

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S 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.

DEED OF TRUST INFORMATION:

Date: 03/04/2004
Grantor(s): TITO GARCIA AND WIFE, JUDITH A GARCIA
Original Mortgage: VALLEY MORTGAGE COMPANY, INC.
Original Principal: \$44,101.00
Recording Information: Book 278 Page 313 Instrument 252395
Property County: Kleberg
Property: (See Attached Exhibit "A")
Reported Address: 329 E ALICE AVE, KINGSVILLE, TX 78363

FILED FOR RECORD
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MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: U.S. Bank National Association
Mortgage Servicer: U.S. Bank National Association
Current Beneficiary: U.S. Bank National Association
Mortgage Servicer Address: 4801 Frederica Street, Owensboro, KY 42301

SALE INFORMATION:

Date of Sale: Tuesday, the 2nd day of May, 2023
Time of Sale: 1:00PM or within three hours thereafter.
Place of Sale: AT THE WEST STEPS OF THE KLEBERG COUNTY COURTHOUSE, ALSO KNOWN AS THE FRONT DOOR OF SAID COURTHOUSE in Kleberg County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Kleberg County Commissioner's Court, at the area most recently designated by the Kleberg County Commissioner's Court.

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Sandra Mendoza, Arnold Mendoza, Bob Frisch, Jodi Steen, Susan Sandoval, Leslye Evans, Alexis Mendoza, Janice Stoner, Mary Goldston, John Sisk, Aleena Litton, Marcia Chapa, Erica Duarte Guest, Lacrechia Robinson, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Sandra Mendoza, Arnold Mendoza, Bob Frisch, Jodi Steen, Susan Sandoval, Leslye Evans, Alexis Mendoza, Janice Stoner, Mary Goldston, John Sisk, Aleena Litton, Marcia Chapa, Erica Duarte Guest, Lacrechia Robinson, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.

4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Substitute Trustee(s): Sandra Mendoza, Arnold Mendoza, Bob Frisch, Jodi Steen, Susan Sandoval, Leslye Evans, Alexis Mendoza, Janice Stoner, Mary Goldston, John Sisk, Aleena Litton, Marcia Chapa, Erica Duarte Guest, Lacrechia Robinson, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am Sandra Mendoza whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on 3.9.23 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Kleberg County Clerk and caused it to be posted at the location directed by the Kleberg County Commissioners Court.

By: 
Sandra Mendoza

Exhibit "A"

LOTS FIFTEEN (15) AND SIXTEEN (16), BLOCK TWENTY TWO (22), ORIGINAL TOWNSITE OF KINGSVILLE, KLEBERG COUNTY, TEXAS, AS SHOWN ON MAP OR PLAT OF RECORD IN ENVELOPE 96, MAP RECORDS OF KLEBERG COUNTY, TEXAS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254