

This, the 30<sup>th</sup> day of January 20 25  
 at 3:00 o'clock P M

### NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

NATALIE CARSON, COUNTY CLERK OF  
 DeWitt County, Texas  
*Chelsea M. Doherty*  
 DEPUTY

1. Property To Be Sold. The property to be sold is described as follows:

All the real property described in the below described recorded Deed of Trust, including but not necessarily limited to:

Lots Nos. Three (3) and Four (4), Block No. Two (2), Yoakum Improvements Addition, City of Yoakum, DeWitt County, Texas, according to the map or plat thereof recorded in Volume 31, Page 6 I2, Deed Records, said block also being known as New City Block Numbered (NCB) 1278, according to the Bartlett and Ranney Map of the City of Yoakum, Texas, recorded in Volume 96, Page 314, Deed Records, DeWitt County, Texas. Being the same property conveyed to Ben F. Hoerig, et ux, by Julius F. Huehlefeld, et ux, by Deed dated August 31, 1962, recorded in Volume 154, Page 427, Deed Records, DeWitt County, Texas.

The real property or its address is commonly known as 805 Edgar Street, Yoakum, DeWitt County, Texas 77995.

2. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: **March 4, 2025**

Time: The sale shall begin no earlier than 12:00 pm, or no later than three hours thereafter. The sale shall be completed by no later than 3:00 pm.

Place: The patio area in front of the West door of the DeWitt County Courthouse located at 307 N. Gonzalez St., Cuero, Texas 77954.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee, under the deed of trust, need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled Foreclosure Sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiling may be after the date originally scheduled for this sale.

3. Appointment of Substitute Trustee. The sale will be conducted by any of one of the following Substitute Trustees:

D. Wade Hayden, Michael W. Bitter,  
 Brock S. Burchard or Don Brennan  
 7750 Broadway  
 San Antonio, Texas 78209  
 Bexar County

James L. Hollerbach, Jo Woolsey, Bob  
 Frisch, Janice Stoner or Jodi Steen  
 6700 N. New Braunfels Avenue  
 San Antonio, Texas 78209

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The 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 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. 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, the 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.

5. Type of Sale. The sale is a nonjudicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust, dated May 19, 2014, executed by Josue' Cruz-Viveros and Cinthya Cruz and recorded on May 27, 2014, as Document No. 103525 Official Records of DeWitt County, Texas.

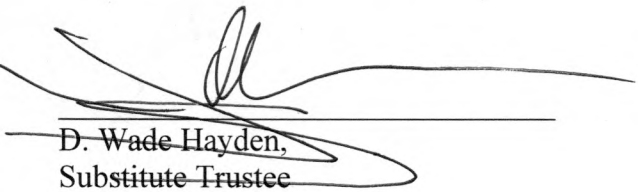
6. Obligations Secured. The deeds of trust provide that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to the promissory note in the original principal amount of \$57,300.00, executed by Josue' Cruz-Viveros and Cinthya Cruz, and payable to the order of Yoakum National Bank, and all other sums of indebtedness permitted by the deed of trust. Yoakum National Bank is the current owner and holder of the Obligations and the beneficiary under the deed of trust.

7. Default and Request To Act. Default has occurred under the deed of trust, and the beneficiary has requested me, as one of the Substitute Trustees, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

**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.**

DATED: January 29, 2025.

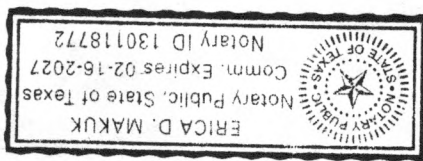
  
D. Wade Hayden,  
Substitute Trustee  
7750 Broadway  
San Antonio, Texas 78209  
Phone Number: (210) 826-7750

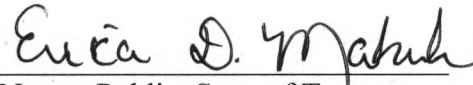
STATE OF TEXAS §

COUNTY OF BEXAR §

Before me, the undersigned Notary Public, on this day personally appeared D. Wade Hayden, Substitute Trustee, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 29th day of January, 2025.



  
Notary Public, State of Texas

