

Filed this 12th day of Jan, 2024
11:16 A M
TERESA RODRIGUEZ
COUNTY CLERK, CALDWELL COUNTY, TEXAS
Yolanda Hernandez Deputy
Yolanda Hernandez

Jesse Smith, Noteholder
August REI, LLC, Loan Servicing Company
Ghrist Law Firm PLLC (hereinafter "Attorney")

Rogerio I. Garcia
PO Box 1221 Del Valle, TX 78617
Sent via first class mail and CMRR # 9489 0178 9820 3022 2268 59 on 01.12.2024

Rogerio I. Garcia
5296 Schuelke Rd, Niederwald, TX 78640
Sent via first class mail and CMRR # 9489 0178 9820 3022 2268 42 on 01.12.2024

NOTICE OF TRUSTEE'S SALE

WHEREAS Rogerio I. Garcia executed a Deed of Trust conveying to the initial trustee, the real estate hereinafter described, in payment of a debt therein described. The Deed of Trust was filed in the real property records of Caldwell County, Texas and is recorded under Clerk's File/Instrument Number 2016-000999, to which reference is 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, will be, or is hereby appointed Substitute Trustee in the place of the said original Trustee, upon contingency and in the manner authorized by said Deed of Trust; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the following:

1. Date, Place, and Time of Sale:

Date: Tuesday, the 6th day of February, 2024

Time: The sale shall begin no earlier than 11:00 A.M. or no later than three hours thereafter.

Place: The foreclosure sale will be conducted at public venue in the area designated by the Caldwell 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 Commissioner's Court, the sale will be conducted at the area immediately adjacent to the location where the Notice of Trustee's Sale (this notice) was posted.

2. Property to be Sold:

BEING A 15.001 ACRE TRACT OF LAND SITUATED IN THE ELIZABETH BROWN SURVEY, ABSTRACT NO. 398, CALDWELL COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO WENDELL SCOTT SMITH, AS RECORDED IN VOLUME 17, PAGE 561, DEED RECORDS, CALDWELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY

DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 1/2-INCH IRON ROD SET FROM WHICH A 1/2-INCH IRON ROD FOUND BEARS NORTH 67° 56' 31" WEST - 0.47 OF ONE FOOT, SAID IRON ROD SET BEING THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO LEROME DIXON AND WIFE, WANDA DIXON, AS RECORDED IN INSTRUMENT NO. 141131, SAID DEED RECORDS, BEING ON THE WEST LINE OF SAID SMITH TRACT, AND BEING ON THE EAST LINE OF SCHUELKE ROAD; THENCE NORTH 84° 10' 15" EAST, A DISTANCE OF 439.21 FEET ALONG THE SOUTH LINE OF SAID DIXON TRACT TO A 1/2-INCH IRON ROD SET; THENCE SOUTH 75° 52' 49" EAST, A DISTANCE OF 109.16 FEET ALONG SAID SOUTH LINE TO A 1/2-INCH IRON ROD SET; THENCE NORTH 78° 37' 37" EAST, A DISTANCE OF 381.53 FEET ALONG SAID SOUTH LINE TO A 1/2-INCH IRON ROD SET AT THE SOUTHEAST CORNER OF AFORESAID DIXON TRACT; THENCE NORTH 09° 00' 00" WEST, A DISTANCE OF 498.48 FEET ALONG THE EAST LINE OF SAID DIXON TRACT TO A 1/2-INCH IRON ROD SET AT THE NORTHEAST CORNER OF SAID DIXON TRACT, SAID IRON ROD BEING ON THE COMMON LINE OF AFORESAID SMITH TRACT AND THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO EDUARDO PEREZ-VERDIA AND ODETTE PEREZ-VERDIA, AS RECORDED IN VOLUME 643, PAGE 480, AFORESAID DEED RECORDS; THENCE NORTH 80° 59' 33" EAST, A DISTANCE OF 289.28 FEET ALONG SAID COMMON LINE TO A 5/8-INCH IRON ROD FOUND AT THE MOST NORTHERLY NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO JOEL GARCIA AND WIFE, PRISCILLA LYNN GARCIA, AS RECORDED IN INSTRUMENT NO. 2015-005234, SAID DEED RECORDS; THENCE SOUTH 09° 00' 00" EAST, A DISTANCE OF 900.52 FEET ALONG THE MOST EASTERLY WEST LINE OF SAID GARCIA TRACT TO A 1/2-INCH IRON ROD SET; THENCE SOUTH 81° 00' 00" WEST ALONG THE MOST SOUTHERLY NORTH LINE OF SAID GARCIA TRACT, PASSING A 1/2-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 1, BLOCK A, OF DOVE ACRES, AN ADDITION TO CALDWELL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET B, SLIDE 63, PLAT RECORDS, CALDWELL COUNTY, TEXAS, AT A DISTANCE OF 773.81 FEET AND CONTINUING ALONG THE NORTH LINE OF SAID LOT 1 A TOTAL DISTANCE OF 1,209.41 FEET TO A 1/2-INCH IRON ROD SET FROM WHICH A 1/2-INCH IRON ROD FOUND BEARS NORTH 16° 15' 35" WEST - 0.50 OF ONE FOOT, SAID IRON ROD SET BEING THE NORTHWEST CORNER OF SAID LOT 1, AND BEING ON THE AFORESAID EAST LINE OF SCHUELKE ROAD; THENCE NORTH 09° 00' 00" WEST, A DISTANCE OF 462.36 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 653,422 SQUARE FEET OR 15.001 ACRES OF LAND. Survey Plat of even date attached hereto and made a part hereof. Date: 0 1/27/2016

3. Name and Address of Sender of Notice:

Ghrist Law Firm, PLLC, 4016 Gateway Drive, Suite 130, Colleyville, Texas, 76034.
The senders of the notice also include those names listed below.

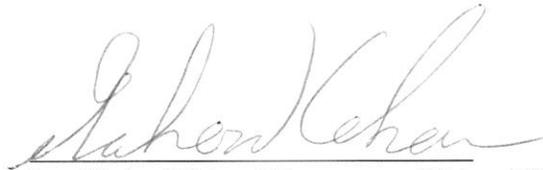
Pursuant to Section 51.009 of the Texas Property Code, the property will be sold in “as is, where is” condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the deed of trust.

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.

Pursuant to Section 51.0025 of the Texas Property Code, the mortgage servicer or Attorney are entitled to administer the foreclosure due to the fact that the servicer, noteholder or Lender, and Attorney have entered into an agreement granting authority to service the mortgage and administer foreclosure proceedings.

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 OF ACCELERATION. If the maturity on the promissory note has not yet been accelerated, then the lender hereby accelerates the maturity date such that the remaining principal, together with all other charges, are due and owing at this time.



Ian Ghrist, Richard Ramsey, or Richard Cahan
Substitute Trustee(s)
4016 Gateway Drive, Suite 130
Colleyville, Texas 76034
Phone: (817) 778-4136