

FILED
At 8:08 o'clock M

DEC 27 2024

ELIZABETH PEREZ, COUNTY CLERK
FALLS COUNTY, TEXAS
BY *[Signature]* DEPUTY

Notice of Foreclosure Sale

December 13, 2024

Instrument: **Deed of Trust Wraparound Financing Terms ("Deed of Trust")**

Dated: **March 14, 2014**

Grantors: **Joe Jessie Villanueva**

Substitute Trustee: **Shelby Reed**

Substitute Trustee Address: **3705 Lakeview Pkwy, Ste 205
Rowlett, TX 75088-4178**

Lender: **JOHN C. PEMBERTON**

Lender Address: **1914 South 45th Street
Temple, Bell County, Texas 76504**

Recorded in: Document Number 493 in Book OR, Volume 00290, pages 935 to 942 of the real property records of Falls County, Texas, on March 21, 2014.

Legal Description: The South Seventy Feet (S. 70') of Lots Seven (7) and Eight (8) in Block Four (4), of the Farish Addition in the City of Rosebud, Falls County, Texas, as shown on the plat of said addition recorded in the office of the County Clerk of Falls County, Texas, together with an easement ten feet in width, extending from the center of the north line of the above described property 70 feet along the division line between Lots 7 and 8 to the south line of the alley intersecting Block 4 for the purpose of laying and maintaining gas lines and sewer lines from said alley to the property above described.

This being the same property described in Deed from Bobby Skala, *et ux.* to John C. Pemberton dated November 6, 2009, recorded in Volume 238, Page 903, of said Falls County Official Public Records.

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Secures: Note in the original principal amount of Twenty-Eight Thousand and no/100 (\$28,000.00) Dollars, executed by Joe **Jessie Villanueva** ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender.

Foreclosure Sale:

Date: Tuesday, January 7, 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 10:00 a.m. and not later than three hours thereafter.**

Place: **ALL PUBLIC SALES ARE HELD AT THE FALLS COUNTY COURTHOUSE, 125 BRIDGE ST., MARLIN, TX 76661 AT THE SOUTH ENTRANCE STEPS LEADING THROUGH THE COURTHOUSE DOOR TO THE SECOND FLOOR OF SAID COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONERS' COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.**

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, "AS IS," except that Lender's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Those desiring to purchase the Property other than Lender will need to demonstrate their ability to pay their bid immediately in cash for their bid to be accepted.

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

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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.

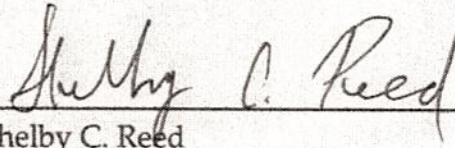
THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE

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IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR
MORTGAGE SERVICER.



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