

**NOTICE TO SERVICE MEMBERS: A debtor who is serving on active military duty has special rights or relief related to this notice under federal law, including the Service Members Civil Relief Act (50 U.S.C. app Section 501 et seq) and state law, including Section 51.015, Texas Property Code. 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 duty service to the sender of this notice immediately.**

## NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

### 1. **Property To Be Sold:**

Lot Number Eleven (11), LYNDAL PARK ADDITION, an addition to the Town of Kingsville, Kleberg County, Texas, as shown on map or plat of record in Envelope 94, Map Records of Kleberg County, Texas

2. **Date, Time and Place of Sale:** The sale is scheduled to be held at the following date, time, and place:

**Date:** June 6, 2023

**Time:** The sale shall begin no earlier than 10:00 o'clock A.M. and no later than three (3) hours thereafter. The sale shall be completed by no later than 1:00 o'clock P.M.

**Place:** The foreclosure sale will be conducted at the place designated by the Kleberg County Commissioner's 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 place where this Notice of Foreclosure sale is posted.

The Deed of Trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee or Substitute Trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiled may be after the date originally scheduled for this sale.

3. **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale. Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold. 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

FILED FOR RECORD

2023 MAY 16 PM 1:31

CLERK OF COURT  
KLEBERG COUNTY, TEXAS  
BY: *[Signature]*

warranties of title (if any) provided for under the Deed of Trust. The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that the sale is 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

**4. Type of Sale.** The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust as executed by **Raymond Joely Saenz**. The Deed of Trust is dated **August 29, 2019** and is recorded in the office of the County Clerk in Kleberg County, Texas and under Document Number **319460** of the Official Records of Kleberg County, Texas.

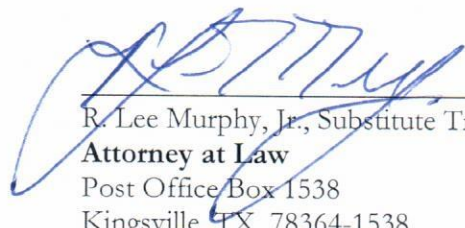
**5. Obligations Secured.** The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to the real estate lien note (the "Note") in the original principal amount of **Eighty -Seven Thousand Hundred and 00/100ths Dollars (\$87,000.00)** executed by **Raymond Joely Saenz**, and payable to the order of **Reynaldo P. Acuña**, which note and lien are now owned and held **Reynaldo P. Acuña** who are the beneficiary under the Deed of Trust;

As of **May 16, 2023**, there was owed **\$83,652.41** on the Note, being principal in the amount of **\$81,334.81; \$1,333.45** in accrued interest; **\$84.15** in late fees, and **\$933.00** in attorney's fees and expenses paid by the noteholders and costs as permitted by the Note and Deed of Trust. The note is bearing interest at the rate of **\$4.46** per day after **May 16, 2023**.

Questions concerning the sale may be directed to the undersigned at 617 East Kleberg Avenue, Post Office Box 1538, Kingsville, Texas 78364-1538; Phone (361) 592-9361.

**6. Default and Request to Act.** Default has occurred under the Deed of Trust, and the beneficiary has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person Substitute Trustee to conduct the sale.

Dated **16th** day of **May, 2023**

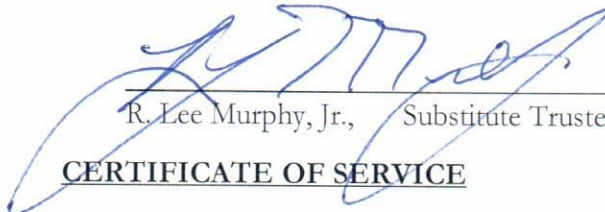


---

R. Lee Murphy, Jr., Substitute Trustee  
**Attorney at Law**  
Post Office Box 1538  
Kingsville, TX 78364-1538  
Telephone: (361) 592-9361  
Telecopier: (361) 592-6547

**CERTIFICATE OF POSTING**

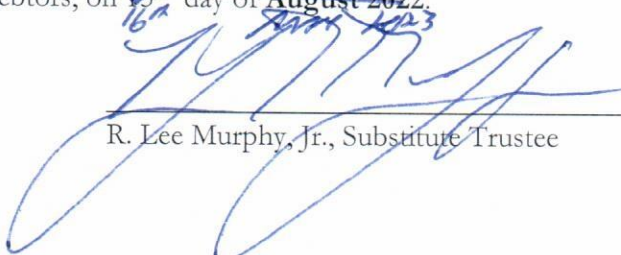
The within Notice of Foreclosure Sale was filed by me on the above date at the office of the Kleberg County courthouse door and I caused it to be posted at the location designated by the Kleberg County Commissioners Court.



R. Lee Murphy, Jr., Substitute Trustee

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Notice of Foreclosure Sale was served upon the following by depositing the same in the United States Mail, CERTIFIED MAIL, RETURN RECEIPT REQUESTED, and U. S. First Class Mail, with proper postage affixed thereto, addressed to **Raymond Joely Saenz AT 713 South 17<sup>th</sup> Street , Kingsville, Kleberg County, Texas 783363**; the last known addresses of the debtors, on <sup>16<sup>th</sup></sup> day of ~~August~~ <sup>Sept</sup> 2022.



R. Lee Murphy, Jr., Substitute Trustee