

#75

Notice of Foreclosure Sale

August 10, 2024

Deed of Trust ("Deed of Trust"):

Dated: March 1, 2022

Grantor: Santa Homes LP

Trustee: Charles C. Gumm, III or Carrie Waibel

Lender: Javid LLC

Recorded in: Instrument No. 00133616 of the real property records of Hill County, Texas

Legal Description: See Exhibit A; aka: 908 N Brazos, Whitney, TX

Secures: Promissory Note ("Note") in the original principal amount of \$165,000.00, executed by Santa Homes LP ("Borrower") and payable to the order of Lender

Substitute Trustee: Craig C. Lesok

Substitute Trustee's Address: 226 Bailey Ave, Ste 101, Fort Worth, TX, 76107

FILED
NICOLE TANNER, COUNTY CLERK
HILL COUNTY, TEXAS
2024 AUG 13 AM 8:02

Foreclosure Sale:

Date: Tuesday, September 3, 2024

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 12:00 P.M. and not later than three hours thereafter.

Place: The east door of the Hill County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

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 Javid LLC'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, Javid LLC, 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 Javid LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Javid LLC'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 Javid LLC 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 Javid LLC. 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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED

TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



Craig C. Lesok
Attorney for Lender
SBOT No. 24027446



Craig C. Lesok
226 Bailey Ave, Ste 101
Fort Worth, TX 76107
Telephone (817) 882-9991
Telecopier (817) 882-9993
E-mail: craig@lesoklaw.com

EXHIBIT A

TAX ID NUMBER(S): 131599

LAND SITUATED IN THE TOWN OF WHITNEY IN THE COUNTY OF HILL IN THE STATE OF TEXAS

FIELD NOTES FOR THE SURVEY OF A CERTAIN LOT, TRACT, OR PARCEL OF LAND, LYING AND SITUATED IN THE MARIA ROSA URRUTIA SURVEY A-921 IN HILL COUNTY, TEXAS AND BEING A PART OF BLOCK 65 OF THE ORIGINAL TOWN OF WHITNEY, ACCORDING TO PLAT RECORDED IN VOLUME Y, PAGE 632 OF THE DEED RECORDS OF HILL COUNTY, SAID LAND IS ALL THAT CERTAIN TRACT DESCRIBED IN A DEED FROM ELSIE TAYLOR TO JOHN H. COPELAND AT UX, ANN COPELAND AS RECORDED IN VOLUME 942, PAGE 584 OF THE OFFICIAL PUBLIC RECORDS OF HILL COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND IN THE EAST LINE OF BRAZOS STREET (FM 933) FOR THE SOUTHWEST CORNER OF THIS AND FOR THE NORTHWEST CORNER OF A TRACT DESCRIBED IN A DEED TO ALVIN MORRIS REED AS RECORDED IN VOLUME 783, PAGE 440 OF THE OFFICIAL PUBLIC RECORDS OF HILL COUNTY, SAID ROD BEING IN THE WEST LINE OF SAID BLOCK 65, NORTH 01 DEGREES 10 MINUTES 31 SECONDS EAST 234.5 FEET FROM THE SOUTHWEST CORNER OF SAID BLOCK 65;

THENCE WITH THE EAST LINE OF BRAZOS STREET, NORTH 01 DEGREES 10 MINUTES 31 SECONDS EAST 100.80 FEET TO A 1/2 INCH IRON ROD FOUND IN THE SOUTHLINE OF HIGHLAND STREET FOR THE NORTHWEST CORNER OF THIS;

THENCE WITH THE SOUTH LINE OF HIGHLAND STREET, NORTH 62 DEGREES 24 MINUTES 36 SECONDS EAST 154.07 FEET TO A 3/4 INCHES IRON ROD FOUND FOR THE NORTHEAST CORNER OF THIS AND FOR THE NORTHWEST CORNER OF A TRACT DESCRIBED IN A DEED TO J. H. JEFFRIES AS RECORDED IN VOLUME 439, PAGE 75 OF THE DEED RECORDS OF HILL COUNTY;

THENCE WITH THE WEST LINE OF SAID JEFFRIES TRACT, SOUTH 26 DEGREES 39 MINUTES 36 SECONDS EAST, AT 100.00 FEET PASSING HIS SOUTHWEST CORNER AND THE NORTHWEST CORNER OF A TRACT DESCRIBED IN A DEED TO JOSEPH TAYLOR AS RECORDED IN VOLUME 500, PAGE 312 OF THE DEED RECORDS OF HILL COUNTY, IN ALL A DISTANCE OF 136.67 FEET TO A 1/2 INCH IRON ROD SET FOR AN OUTSIDE ELL CORNER OF THIS AND FOR AN INSIDE ELL CORNER OF SAID TAYLOR TRACT;

THENCE SOUTH 50.00 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THIS AND FOR THE NORTHEAST CORNER OF SAID REED TRACT;

THENCE WITH THE NORTH LINE OF SAID REED TRACT, WEST 199.94 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.587 ACRES OF LAND.