of HAYS County, Texas, which contains a power of sale.
- Sale Information: July 02, 2024, at 1:00 PM, or not later than three hours thereafter, at the front steps of the Hays County Government Building, or as designated by the County Commissioners Court.
- Terms of Sale: Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.
- Obligation Secured: The Deed of Trust executed by SETH VINSON SMITH secures the repayment of a Note dated March 21, 2022 in the amount of \$343,660.00. FREEDOM MORTGAGE CORPORATION, whose address is c/o Freedom Mortgage Corporation, 951 Yamato Road, Suite 175, Boca Raton, FL 33431, is the current mortgagee of the Deed of Trust and Note and Freedom Mortgage Corporation is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.
- Substitute Trustee: In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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Substitute Trustee(s): Aarti Patel, Dylan Ruiz, Violet Nunez, Amy Ortiz, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Colette Mayers, Thomas Gilbraith, C Jason Spence, Sharlett Watts, Angela Zavala, Michelle Jones, Richard Zavala Jr., Sharlet Watts, Richard Zavala, Jr., Dustin George

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.

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.

Jonathan Andring

Miller, George & Suggs, PLLC
Tracey Midkiff, Attorney at Law
Jonathan Andring, Attorney at Law
Rachel Son, Attorney at Law
6080 Tennyson Parkway, Suite 100
Plano, TX 75024

Angela Zavala

Substitute Trustee(s): Aarti Patel, Dylan Ruiz, Violet Nunez, Amy Ortiz, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Colette Mayers, Thomas Gilbraith, C Jason Spence, Sharlett Watts, Angela Zavala, Michelle Jones, Richard Zavala Jr., Sharlet Watts, Richard Zavala, Jr., Dustin George
c/o Miller, George & Suggs, PLLC
6080 Tennyson Parkway, Suite 100
Plano, TX 75024

Certificate of Posting

I, Angela Zavala, declare under penalty of perjury that on the 18th day of April, 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of HAYS County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

[Signature]
PUBLIC CLERK

NOTICE OF SUBSTITUTE TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEES

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.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DATE: APRIL 16, 2024

NOTE: Note described as follows:

Date: JANUARY 15, 2021
Maker: NOELY YANEZ and NOE YANEZ OLMOS
Payee: NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
successor to original lender
Original Principal
Amount: \$225,834.00

DEED OF TRUST: Deed of Trust described as follows:

Date: JANUARY 15, 2021
Grantor: NOELY YANEZ, NOE YANEZ OLMOS, WIFE AND HUSBAND
Trustee: THOMAS E. BLACK, JR.
Beneficiary: NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
successor to original lender
Recorded: INSTRUMENT NO. 21003945, WHICH WAS RECORDED IN THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS.

LENDER: NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING

BORROWERS: NOELY YANEZ and NOE YANEZ OLMOS

PROPERTY: The property described as follows:

THE PROPERTY LOCATED IN HAYS COUNTY, TEXAS, INCLUDING

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PERSONAL PROPERTY, IF ANY, AS DESCRIBED IN THE DEED OF TRUST AND IN EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, together with all buildings, structures, fixtures and improvements thereon and any and all appurtenances and rights thereto, ***SAVE AND EXCEPT ANY AND ALL LOTS OR PORTIONS THEREOF THAT HAVE BEEN RELEASED OF RECORD BY THE HOLDER OF THE DEED OF TRUST.***

SUBSTITUTE TRUSTEE: SHARLET WATTS, ANGELA ZAVALA, MICHELLE JONES, RICHARD ZAVALA, JR., MARK CUMMINGS, DICK VETTERS, JASON WEST, MATTHEW JOHNSON, NICOLE CORREA AND DAVID GARVIN.

Substitute Trustee's Mailing Address:

c/o SettlePou
3333 Lee Parkway, Eighth Floor
Dallas, Texas 75219

DATE AND TIME OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

JULY 2, 2024, the first Tuesday of the month, to commence at 1:00 P.M., or within three (3) hours after that time.

PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

In HAYS County, Texas, at THE SOUTH DOOR OF THE HAYS COUNTY GOVERNMENT CENTER AT 712 SOUTH STAGECOACH TRAIL, SAN MARCOS, TEXAS 78666 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE.

RECITALS

Lender, the owner and holder of the Note and the Deed of Trust lien under Texas Property Code Section 51.002, has requested that Substitute Trustee sell the Property according to the terms of the Deed of Trust and applicable law due to a default in the payment of the Note and/or in the performance of the obligations under the Deed of Trust that secures the Note.

Formal notice is now given of Lender's election to proceed against and sell the real property described in the Deed of Trust, consistent with Lender's rights and remedies under the Deed of Trust and applicable law.

Therefore, notice is given that on the Date and Time of Substitute Trustee's Sale of Property and at the Place of Substitute Trustee's Sale of Property, I, as Substitute Trustee, or any other substitute trustee Lender may appoint, will sell the Property by public sale to the highest bidder for cash or acceptable certified funds, according to the Deed of Trust and applicable law. The sale and conveyance of the Property will be subject to all matters of record applicable to the Property that are superior to the Deed of Trust and to any permitted exceptions to title described in the Deed of Trust. Substitute Trustee has not made and will not make any

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covenants, representations, or warranties about the Property other than providing the successful bidder at the sale with a deed to the Property containing any warranties of title required by the Deed of Trust. The Property will be sold AS IS, WHERE IS, AND WITH ALL FAULTS.

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.

APPOINTMENT OF SUBSTITUTE TRUSTEE

DEED OF TRUST: Deed of Trust described as follows:

Date: JANUARY 15, 2021
Grantor: NOELY YANEZ, NOE YANEZ OLMOS, WIFE AND HUSBAND
Trustee: THOMAS E. BLACK, JR.
Beneficiary: NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
successor to original lender
Recorded: INSTRUMENT NO. 21003945, WHICH WAS RECORDED IN THE
REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS.

PROPERTY: The property described as follows:

THE PROPERTY LOCATED IN HAYS COUNTY, TEXAS, INCLUDING PERSONAL PROPERTY, IF ANY, AS DESCRIBED IN THE DEED OF TRUST AND IN EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, together with all buildings, structures, fixtures and improvements thereon and any and all appurtenances and rights thereto, ***SAVE AND EXCEPT ANY AND ALL LOTS OR PORTIONS THEREOF THAT HAVE BEEN RELEASED OF RECORD BY THE HOLDER OF THE DEED OF TRUST.***

SUBSTITUTE TRUSTEE: SHARLET WATTS, ANGELA ZAVALA, MICHELLE JONES, RICHARD ZAVALA, JR., MARK CUMMINGS, DICK VETTERS, JASON WEST, MATTHEW JOHNSON, NICOLE CORREA AND DAVID GARVIN.

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Substitute Trustee's Mailing Address:

c/o SettlePoint
3333 Lee Parkway, 8th Floor
Dallas, Texas 75219

Each Substitute Trustee is appointed effective as of APRIL 16, 2024, pursuant to Texas Property Code § 51.0075 to succeed to all title, powers, and duties of the original or successor trustees under the Deed of Trust.

Appointment of Substitute Trustees:

By: Lillian Riley

Name: Lillian A. Riley, Attorney for
NEWREZ LLC D/B/A SHELLPOINT
MORTGAGE SERVICING

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day appeared LILLIAN A. RILEY, and after being by me duly sworn, stated that she executed the foregoing instrument for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on APRIL 16, 2024.



[Signature]
Notary Public, State of Texas

Notice of Sale executed by:

David Garvin

Name: David Garvin

Substitute Trustee

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EXHIBIT A

Lot 2, Block H, KENSINGTON TRAILS SUBDIVISION, SECTION 1, according to the map or plat thereof, recorded in Volume 11, Page 14, Plat Records, Hays County, Texas.