

Notice of Substitute Trustee Foreclosure Sale

April 5, 2021

FILED FOR RECORD

2021 APR -6 PM 2:05

STEPHANIE G. CARZA
COUNTY CLERK
KLEBERG COUNTY
DEPUTY

Deed of Trust ("Deed of Trust"):

Dated: October 25, 2018

Grantor: Pica Homvestors, Inc., a Texas corporation

Trustee: Steven S. Newsom

Lender: Quest IRA, Inc. FBO Stacey A. Messa IRA #19751-11 (as an undivided 50.68% interest) and Quest IRA, Inc. FBO Navin R. Shah IRA #13214-11 (as an undivided 49.32% interest)

Recorded in: November 7, 2018, of the real property records of Kleberg County, Texas, being in renewal and extension by and through the Modification and Extension Agreement, dated December 31, 2019

Legal Description: Lot Five (5), Block Eight (8), of TOWN AND COUNTRY ADDITION, an Addition to the Town of Kingsville, Kleberg County, Texas, according to the map or plat of record in Envelope 99, Cabinet 1, Plat Records, Kleberg County, Texas.

Secures: Note ("Note") in the original principal amount of \$88,000.00, executed by Pica Homvestors, Inc. a Texas corporation ("Borrower") and payable to the order of Lender

Modifications and Renewals: Modification and Extension Agreement, dated December 31, 2019 (as used herein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as so modified, renewed, and/or extended)

Property: The real property, improvements, and personal property described in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Assignment: Neither the Note nor the Deed of Trust were transferred or assigned to any third-party beneficiary ("Beneficiary")

Guaranty: The Note is guaranteed by a guarantee dated November 2, 2018, and executed by Matthew Downs in favor of Lender

Substitute Trustee: Arnold Gonzales, Jr.

Substitute Trustee's Address: 5337 Yorktown Blvd., Suite 5-3, Corpus Christi, Texas 78413

Foreclosure Sale:

Date: **Tuesday, May 4, 2021**

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m., and not later than three hours thereafter.

Place: The sale of the Property will take place at the 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 Lender'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, Lender, 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 Lender'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.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Lender passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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. For the avoidance of doubt, 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 by Lender. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

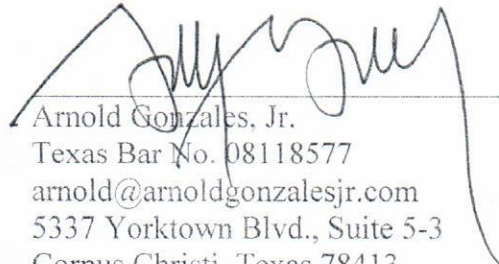
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under

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(a) of the Texas Property Code, 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 Substitute Trustee.

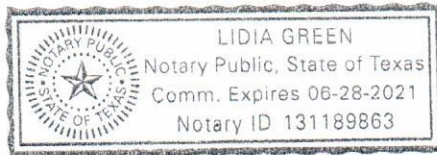
Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

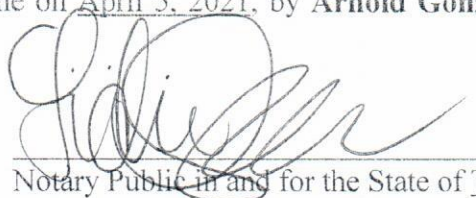
THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF LENDER.


Arnold Gonzales, Jr.
Texas Bar No. 08118577
arnold@arnoldgonzalesjr.com
5337 Yorktown Blvd., Suite 5-3
Corpus Christi, Texas 78413
Tel – (361) 887-9900
Fax – (361) 887-9908
Substitute Trustee / Attorney

STATE OF TEXAS §
COUNTY OF NUECES §

This instrument was acknowledged before me on April 5, 2021, by **Arnold Gonzales, Jr.**, in his capacity as Substitute Trustee.




Notary Public in and for the State of TEXAS

AFTER RECORDING RETURN TO:

Arnold Gonzales, Jr.
Attorney & Counselor
5337 Yorktown Blvd., Suite 5-3
Corpus Christi, Texas 78413

EXHIBIT A

LEGAL DESCRIPTION

The Property is known as 318 South 22nd Street, Kingsville, Texas 78363, and having a legal description of:

Lot Five (5), Block Eight (8), of TOWN AND COUNTRY ADDITION, an Addition to the Town of Kingsville, Kleberg County, Texas, according to the map or plat of record in Envelope 99, Cabinet 1, Plat Records, Kleberg County, Texas.

