

492531  
185 San Diego Ln.  
Martindale, Texas 78655

## NOTICE OF TRUSTEE'S SALE and 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.**

WHEREAS, on November 29, 2018, Veronica Lopez Espinosa, Arturo Espinosa Valencia, Maria Teresa Espinosa and Juan Jose Espinosa Guerrero executed a Deed of Trust, Security Agreement/Financing Statement, Security Agreement/Financing Statement conveying to Jeffrey S. Kelly, Trustee, the real property hereinafter described, to secure Steve Morris and Maritsa G. Morris, in the payment of a debt therein described, said Deed of Trust, Security Agreement/Financing Statement, Security Agreement/Financing Statement being recorded in Document No. 2018-006393, Official Public Records of Caldwell County, Texas.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder of said debt has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust, Security Agreement/Financing Statement, Security Agreement/Financing Statement.

WHEREAS, in my capacity as the attorney for the present owner and holder of the note, and pursuant to Section 51.0076(3) Texas Property Code, I hereby name, appoint and designate Sharlet Watts or Angela Zavala or Richard Zavala, Jr. or Michelle Jones or David Garvin, the Substitute Trustee(s) in the above described Deed of Trust, Security Agreement/Financing Statement, Security Agreement/Financing Statement and/or to act under and by virtue of said Deed of Trust, Security Agreement/Financing Statement, Security Agreement/Financing Statement, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust, Security Agreement/Financing Statement, Security Agreement/Financing Statement lien securing the payment of said note.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, February 6, 2024, at 1:00 o'clock p.m. or within three (3) hours thereafter, the Substitute Trustee will sell said real property at the place hereinafter set out, to the highest bidder for cash. The place of sale shall be in the area designated by the Commissioners Court of such County, pursuant to §51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if such place is not so designated, the

Filed this 17<sup>th</sup> day of Jan 2024  
11:59 P.M.

TERESA RODRIGUEZ  
COUNTY CLERK, CALDWELL COUNTY, TEXAS  
By Lydia Alexander Deputy

Lydia Alexander

sale will take place in the area where this Notice of Substitute Trustee's Sale is posted), in the City of Lockhart, Caldwell County, Texas.

Said real property is described as follows:

All of a certain Tract or Parcel of land situated in Caldwell County, Texas and being a part of the William Pettus Survey A-21 and being also all of a tract of land called 0.50 acres and conveyed to Dennis Tounge by Deed recorded in Volume 243, Page 146 of the Official Records of Caldwell County, Texas and being more particularly described in Exhibit "A" attached hereto and made a part hereof.

Easement Tract 1: Field Note description of a Survey of the Centerline of a 50 foot wide strip of land out of the William Pettus Two League Grant, Caldwell County, Texas and being a portion of that Tract called 148 acres conveyed by Mrs. Lizzie Scott et al to Mrs. Willie Crockett Burgess by Deed dated October 31, 1939, and recorded in Volume 192, Page 489 of the Caldwell County Deed Records, and is more particularly described by Metes and Bounds in Exhibit "B" attached hereto and made a part hereof.

Easement Tract 2: Description of a Survey made on the ground of 0.62 acres of land, more or less, in the William Pettus Two League Grant, Caldwell County, Texas and being a part of that Tract called 148 acres conveyed by Mrs. Lizzie Scott et al to Mrs. Willie Crockett Burgess by Deed dated October 31, 1939, and recorded in Volume 192, Page 489 of the Caldwell County Deed Records, and being more particularly described by Metes and Bounds in Exhibit "B" attached hereto and made a part hereof.

The Deed of Trust, Security Agreement/Financing Statement, Security Agreement/Financing Statement permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust, Security Agreement/Financing Statement, Security Agreement/Financing Statement or Substitute Trustee appointed herein 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. The reposting or refiling may be after the date originally scheduled for this sale.

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, Security Agreement/Financing Statement, Security Agreement/Financing Statement. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property and the priority of the lien being foreclosed.

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust, Security Agreement/Financing Statement, Security Agreement/Financing Statement permitting the Beneficiary thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust, Security Agreement/Financing Statement, Security Agreement/Financing Statement at the time of sale.