

#13 pg. 1

HAYS COUNTY, TEXAS  
at 9:25 o'clock A.M.

MAR 28 2024

**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE**

*Rubén Becerra*

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.

**DEED OF TRUST INFORMATION:**

Date: August 1, 2016

Grantor(s): Ruben Becerra Joined Pro Forma by my spouse, Monica Becerra

Original Mortgagee: Mortgage Electronic Registration Systems, Inc., as nominee for Open Mortgage, LLC

Original Principal: \$281,300.00

Recording Information: 16025430

Property County: Hays

Property: LOT 2, BLOCK 6, SPRINGLAKE HILLS ESTATES, UNIT FOUR (4), A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 181, PAGE 146, DEED RECORDS OF HAYS COUNTY, TEXAS.

Property Address: 208 East Mimosa Circle  
San Marcos, TX 78666

**MORTGAGE SERVICING INFORMATION:**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: MCLP Asset Company, Inc.

Mortgage Servicer: Selene Finance LP

Mortgage Servicer Address: 3501 Olympus Boulevard  
5th Floor, Suite 500  
Dallas, TX 75019

**SALE INFORMATION:**

Date of Sale: May 7, 2024

Time of Sale: 1:00 PM or within three hours thereafter.

Place of Sale: Hays County Government Center, 712 South Stagecoach Trail, San Marcos, TX 78666 or, if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

Substitute Trustee: Aarti Patel, Dylan Ruiz, Violet Nunez, Amy Ortiz, Daniel McQuade, Marcela Cantu, Vanna Ho, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, Auction.com, Colette Mayers, Thomas Gilbraith, C Jason Spence, Sharlett Watts, Angela Zavala, Michelle Jones, Richard Zavala Jr., Padgett Law Group, Michael J. Burns, Gabrielle Davis, Paige Jones, or Jonathan Smith, any to act

Substitute            546 Silicon Dr., Suite 103  
Trustee Address:    Southlake, TX 76092  
                                 TXAttorney@PadgettLawGroup.com

**APPOINTMENT OF SUBSTITUTE TRUSTEE:**

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.

The undersigned is the attorney for the mortgagee and/or mortgage servicer, and in such capacity does hereby remove the original trustee and all successor substitute trustees under the above-described Deed of Trust and appoints in their place, any to act, those substitute trustees identified in the SALE INFORMATION section of this notice, whose address is c/o Padgett Law Group, 546 Silicon Dr., Suite 103, Southlake, TX 76092 as Substitute Trustee, who shall hereafter exercise all powers and duties to set aside the said original trustee under said Deed of Trust, and further does hereby request, authorize, and instruct said Substitute Trustees to conduct and direct the execution of remedies set aside to the beneficiary therein.

WHEREAS, the above-named Grantor(s) previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared, such default was reported to not have been cured, and all sums secured by such Deed of Trust are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee under said Deed of Trust has been hereby removed and the herein described Substitute Trustees, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
2. The herein appointed Substitute Trustees, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien imposed by the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be sold "AS-IS", purchaser's will buy the property "at the purchaser's own risk" and "at his peril" and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interest of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.
5. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.

*Paige Jones*

Paige Jones

**CERTIFICATE OF POSTING**

My name is Angela Zavala, and my address is c/o Padgett Law Group, 546 Silicon Dr., Suite 103, Southlake, TX 76092. I declare under penalty of perjury that on 3.28.24, I filed at the office of the Hays County Clerk to be posted at the Hays County courthouse this notice of sale.

Angela Zavala

Declarant's Name: Angela Zavala

Date: MAR 28 2024

Padgett Law Group  
546 Silicon Dr., Suite 103  
Southlake, TX 76092  
TXAttorney@PadgettLawGroup.com  
(850) 422-2520

WITNESS MY HAND this 28<sup>th</sup> day of March, 2024

Angela Zavala

#14 pg. 1

FILED  
HAYS COUNTY, TEXAS  
at 9:20 o'clock A.M.

