

Filed this 24 day of April 2024  
1:23 P M

TERESA RODRIGUEZ  
COUNTY CLERK, CALDWELL COUNTY, TEXAS

By Sandra Guerra Deputy  
Sandra Guerra

## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

T.S. #: 2024-09029-TX

**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.**

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

Date: 7/2/2024  
Time: The earliest time the sale will begin is 1:00 PM , or within three (3) hours after that time.  
Place: Caldwell County Courthouse, Texas, at the following location: 1703 S. COLORADO ST., LOCKHART, TEXAS 78644 OUTSIDE THE MAIN ENTRANCE OF THE NEW CALDWELL COUNTY JUSTICE CENTER, LOCATED AT 1703 S. COLORADO ST., LOCKHART, TEXAS 78644  
Or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners Court, pursuant to section 51.002 of the Texas Property Code.

**Property To Be Sold** - The property to be sold is described as follows:

SEE ATTACHED EXHIBIT 'A'

Commonly known as: 4904 FM 2984 LULING, TX 78648-4509

**Instrument to be Foreclosed** – The instrument to be foreclosed is the Deed of Trust dated 11/30/2015 and recorded in the office of the County Clerk of Caldwell County, Texas, recorded on 12/4/2015 under County Clerk's File No 2015-007722, in Book -- and Page -- of the Real Property Records of Caldwell County, Texas.

Grantor(s): LUCINDA MARIA HOLZER, AN UNMARRIED WOMAN  
Original Trustee: ALLAN B. POLUNSKY  
Substitute Trustee: Auction.com, Angela Zavala, Richard Zavala, JR., Michelle Jones, Sharlet Watts, Jim Mills, Susan Mills, Andrew Mills-Middlebrook, Ed Henderson, George Hawthorne, Louise Graham, Kyle Walker, Deanna Ray, Nestor Solutions, LLC  
Original Mortgagee: Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for PRIMELENDING, A PLAINSCAPITAL COMPANY, its successors and assigns  
Current Mortgagee: Freedom Mortgage Corporation  
Mortgage Servicer: Freedom Mortgage Corporation

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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 referenced property securing the above referenced loan.

**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 mortgagee 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.

Pursuant to the Deed of Trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part 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 express or implied warranties, except as to the warranties of title (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 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

**Obligations Secured** - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$106,043.00, executed by LUCINDA MARIA HOLZER, AN UNMARRIED WOMAN, and payable to the order of Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for PRIMELENDING, A PLAINSCAPITAL COMPANY, its successors and assigns; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of Trustor(s) to the current holder of the Obligations to the mortgagee under the deed of trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Questions concerning the sale may be directed to the undersigned or to the Mortgagee:

**Freedom Mortgage Corporation**  
10500 Kincaid Drive  
Fishers, IN 46037  
Phone: 855-690-5900

**Default and Request to Act** - Default has occurred under the deed of trust, and the mortgagee has requested me, as Trustee, to conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

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Dated: 04/24/2024

Auction.com, Angela Zavala, Richard Zavala, JR., Michelle Jones, Sharlet  
Watts, Jim Mills, Susan Mills, Andrew Mills-Middlebrook, Ed Henderson,  
George Hawthorne, Louise Graham, Kyle Walker, Deanna Ray, Nestor  
Solutions, LLC

*Sharlet Watts*

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c/o Nestor Solutions, LLC  
214 5th Street, Suite 205  
Huntington Beach, California 92648  
Phone: (888) 403-4115  
Fax: (888) 345-5501

For sale information visit: <https://www.xome.com> or Contact (800) 758-8052.

