

NOTICE OF FORECLOSURE SALE

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

August 4, 2023

Deed of Trust: Deed of Trust (The term "Deed of Trust" herein shall mean the Deed of Trust as so modified, renewed, and/or extended.)

Dated: March 1, 2011

Trustee:

Byron R. Berry
Address:
P.O. Box 50149
Denton, Texas 76205

Substitute Trustee:

James Moss
Address:
104 W. Main Street
Gainesville, Texas 76240

Grantors: Miguel Rodriguez and Gloria Rodriguez

Mortgagee: Joseph Hundt (hereafter "Lender")

Recording Information: Volume 1734 Page 674 of the real property records of Cooke County, Texas.

Property Address: 410 S. Grand Avenue, Gainesville, Texas 76240

Legal Description: all that certain lot of land situated in the City of Gainesville, Cooke County, Texas, being the north one-half of lot one (1) in block eleven (11), Clement addition to the said City of Gainesville, and being more particularly described as follows:

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Beginning at a point on the east line of Grand Avenue, 80 feet north of the southwest corner of said lot one (1) in block eleven (11), Clement addition, at a metal fence; Thence north on east line of Grand Avenue 90 feet; Thence east 139-2/3 feet; Thence south 90 feet to a metal fence; Thence west 139-2/3 feet to the Place of Beginning.

Note Secured by Deed of Trust: Real Estate Lien Promissory Note (The term "Note" herein shall mean the Note as so modified, renewed, and/or extended.)

Date: March 1, 2011

Original Principal Amount: \$78,000.00

Makers: Miguel Rodriguez and Gloria Rodriguez

Lender: Joseph Wayne Hundt

Property: All property and improvements as described in the Deed of Trust, with the exception of any Released Property.

Sale Location: 101 S. Dixon Street, Gainesville, Texas, 76240 on the East, steps of the Cooke County Courthouse.

Sale Time: The public auction of the Foreclosure Sale will take place between the hours of 10:00 AM and 4:00 PM. The sale will begin at 10:00 AM or within three hours from that time.

Sale Date: September 5, 2023

Terms of the Sale: This public Foreclosure Sale will sell all property "AS IS" to the highest cash bidder, with the exception of the Lender, who will be allowed to bid credit against the amount owed under the obligation secured in the Deed of Trust.

Due to the default under the terms of the Deed of Trust, the Lender directed the Substitute Trustee to administer the trust provisions.

The above-described Deed of Trust encumbers real property. This document constitutes formal notice by the Lender to foreclose and sell the property as described in the Deed of Trust in accordance with the terms of the Texas Business and Commerce Code and the Deed of Trust.

The Foreclosure Sale will commence on September 5, 2023, between the hours of 10:00 AM and 4:00 PM and in accordance with the details as further set forth above. At that time, the Substitute Trustee will direct the sale of the property

described in the Deed of Trust in manner as allowed by the Deed of Trust and applicable Texas law.

If there is any postponement or rescheduling of the Foreclosure Sale, additional notice will be posted and filed in accordance with the terms of the Deed of Trust and applicable Texas law.


Potential purchasers are reminded that this sale of property is made subject to the exceptions to conveyance and warranties of the Deed of Trust, all prior liens and defects to title, and any rights of recession as set forth in the Texas Property Code. Potential purchasers should examine the property records describing the property within the Deed of Trust for further assurances.

This property will be sold "AS IS" to the highest cash bidder. Please be aware that the sale of this property will not include any possession warranties, title warranties, warranties of quiet enjoyment or other warranties, except as expressly provided by the Deed of Trust. All potential purchasers should conduct examinations of the property records for further assurances.

The Substitute Trustee will establish conditions for the Foreclosure Sale as are deemed reasonable and in accordance with the Texas Property Code. Any conditions beyond what are listed in this document will be disclosed prior to the opening of bidding on the day of the Foreclosure Sale.

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.

THIS DOCUMENT ASSIGNS LEE TATUM AS THE SUBSTITUTE TRUSTEE IDENTIFIED TO CARRY OUT THE SALE OF PROPERTY IDENTIFIED IN THE SECURITY INSTRUMENT AS SET FORTH IN THIS NOTICE OF FORECLOSURE SALE. THE SIGNER OF THIS DOCUMENT IS THE DULY AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



James L. Moss Substitute Trustee