

## Notice of Foreclosure Sale

December 11, 2023

### Deed of Trust:

**Dated:** April 2, 2021

**Grantor:** Kendall H. Hisey

**Trustee:** Gary Glick

**Lender:** Rancho Paula Verde, LLC

**Recorded in:** Instrument No. 2021-857 of the real property records of Edwards County, Texas

**Legal Description:** Lots 61 and 63, containing 88.48 acres of land, Rancho Paula Verde East Subdivision, according to the plat thereof recorded in Volume 3, Pages 181-182, Plat Records, Edwards County, Texas

**Secures:** Real Estate Lien Note in the original principal amount of \$236,680.00, executed by Kendall H. Hisey ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

**Assignment:** The Note and the liens and security interests of the Deed of Trust were transferred and assigned to Horizon Bank, SSB. ("Beneficiary") by an instrument dated June 28, 2021 recorded in Instrument No. 2021-1151 of the real property records of Edwards County, Texas and by an instrument dated May 4, 2023, recorded in Instrument No. 2023-844 of the real property records of Edwards County, Texas.

**Substitute Trustee:** Matthew Barcelo or Michael Barcelo or Renata Castro

**Substitute Trustee's Address:** 1301 South Capital of Texas Highway, Suite A234, Austin, Texas 78746

**Mortgage Servicer:** Lone Star Land Company

**Mortgage Servicer's Address:** P.O. Box 4688, Horseshoe Bay, Texas 78657

### Foreclosure Sale:

**Date:** January 2, 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:** Front courthouse door of the Edwards County Courthouse located at 400 West Main Street, Rocksprings, Texas 78880

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.

Mortgage Servicer is representing Lender in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Lender. The address of Mortgage Servicer is set forth above.

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(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.**

FILED FOR RECORD  
At 1:09 O'clock PM

*[Signature]*  
Substitute Trustee

DEC 12 2023

OLGA LYDIA REYES  
COUNTY CLERK  
EDWARDS COUNTY, TEXAS  
By: *[Signature]* Deputy