

2022-022

Filed for Record

This, the 3 day of August 20 22
at 10:45 o'clock A M

Date: August 2, 2022

NATALIE CARSON, COUNTY CLERK OF
DeWitt County, Texas

DEPUTY

NOTICE OF FORECLOSURE SALE

Deed of Trust:

Dated: July 9, 2019
Grantor: Saul Gonzalez
Trustee: J. Milton Chapman
Substitute Trustee: Kenneth M. Odom
Lender: Bednorz Enterprises, LLC
Recorded in: Instrument Number 126886 of the real property records of DeWitt County, Texas

Legal Description: TRACT ONE: All that part or parcel of land, being a called 200' x 75' tract, more or less, lying and being situated within the corporate limits of the City of Yorktown, being part of Farm Lot 46 (shown on the old plat of Yorktown, recorded in Volume G, Page 172, Deed Records) now known as Block No. Twelve (12) of the FECHNER ADDITION to the City of Yorktown, Dewitt County, Texas, according to the map or plat thereof recorded in Volume 61, Page 311, Deed Records, DeWitt County, Texas, said 2100' x 75' tract being more fully described in deed dated December 29, 1949, from Amos L. Dubose, Jr. and Emma L. Dubose to Emil C. Krueger, recorded in Volume 128, Page 547, Deed Records, DeWitt County, Texas.

TRACT TWO: All that part or parcel of land, being a called 200' x 150' tract, more or less, lying and being situated within the corporate limits of the City of Yorktown, being part of Farm Lot 46 (shown on the old plat of Yorktown, recorded in Volume G, Page 172, Deed Records) now known as Block No. Twelve (12) of the FECHNER ADDITION of the City of Yorktown, DeWitt County, Texas, according to the map or plat thereof recorded in Volume 61, Page 311, Deed Records, DeWitt County, Texas, said 200' x 150' tract being more fully described in deed dated December 29, 1949 from O.H. Lemke and Mathilda Lemke to Emil C. Krueger, recorded in Volume 26, Page 547, Deed Records, DeWitt County, Texas.

SAVE AND EXCEPT from 200' x 150' tract of land being the southern part of said tract, being 75' x 200' more fully described in deed dated August 26, 1998, from Emil C. Krueger and Vella Mae Krueger to Michael Vasquez and Nancy Vasquez, recorded in Volume 43, Page 164, Official Public Records, DeWitt County, Texas.

TRACT THREE: All that part or parcel of land, being a called 100' x 135' tract, more or less, lying and being situated within the corporate limits of the City of Yorktown, being part of Farm Lot 46 (shown on the old plat of Yorktown, recorded in Volume G, Page

172, Deed Records) now known as Block No. Twelve (12) of the FECHNER ADDITION to the City of Yorktown, DeWitt County, Texas, according to the map or plat thereof recorded in Volume 61, Page 311, Deed Records, DeWitt County, Texas, said 100' x 135' tract being more fully described in deed dated April 18, 1977, from Sterling Moeller to Emil C, Krueger and Vella Mae Krueger, recorded in Volume 243, Page 163, Deed Records, DeWitt County, Texas.

SAVE AND EXCEPT from 100' x 135' tract, a tract of land being the northern part of said tract, being 100' x 105', more fully described in deed dated July 29, 1978, from Emil C. Krueger and Vella Mae Krueger to Richard Stroening and Joan Stroening, recorded in Volume 256, Page 371, Deed Records, DeWitt County, Texas.

Secures: Promissory Note ("Note") in the original principal amount of \$68,000.00 executed by Saul Gonzalez ("Borrower") and payable to the order of Lender

Modifications and Renewals: None

Substitute Trustee: Kenneth M. Odom

Substitute Trustee's Address: Odom Law Office, PLLC
P. O. Box 249
Cuero, Texas 77954

Foreclosure Sale:

Date: **Tuesday, September 6, 2022**

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: Patio area in front of the West door to the DeWitt County Courthouse, located at 307 N. Gonzales, Cuero, DeWitt County, Texas 77954, or if the preceding area is no longer the designated are, then in the area designated by the Commissions Court of DeWitt County, Texas for real property foreclosures under Section 51.002 of the Texas Property Code pursuant to instrument(s) recorded in the real property records of DeWitt 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, Bednorz Enterprises, 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 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 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.

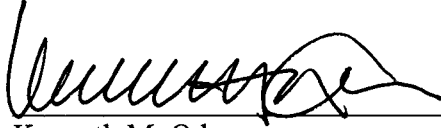
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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.

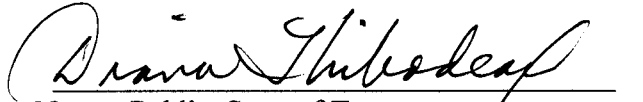
ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

Local Attorney and Substitute Trustee



Kenneth M. Odom
Odom Law Office, PLLC
State Bar No.: 24041620
Ken@kmodom.com
P. O. Box 249
Cuero, Texas 77954
(361) 243-8232

This instrument was acknowledged before me on Aug 2, 2022, by Austin, Bednorz on behalf of Bednorz Enterprises, LLC and Kenneth M. Odom for himself and Odom Law Office, PLLC.



Notary Public, State of Texas
My commission expires: 02/03/2024

