

FILED FOR RECORD

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STATE OF TEXAS
COUNTY OF KLEBERG

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NOTICE OF FORECLOSURE SALE

SALVADOR "TONNY" BARBERA III
COUNTY CLERK, KLEBERG COUNTY, TEXAS
Mari Rojas

Deed of Trust ("Deed of Trust")

Dated: 04/07/2004

Grantor(s): Eva S. Sanchez

Trustee: John G. Bailey

Lender: The Rhode Family Trust, by Robert D. Rhode, Trustee

Recorded in: 253051 of the Real Property Records of Kleberg County, Texas

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$40,000.00 executed by Grantor(s) and payable to the order of Lender and all other indebtedness of Grantor(s) to Lender

Property: The real property and improvements described in the attached Exhibit A

Assignment: The Note and the liens and security interests of the Deed of Trust were transferred and assigned to Horizon Trust FBO: Michael Szymkowski Roth IRA ("Beneficiary") by an instrument dated 03/24/2022, and recorded in 2022-330487 of the Real Property Records of Kleberg County, Texas

Substitute Trustee: Sandra Mendoza, Arnold Mendoza, Bob Frisch, Jodi Steen, Susan Sandoval, Leslye Evans, Janice Stoner, Mary Goldston or Alexis Mendoza

Substitute Trustee's Street Address: c/o DWaldman Law, P.C.
5900 Balcones Drive, Suite 100
Austin, TX 78731

Mortgage Servicer: FCI Lender Services, Inc.

Mortgage Servicer's
Address:

P.O. Box 28720, Anaheim, CA 92809

Foreclosure Sale:

Date: Tuesday, 03/05/2024

Time: The sale of the Property ("Foreclosure Sale") will take place between the hours of 1:00 PM and 4:00 PM local time.

Place: WEST STEPS OF THE KLEBERG COUNTY COURTHOUSE (FRONT STEPS) OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Horizon Trust FBO: Michael Szymkowski Roth IRA's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Horizon Trust FBO: Michael Szymkowski Roth IRA, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Horizon Trust FBO: Michael Szymkowski Roth IRA's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

FCI Lender Services, Inc. is representing Horizon Trust FBO: Michael Szymkowski Roth IRA in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Lender. The respective addresses of Horizon Trust FBO: Michael Szymkowski Roth IRA and FCI Lender Services, Inc. are set forth above.

Therefore, notice is given that on and at the Date, Time and Place of Sale described above, Substitute Trustee will sell the Property by public sale to the highest bidder for cash in accordance with the Deed of Trust.

The Deed of Trust permits the Lender to postpone, withdraw, or reschedule the sale for another day. In that case, the Substitute Trustee need not appear at the Date, Time, and Place of Sale described above to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and re-filed in accordance with

the posting and filing requirements of the Deed of Trust and the Texas Property Code. The reposting or re-filing may be after the date originally scheduled for this sale.

Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the Property is sold.

The Foreclosure 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 Foreclosure 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. The Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of 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 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 Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the Substitute Trustee.

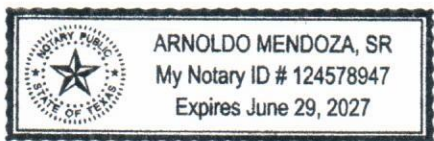
Notice is given that before the Foreclosure Sale Lender may appoint another person as Substitute Trustee to conduct the Foreclosure Sale.

By: _____
Sandra Mendoza Substitute Trustee

STATE OF TEXAS
COUNTY OF KLEBERG

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This instrument was acknowledged before me by Sandra Mendoza on Jan. 25, 2024



Arnolando Mendoza, Sr
Notary Public, State of Texas
Commission Expires: 6-29-27
Printed Name: Arnolando Mendoza, Sr

Exhibit A: Property Description

616 E. HUISACHE LOTS TWENTY-FIVE (25) AND TWENTY-SIX (26), BLOCK NINE (9), FIFTH ADDITION, AN ADDITION OF THE TOWN OF KINGSVILLE, KLEBERG COUNTY, TEXAS