MIDWEST LOAN SERVICES (MLS)  
PEREZ, PRISCILLA  
684 SHADOW CREEK BLVD, BUDA, TX 78610

CONVENTIONAL  
Firm File Number: 23-040346

MAR 28 2024

NOTICE OF TRUSTEE'S SALE

*Priscilla Perez*  
UNIVERSITY FEDERAL CU

WHEREAS, on June 8, 2022, PRISCILLA PEREZ, JOINED HEREIN PRO FORMA BY MY SPOUSE, AYALA PEREZ, as Grantor(s), executed a Deed of Trust conveying to ALLAN B. POLUNSKY, as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR UNIVERSITY FEDERAL CREDIT UNION in payment of a debt therein described. The Deed of Trust was filed in the real property records of HAYS COUNTY, TX and is recorded under Clerk's File/Instrument Number 22028952, to which reference is herein made for all purposes.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon contingency and in the manner authorized by said Deed of Trust; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on , **Tuesday, May 7, 2024** between ten o'clock AM and four o'clock PM and beginning not earlier than 1:00 PM or not later than three hours thereafter, the Substitute Trustee will sell said Real Estate at the County Courthouse in HAYS COUNTY, TX to the highest bidder for cash. The sale will be conducted in the area of the Courthouse designated by the Commissioners Court, of said county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

Said Real Estate is described as follows: In the County of Hays, State of Texas:

LOT 2, BLOCK E, OF SHADOW CREEK PHASE ONE SECTION ONE, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 12, PAGE 277-280 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS.

Property Address: 684 SHADOW CREEK BLVD  
BUDA, TX 78610  
Mortgage Servicer: MIDWEST LOAN SERVICES  
Mortgagee: UNIVERSITY FEDERAL CU  
400 QUINCY ST.  
6TH FLOOR  
HANCOCK, MI 49930

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

**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**

SUBSTITUTE TRUSTEE  
Deanna Ray, Sharlet Watts, Angela Zavala, Michelle Jones or Richard Zavala, Jr  
14800 Landmark Blvd, Suite 850  
Dallas, TX 75254

WITNESS MY HAND this day March 25, 2024.

*Ronny George*  
By: \_\_\_\_\_  
Ronny George  
Texas Bar # 24123104  
rgeorge@logs.com  
13105 Northwest Freeway, Suite 960  
Houston, TX 77040  
Telephone No: (713) 462-2565

#14 pg. 2

Facsimile No: (847) 879-4823  
Attorneys for UNIVERSITY FEDERAL CU

**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 military service to the sender of this notice immediately.**

# 15 pg. 1

HAYS COUNTY, TEXAS  
at 9:20 o'clock A.M.

MAR 28 2024

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

*Christina Cardenas*  
COUNTY CLERK

HAYS County

Deed of Trust Dated: September 19, 2014

Amount: \$220,875.00

Grantor(s): CASEY D EBERT and JAMES P EBERT

Original Mortgagee: LOANDEPOT.COM, LLC DBA IMORTGAGE

Current Mortgagee: LOANDEPOT.COM, LLC

Mortgagee Address: LOANDEPOT.COM, LLC, 5465 LEGACY DRIVE, SUITE 400, PLANO, TX 75024

Recording Information: Document No. 2014-14028507

Legal Description: LOT 1, BLOCK G, GARLIC CREEK WEST PHASE III SECTION 7, AN ADDITION TO THE CITY OF BUDA, HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 17, PAGE(S) 233-234 OF THE MAP AND PLAT RECORDS, HAYS COUNTY, TEXAS.

Date of Sale: May 7, 2024 between the hours of 1:00 PM and 4:00 PM.

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the HAYS County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

SARA EDGINGTON OR THOMAS GILBRAITH, C JASON SPENCE, AARTI PATEL, DYLAN RUIZ, VIOLET NUNEZ, AMY ORTIZ, DANIEL MCQUADE, MARCELA CANTU, VANNA HO, CARY CORENBLUM, JOSHUA SANDERS, ALEENA LITTON, MATTHEW HANSEN, CHRIS LAFOND, DEANNA RAY, SHARLET WATTS, ANGELA ZAVALA, MICHELLE JONES, RICHARD ZAVALA, JR OR ELIZABETH ANDERSON have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust. The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

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.

*Anthony Askanase*

Anthony Askanase, ATTORNEY AT LAW  
HUGHES, WATERS & ASKANASE, L.L.P.  
1201 Louisiana, SUITE 2800  
Houston, Texas 77002  
Reference: 2019-004914

*Angela Zavala*

Printed Name: Angela Zavala  
c/o Tejas Trustee Services  
14800 Landmark Blvd, Suite 850  
Addison, TX 75254

# 16 pg. 1

FILED  
HAYS COUNTY, TEXAS  
at 11:15 o'clock A. M.

MAR 28 2024

*Christina Carver*  
COUNTY CLERK

1698 VIOLET LANE  
KYLE, TX 78640

00000010030674

**NOTICE OF [SUBSTITUTE] TRUSTEE'S 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 the sender of this notice immediately.**

**1. Date, Time, and Place of Sale.**

Date: May 07, 2024

Time: The sale will begin at 1:00 PM or not later than three hours after that time.

