

FILED FOR RECORD

2023 MAY 16 AM 8:47

SALVADOR FERRER GONZALEZ
COUNTY CLERK
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Notice of Foreclosure Sale

May 15, 2023

Deed of Trust ("Deed of Trust"):

Dated: July 2, 2021

Grantor: Jeffrey David List and Gloria Quibin List

Trustee: Kevin M. Maraist

Lender: Rally Credit Union f/k/a Navy Army Community Credit Union

Recorded in: Document No. 326735 the Official Public Records of Kleberg County, Texas.

Secures: Promissory Note ("Note") in the original principal amount of \$70,000.00, executed by Jeffrey David List and Gloria Quibin List ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender.

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described as follows, and all rights and appurtenances thereto:

Lot Nine (9), Ten (10), and Eleven (11), Block Seventy (70), Map of Kingsville AKA Original Townsite of Kingsville, Kleberg County, Texas, as shown on map or plat of record in Envelope 96, Map Records of Kleberg County, Texas (the "property").

Substitute Trustee: Andrew Schuster

Substitute Trustee's

Address: Anderson, Lehrman, Barre & Maraist, LLP
Gaslight Square
1001 Third Street, Ste. 1
Corpus Christi, TX 78404

Foreclosure Sale:

Date: Tuesday, June 6, 2023

- Time: The sale of the Property will be held between the hours of 10:00 a.m. and 1:00 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: Kleberg County Courthouse, 700 E. Kleberg Ave., Kingsville, Kleberg County, Texas, at the following location: at the west steps of the courthouse, also known as the front door of the courthouse in Kleberg County, Texas, or if such location is not available, at such other location as may be designated by the Commissioner's Court of Kleberg County, Texas.
- 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.

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.

Dated: May 15, 2023.



Andrew Schuster, Substitute Trustee
1001 Third St., Ste. 1
Corpus Christi, TX 78404
361-884-4981
361-884-9618 (fax)

Mortgagee:

Rally Credit Union
P.O. Box 81349
Corpus Christi, TX 78468-1349