



## NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

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

Lot 11, White Star Subdivision, situated in the City of Natalia, Medina County, Texas, according to the plat thereof recorded in Volume 8, Page 197, Plat Records of Medina County, Texas.

2. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

**Date:** February 2, 2021

**Time:** The sale shall begin no earlier than 10:00 A.M. or no later than three hours thereafter. The sale shall be completed by no later than 4:00 P.M.

**Place:** Medina County Courthouse in Hondo, Texas, at the following location: The north Courthouse door steps at the place the Medina County Commissioners Court has designated foreclosure sales to be held.

The Deed of Trust permits the Lender to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiling may be after the date originally scheduled for this sale.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Lender thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The 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 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by RUBEN FERNANDEZ and DELILAH FERNANDEZ, husband and wife. The Deed of Trust is dated April 1, 2015, and is recorded in the office of the County Clerk of Medina County, Texas, in under Document No. 2015002159 of the Official Public Records of Medina County, Texas.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (1) the promissory note in the original principal amount of \$20,000.00, executed by RUBEN FERNANDEZ and DELILAH FERNANDEZ, and payable to the order of JAMES PUCKETT; (2) all renewals and extensions of the note; (3) any and all expenses incurred in enforcing and securing the collateral of the note, and (4) all taxes and assessments on the property when due. JAMES PUCKETT is the current owner and holder of the Obligations and is the Lender under the Deed of Trust.

As of January 4, 2021, there was owed \$3,266.57 on the Note, being principal, interest, and late fees in the following amounts: \$2,750.60 of principal, \$395.97 of interest, and \$120.00 of late fees. Additionally, the Note Holder is owed \$2,872.00 for reimbursement of attorney's fees and foreclosure expenses. The note is bearing interest at the rate of \$1.36 per day after January 4, 2021.

Questions concerning the sale may be directed to the undersigned, telephone (830)931-2271.

6. Default and Request To Act. Default has occurred under the Deed of Trust, and the Lender has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale the Lender may appoint another person as substitute trustee to conduct the sale.

7. Military Service Notice. 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 ACTING 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.

RICHARD WESLEY RUSSELL is Substitute Trustee under the Deed of Trust. Mortgagee has instructed Trustee to offer the Property for sale towards the satisfaction of the Note.

8. 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.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS." THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PERSONAL PROPERTY IN THIS DISPOSITION. The sale will begin at the Time of Sale or not later than three (3) hours thereafter. This sale will be conducted subject to the right of rescission contained in section 51.016 of the Texas Property Code.

DATED January 5, 2021.

  
RICHARD WESLEY RUSSELL, Substitute Trustee

GAMBLE, RUSSELL & RUSHING, P.C.  
Attorneys At Law  
413 Lafayette  
Castroville, Texas 78009  
(830) 931-2271 (Telephone)  
(830) 931-6387 (Telecopier)

**FILED AND RECORDED**

**Instrument Number: 21-00001**

Filing and Recording Date: 01/06/2021 11:36:50 AM Pages: 4 Recording Fee: \$3.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the PUBLIC RECORDS of Medina County, Texas.



*Gina Champion*

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Gina Champion, County Clerk  
Medina County, Texas

Filed By Delia Colon Deputy