Place: THE SOUTH DOOR OF THE HAYS COUNTY GOVERNMENT CENTER AT 712 SOUTH STAGECOACH TRAIL. OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

**2. Terms of Sale.** Cash.

**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated May 12, 2020 and recorded in Document INSTRUMENT NO. 20019665 real property records of HAYS County, Texas, with WILLIAM SHEPHERD AND KATELYN SHEPHERD, AS HUSBAND AND WIFE, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by WILLIAM SHEPHERD AND KATELYN SHEPHERD, AS HUSBAND AND WIFE, securing the payment of the indebtednesses in the original principal amount of \$271,884.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. MIDFIRST BANK is the current mortgagee of the note and Deed of Trust or Contract Lien.

**5. Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

**6. Mortgage Servicer Information.** 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 authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK  
999 N.W. GRAND BLVD  
STE 110  
OKLAHOMA CITY, OK 73118-6077



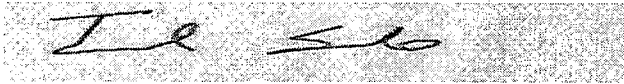
#16 pg. 2

1698 VIOLET LANE  
KYLE, TX 78640

00000010030674

**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.**

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead AARTI PATEL, DYLAN RUIZ, VIOLET NUNEZ, AMY ORTIZ, DANIEL MCQUADE, MARCELA CANTU, VANNA HO, CARY CORENBLUM, JOSHUA SANDERS, ALEENA LITTON, MATTHEW HANSEN, AUCTION.COM, COLETTE MAYERS, THOMAS GILBRAITH, C JASON SPENCE, SHARLETT WATTS, ANGELA ZAVALA, MICHELLE JONES, RICHARD ZAVALA JR., MICHAEL LATHAM, TOBEY LATHAM, JOHN LATHAM, OR BRETT ADAMS, whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Israel Saucedo

**Certificate of Posting**

My name is \_\_\_\_\_, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the HAYS County Clerk and caused to be posted at the HAYS County courthouse this notice of sale.

\_\_\_\_\_

Declarants Name: \_\_\_\_\_

Date: \_\_\_\_\_



#16 pg. 3

1698 VIOLET LANE  
KYLE, TX 78640

00000010030674

00000010030674

HAYS

EXHIBIT "A"

LOT THIRTY (30), IN BLOCK "A", OF BUNTON CREEK, PHASE 5 AN ADDITION TO HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN INSTRUMENT NO. 201800025015, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS.

# 17 pg. 1

FILED  
HAYS COUNTY, TEXAS  
at 8:42 o'clock A.M.

APR 01 2024

*Cheryl Cordova*  
COUNTY CLERK

**NOTICE OF ACCELERATION**  
**AND NOTICE OF TRUSTEE'S SALE**

**Date & Time of Foreclosure:** May 7<sup>th</sup>, 2024 at 10:00 AM or within three hours thereafter

**Trustee:** Brian Whitten

**Trustee's Address:** 248 Addie Roy Rd, Ste B204, Austin, TX 78746

**Borrower:** Partners Real Estate Development, LLC

**Borrower's Address:** 7701 Rialto Blvd #1223, Austin, TX 78735

**Promissory Note:** **Date:** January 28<sup>th</sup>, 2022

**Original Principal Amount:** \$8,050,000.00

**Borrower:** Partners Real Estate Development, LLC

**Original Lender:** Hornet Capital, LLC

**Deed of Trust:** **Date:** January 28<sup>th</sup>, 2022

**Grantor:** Partners Real Estate Development, LLC

**Mortgagee/Beneficiary:** Hornet Capital, LLC

**Trustee:** Brian Whitten

**Recording Information:** Document No. 22004823 in the Official Public Records of Hays County Texas

**Property:**

BEING A 32.74 ACRE TRACT OF LAND, OF A CERTAIN 35.00 ACRE TRACT, OUT OF THE JOHN STEWART SURVEY, ABSTRACT NO. 14, CONVEYED BY GENERAL WARRANTY DEED WITH VENDOR'S LIEN TO UHLAND PLAZA, LLC, RECORDED IN DOCUMENT NO. 19043371 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PERTINENT PURPOSES

**Known locally as: 2200 High Rd, Kyle, TX 78640**

**Mortgage Service Information:** The Loan Servicer, if not the Current Lender, is representing the Current Lender pursuant to a Loan Servicing Agreement.