SENDER OF THIS NOTICE:  
AFTER FILING, PLEASE RETURN TO:

Nestor Solutions, LLC  
214 5th Street, Suite 205  
Huntington Beach, California 92648

EXHIBIT 'A'

**BEING A 1.000 ACRE TRACT OF LAND IN THE SOLOMON SEALE SURVEY, ABSTRACT NUMBER 24, IN CALDWELL COUNTY, TEXAS, SAID 1.000 ACRE TRACT OF LAND BEING ALL OF THOSE CERTAIN TWO TRACTS OF LAND DESCRIBED AS TRACT 1 AND AS 0.170 ACRES OF LAND TO ROBERT MENDEZ IN THAT CERTAIN WARRANTY DEED AS RECORDED IN VOLUME 365, PAGE 552, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY CALDWELL COUNTY, TEXAS, AND BEING OUT OF AND A PORTION OF THAT CALLED 1.882 ACRES OF LAND DESCRIBED TO ROBERT MENDEZ IN THAT SPECIAL WARRANTY DEED AS RECORDED IN VOLUME 369, PAGE 456, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY CALDWELL COUNTY, TEXAS, SAID 1.000 ACRES OF LAND BEING CREATED THIS DAY AND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 1" iron pipe found for the southeast corner of the herein described 1.000 acres of land, same being the southeast corner of the said Tract 1, same being the northeast corner of that called 9.76 acres of land described to Robert O. Cheatham and Sharon Cheatham in that certain Special Warranty Deed as recorded in Volume 334, Page 318, Official Public Records of Real Property Caldwell County, Texas, for a point on the west line of Farm to Market Road Number 2984 as found monumented upon the ground;

**THENCE** North 71°36'47" West, along the common dividing line of the said Tract 1, the said 1.882 acres of land and the said 9.76 acres of land, passing at a distance of 254.97 feet a ½" iron rod found for the west corner of the said Tract 1, same being the southwest corner of the said 0.170 acres of land and a exterior angle corner of the said 1.882 acres of land, continuing for a Total Distance of 448.95 feet to a 2" iron pipe post found for the southwest corner of the herein described 1.000 acres of land and the southwest corner of the said 1.882 acres of land, for a point on the north line of the said 9.76 acres of land and the southeast corner of that called 2.75 acres of land described to D & S Well Service Inc. as recorded in Volume 440, Page 92, Official Public Records of Real Property Caldwell County, Texas,

**THENCE** North 20°17'39" East, along the common dividing line of the said 1.882 acres of land and the said 2.75 acres of land a distance of 112.18 feet to a ½" iron rod set for the northwest corner of the herein described 1.000 acres of land, from this point a ½" iron rod found for an exterior angle corner of the said 1.882 acres of land, same being an interior angle corner of the said 2.75 acres of land bears North 20°17'39" East, a distance of 40.70 feet;

**THENCE** South 69°11'35" East, severing from said and through said 1.882 acres of land a distance of 394.64 feet to a Hinkle capped iron rod found for the northeast corner of the herein described 1.000 acres of land, same being the northeast corner of the said 0.170 acres of land, same being an exterior angle corner of the said 1.882 acres of land and a point on the west right of way line of said Farm to Market Road Number 2984, as found monumented upon the ground, from this point a Hinkle capped iron rod found bears North 09°35'03" West, a distance of 111.85 feet;

**THENCE** South  $09^{\circ}48'13''$  East, along the common dividing line of the said 0.170 acres of land and the said Farm to Market Road Number 2984, as found monumented

upon the ground, a distance of 42.20 feet to a Hinkle capped iron rod found for the southeast corner of the said 0.170 acres of land, same being the northeast corner of the said Tract 1, and an angle corner of the herein described 1.000 acres of land;

**THENCE** South  $09^{\circ}37'44''$  East, along the common dividing line of the said Tract 1 and the said Farm to Market Road Number 2984, as found monumented upon the ground, a distance of 65.99 feet to the POINT OF BEGINNING, and containing 1.000 acres of land, more or less, within these metes and bounds.

**BASIS OF BEARINGS** for this survey is the common dividing line of the said Tract 1 and the said 0.170 acres of land as North  $86^{\circ}13'00''$  West, as per the said Volume 365, page 552, Official Public Records of Caldwell County, Texas.