

Medina

Notice of Foreclosure Sale

Deed of Trust ("Deed of Trust"):

Dated: September 27, 2022

Grantor/Borrower: Argelia de la Garza Rodriguez

Trustee/Substitute Trustee: Judith A. Gray

Lender: Forest Devine Creek, LLC, a Texas limited liability company

Recorded: Deed of Trust recorded as Document Number 2022010380 in the Official Records of Medina County, Texas

Secures: Promissory Note ("Note") in the original principal amount of \$97,000.00 executed by Argelia de la Garza Rodriguez ("Borrower") and payable to the order of Lender, secured by LOT 32, FOREST CREEK SUBDIVISION, Medina County, Texas, according to the map recorded under Document Number 2021011643, Cabinet 3 Slide 983, of the Map Records of Medina County, Texas (the "Property").

Foreclosure Sale:

Date: **Tuesday, November 7, 2023**

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 P.M. and not later than three hours thereafter.

Place: The Medina County Courthouse Annex, Hondo, Texas, or any place designated by the Medina County Commissioner's Court.

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 Lender'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, Forest Devine Creek, LLC, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Forest Devine Creek, LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Forest Devine Creek,

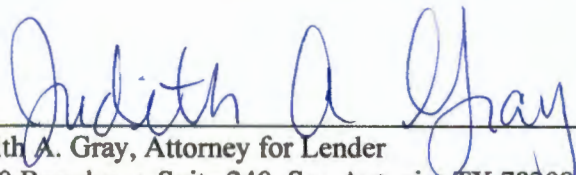
Devine Creek, LLC's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code. Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law. If Forest Devine Creek, LLC 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 Forest Devine Creek, LLC. 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, 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 Trustee.

THIS INSTRUMENT ALSO APPOINTS THE SUBSTITUTE TRUSTEES, MARICRUZ CARDENAS AND ROGER N. GRAY, 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.



Judith A. Gray, Attorney for Lender
4040 Broadway, Suite 240, San Antonio, TX 78209
Telephone (210) 865-5918
Telecopier (210) 930-1032



VG-42-2023-23-000113

**Medina County
Gina Champion
Medina County Clerk**

Instrument Number: 23-000113

Foreclosure Posting

Recorded On: October 04, 2023 01:20 PM

Number of Pages: 3

" Examined and Charged as Follows: "

Total Recording: \$3.00

******* 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: 23-000113
Receipt Number: 20231004000025
Recorded Date/Time: October 04, 2023 01:20 PM
User: Jaylen P
Station: cccash2

Record and Return To:

Judith A. Gray



**STATE OF TEXAS
Medina County**

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 Medina County, Texas

Gina Champion
Medina County Clerk
Medina County, TX