

Posted
~~FILED~~

Notice of Foreclosure Sale

2020 MAY -8 PM 3:05

("Contract For Deed"):

COUNTY OF HOWARD TEXAS

Dated: January 12, 2017

BY DEPUTY Trent Powell

Grantor: LEE HERNANDEZ AND ELLESE HERNANDEZ

Substitute Trustee: Joshua Hamby

Lender: KEVIN RITZ

Recorded in: Contract for Deed recorded in Volume 1687, Page 692 of the Official Public Records of Howard County, Texas

Secures: ("Note") in the original principal amount of \$270,000.00, executed by Lee Hernandez and Ellese Hernandez ("Borrower") and payable to the order of Lender

Legal Description: BEING a 5.0 acre tract of land out of the SW/4 of Section 32, Block 32, T-1-S, T&P RR Co. Survey, Howard County, Texas, described by metes and bounds as follows:

BEGINNING at a 5/8" I.R. with cap set in the SW/4 of Section 32, Block 32, T-1-S, T&P RR Co. Survey, Howard County, Texas, the NW corner of a 5.0 acre tract and the SW corner of this tract; from whence the SW corner of said Section 32 bears S. 15° 12'E. 504.8 and S. 74° 29' W. 431.6'

THENCE N. 15° 12' W. along the East line of a 20.0 acre tract, 504.6' to a 3/4" I.P. found for the SW corner of a 5.0 acre tract and the NW corner of this tract;

THENCE N. 74° 30' 08" E. along the South line of said 5.0 acre tract at 401.6' pass a 5/8" I.R. found in the West right-of-way line of Matt Loop, (60' right-of-way) 431.6' in all to a Mag nail set in the West line of a 3.0 acre tract for the NE corner of this tract;

THENCE S. 15° 12' E. along the centerline of Matt Loop at 366.6' pass a 120 d nail set for the SW corner of said 3.0 acre tract, the NW corner of a 4.74 acre tract and the turn of said Matt Loop, 504/6' in all to a 120-d nail set in the West line of said 4.74 tract, the NE corner of said 5.0 acre tract and the SE corner of this tract;

THENCE S. 74° 30' 08" W. along the North line of said 5.0-acre tract, 431.6' to the PLACE OF BEGINNING.

Foreclosure Sale:

Date: Tuesday, June 2, 2020

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 10:00a.m. and not later than three hours thereafter.

Place: The North entrance of the Howard County Courthouse, 300 S. Main, Big Spring, 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 KEVIN RITZ's bid may be by credit against the indebtedness secured by the lien of the Contract for Deed.

Default has occurred in the payment of the Note and in the performance of the obligations in the Contract for Deed and Note. Because of that default, KEVIN RITZ, the owner and holder of the Note, has requested Trustee to sell the Property.

Formal notice is hereby given of KEVIN RITZ's election to proceed against and sell both the real property and any personal property described in the Contract for Deed in accordance with KEVIN RITZ's rights and remedies under the Contract for Deed 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, Trustee will sell the Property in accordance with the Terms of Sale described above, the Contract for Deed, and applicable Texas law.

If KEVIN RITZ 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 Contract for Deed and the Texas Property Code.

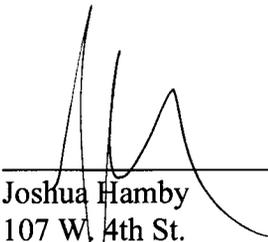
Prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated. Prospective bidders are strongly urged to examine the applicable 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 Contract for Deed. 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, 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 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.



Joshua Hamby
107 W. 4th St.
Big Spring, TX 79720
Telephone (432) 263 8395
Telecopier (432) 263 4798