# 17 pg. 2

**Loan Servicer:** Hornet Management, LLC, d/b/a Hornet Servicing  
**Loan Servicer Address:** 248 Addie Roy Rd, Ste B204, Austin, TX 78746

**Current Lender:** Hornet Capital, LLC  
**Current Beneficiary:** Hornet Capital, LLC

**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 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.**

A default under the Deed of Trust was declared: such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable.

The undersigned has been requested to provide these notices on behalf of the Current Lender, Loan Servicer and Trustee. The current Lender has instructed Trustee to offer the Property for sale toward the satisfaction of the Promissory Note.

The maturity of the Promissory Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.

Pursuant to the provisions of the Deed of Trust, the Trustee, on behalf of Current Lender, hereby gives notice that the Property will be sold on the Date & Time of Foreclosure, specified above, at public auction to the highest bidder for cash or certified funds, and said auction is to occur at the Hays County Government Center at 712 South Stagecoach Trail, San Marcos, Hays, TX, 78666 OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE. Contemporaneous with this notice being

posted, Borrower is being duly notified of the Lender's notice of foreclosure being posted, as required by law.

Notice is further given that the sale of the Property is "as is and where is" and without any representations or warranties whatsoever expressed or implied; all of which are expressly disclaimed. Additionally, sale of the Property shall be subject to all liens, encumbrances, rights, interests and other claims superior to the lien of the Deed of Trust and to all defects, deficiencies and defenses thereto, and no representations or warranties of any nature are made by the Trustees of or the holder of the Promissory Note that any lien, encumbrance, right, interest or other claim is or shall be extinguished by the sale, or that defects, deficiencies or defenses do not exist. Further, no representations or warranties whatsoever are made by the Trustees or the holder of the Promissory Note that the highest bidder at the sale will acquire any right, title or interest in or to the property or that any condition, term, agreement, provision, covenant or requirement of the Deed of Trust or applicable law has occurred or has been satisfied. No bidder at sale or purchaser of the Property shall be a third-party beneficiary of the Promissory Note or Deed of Trust, or entitled to rely on any term, agreement, covenant provision thereof, or have or possess a cause of action against any Trustee or the holder of the Promissory Note.

This sale will be conducted subject to the right of rescission contained in section 51.016 of the Texas Property Code. Notice is hereby given that before the sale the Current Lender may appoint another person as Substitute Trustee to conduct the sale.

EXECUTED \_\_\_\_/\_\_\_\_/2024

DocuSigned by:  
*Brian Whitten* 3/30/2024 | 7:56 AM CDT

\_\_\_\_\_  
DC83257B484149C...  
Brian Whitten, Trustee  
248 Addie Roy Rd, Ste B204  
Austin, TX 78746  
361-522-8372

FIELD NOTE DESCRIPTION FOR A 32.74 ACRE TRACT OF LAND, SITUATED IN HAYS COUNTY, TEXAS:

BEING A 32.74 ACRE TRACT OF LAND, OF A CERTAIN 35.00 ACRE TRACT, OUT OF THE JOHN STEWART SURVEY, ABSTRACT NO. 14, CONVEYED BY GENERAL WARRANTY DEED WITH VENDOR'S LIEN TO UHLAND PLAZA, LLC, RECORDED IN DOCUMENT NO. 19043371 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 1/2" iron rod found, lying in the southwest right-of-way line of High Road, a public road, marking the northeast corner of a 5.17 acre tract of land, known as Lot 1, Block 1 of the Diego Subdivision recorded in Document No. 17023476 of the Official Public Records of Hays County, Texas, conveyed by Warranty Deed with Vendor's Lien to Adianelys B. Sosa Gonzalez and Henry De La Torre Poveda, recorded in Document No. 21004261 of the Official Public Records of Hays County, Texas, for the northwest corner of this tract;

THENCE, South 46°24'29" East, a distance of 419.81 feet, along the northeast line of this tract, common with the southwest right-of-way line of said High Road, to a 1/2" iron rod found, marking the north corner of a 3.00 acre tract of land, known as Lot 2 of said Diego Subdivision, conveyed by Warranty Deed with Vendor's Lien to Steven Nguyen and Mong Hang T Le, recorded in Document No. 20047931 of the Official Public Records of Hays County, Texas, for an angle corner of this tract;

THENCE, South 43°11'51" West, a distance of 522.76 feet, along a southeast line of this tract, common with the northwest line of said Lot 2 of the Diego Subdivision, to a 1/2" iron rod found, marking the west corner of said Lot 2, for an angle corner of this tract;

THENCE, South 46°30'01" East, along a northeast line of this tract, common with the southwest line of said Lot 2 of the Diego Subdivision, a distance of 250.69 feet, to a 1/2" iron rod found, marking the south corner of said Lot 2, for an angle corner of this tract;

THENCE, North 43°12'49" East, along a northwest line of this tract, common with the southeast line of said Lot 2 of the Diego Subdivision, a distance of 309.74 feet to a 1/2" iron rod set, lying in the southwest line of said Lot 2, marking the west corner of the remaining 2.26 acres of said 35.00 acre Uhland Plaza, LLC tract, for an angle corner of this tract;

THENCE, South 46°38'24" East, through and across said 35.00 acre Uhland Plaza, LLC tract, along the southwest line of the remaining 2.26 Uhland Plaza, LLC acre tract, common with the northeast line of this tract, a distance of 454.81 feet, to a 1/2" iron rod set, marking the south corner of said remaining 2.26 acre Uhland Plaza, LLC tract, for an angle corner of this tract;

THENCE, North 43°21'36" East, through and across said 35.00 acre Uhland Plaza, LLC tract, along the southeast line of the remaining 2.26 Uhland Plaza, LLC acre tract, common with a northwest line of this tract, a distance of 212.13 feet, to a 1/2" iron rod set, lying in the southwest right of way line of said High Road, marking the east corner of said remaining 2.26 acre Uhland Plaza, LLC tract, for an angle corner of this tract;

THENCE, South 45°49'50" East; along said southwest right-of-way line of said High Road, common with the northeast line of this tract, a distance of 746.80 feet, to a 1/2" iron rod found, marking an angle corner of said High Road, for the east corner of this tract;

THENCE, South 02°45'02" West; along said west right-of-way line of said High Road, common with the east line of this tract, a distance of 48.70 feet, to a 1/2" iron rod found, lying in the northwest right-of-way line of N. Plum Creek Road, a public road, for an angle corner of this tract;

THENCE, South 44°39'18" West; along said northwest right-of-way line of said N. Plum Creek Road, common with the southeast line of this tract, a distance of 165.66 feet, to a 1/2" iron rod found, marking the east corner of the remaining 0.72 acre tract of land, known as Lot 6 of the Ike Wranitzky Subdivision, recorded in Volume 5, Page 65 of the Official Public Records of Hays County, Texas, conveyed by Warranty Deed to Manuel Diego, recorded in Document No. 17015841 of the Official Public Records of Hays County, Texas, for the southeast corner of this tract;

~~THENCE, North 46°28'24" West; along said northeast line of said Lot 6 of the Ike Wranitzky~~  
Subdivision, common with a southwest line of this tract, a distance of 289.54 feet, to a 1/2" iron rod found, marking the north corner of said Lot 6 of the Ike Wranitzky Subdivision, for an angle corner of this tract;

THENCE, South 44°42'12" West; along the northwest line of Lot 6 through Lot 1 of said Ike Wranitzky Subdivision, common with a southeast line of this tract, a distance of 859.09 feet, to a 1/2" iron rod found, lying in the northeast line of a 22.12 acre tract of land, conveyed by General Warranty Deed to Georgina Chaires-Garcia, recorded in Volume 3/05, Page 41 of the Official Public Records of Hays County, Texas, marking the west corner of said Lot 1 of the Ike Wranitzky Subdivision, conveyed by General Warranty Deed to Michael A. and Rosa T. Munoz, recorded in the Official Public Records of Hays County, Texas, for the south corner of this tract;

THENCE, North 46°38'24" West, a distance of 1,344.52 feet, along the northeast line of said 22.12 acre Chaires-Garcia tract, common with the southwest line of this tract, to a 1/2" iron rod found, marking the south corner of said Lot 1 of the Diego Subdivision, for the west corner of this tract;

THENCE, North 44°02'07" East, a distance of 486.99 feet, along the southeast line of said Lot 1 of the Diego Subdivision, common with the northwest line of this tract, to a 1/2" iron rod found, marking an angle corner of said Lot 1 of the Diego Subdivision, for an angle corner of this tract;

THENCE, North 46°38'51" West, a distance of 250.76 feet, along the northeast line of said Lot 1 of the Diego Subdivision, common with the southwest line of this tract, to a 1/2" iron rod found, marking an angle corner of said Lot 1 of the Diego Subdivision, for an angle corner of this tract;

THENCE, North 43°13'00" East, a distance of 586.61 feet, along the southeast line of said Lot 1 of the Diego Subdivision, common with the northwest line of this tract, to the POINT OF BEGINNING containing 32.74 acres of land, more or less.