

NOTICE OF FORECLOSURE 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 OR 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.

1. *Property to Be Sold.* The property to be sold is described as follows: BEING 0.59 ACRES OF LAND IN THE CITY OF KENEDY OUT OF THE CARLOS MARTINEZ 15 LEAGUE GRANT, ABSTRACT NO. 6, KARNES COUNTY, TEXAS AND BEING KNOWN AS TRACT 2 IN A SURVEY AND PARTITION OF THE LAND DESCRIBED IN A CONVEYANCE TO DAVID L. MENDOZA AND WIFE, CYNTHIA MENDOZA IN THE DEED OF RECORD IN VOLUME 771, PAGE 400 OF THE OFFICIAL RECORDS OF KARNES COUNTY, TEXAS AND FURTHER BEING ALL OF LOTS 9, 10, 11, 12 AND PART OR PORTION OF LOT 13, LEVI PULLINS SUBDIVISION OF THE J. D. NICHOLS ADDITION AS SHOWN ON THE PLAT RECORD IN CABINET "A" PAGE 11 OF THE PLAT RECORDS OF KARNES COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 5/8 INCH PIN ON THE SOUTHERLY RIGHT-OF-WAY OF GRAHAM STREET FOR THE NORTHWESTERLY CORNER OF LOT 14 AND THE NORTHEASTERLY CORNER OF THE MENDOZA LAND AND OF THIS TRACT;

THENCE SOUTH 01 DEGREES 04 MINUTES 43 SECONDS EAST, WITH THE COMMON LINE OF SAID LOT 14 AND OF LOT 15, IN ALL A DISTANCE OF 212.43 FEET TO A FOUND 5/8 INCH PIN FOR THE NORTHEASTERLY CORNER OF THE EAGLE FORD HOUSING SOLUTIONS LAND AS DESCRIBED IN VOLUME 1127, PAGE 457 OF THE OFFICIAL RECORDS OF KARNES COUNTY, TEXAS AND THE SOUTHEASTERLY CORNER OF THE MENDOZA LAND AND OF THIS TRACT;

THENCE SOUTH 88 DEGREES 56 MINUTES 39 SECONDS WEST, WITH THE COMMON LINE OF SAID EAGLE FORD HOUSING SOLUTIONS LAND, A DISTANCE OF 120.00 FEET TO A SET 1/2 INCH REBAR WITH A "POLLOK AND SONS" CAP FOR THE SOUTHEASTERLY CORNER OF A 0.64 ACRE TRACT KNOWN AS TRACT 1 IN THIS SURVEY AND PARTITION AND THE SOUTHWESTERLY CORNER OF THIS TRACT;

THENCE NORTH 01 DEGREES 04 MINUTES 43 SECONDS WEST, INTO AND ACROSS THE MENDOZA LAND AND WITH THE COMMON LINE OF SAID TRACT 1, A DISTANCE OF 212.43 FEET TO A SET 1/2 INCH REBAR WITH A "POLLOCK AND SONS" CAP ON THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY OF GRAHAM STREET FOR THE NORTHEASTERLY CORNER OF SAID TRACT 1 AND THE NORTHWESTERLY CORNER OF THIS TRACT;

THENCE NORTH 88 DEGREES 56 MINUTES 39 SECONDS EAST, WITH SAID RIGHT-OF-WAY, A DISTANCE OF 120.00 TO THE POINT OF BEGINNING AND CONTAINING 0.59 ACRES OF LAND AS SHOWN ON A PLAT THAT ACCOMPANIES THIS DESCRIPTION.

THE BEARING SYSTEM IS BASED ON NAD83, TEXAS SOUTH CENTRAL.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 05/12/2022 and recorded in Document 202200001990 real property records of Karnes County, Texas.

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

Date: 03/05/2024

Time: 11:00 AM

Place: Karnes County, Texas at the following location: AT THE FRONT DOOR OF THE KARNES COUNTY ANNEX, OR THE PRECEDING AREA IS NO LONGER THE DESIGNATED AREA, AT THE AREA MOST RECENTLY DESIGNATED BY THE COUNTY COMMISSIONER'S COURT or as designated by the County Commissioners Court.

4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.

5. *Obligations Secured.* The Deed of Trust executed by TYLER D HINZMAN, provides that it secures the payment of the indebtedness in the original principal amount of \$176,739.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Cardinal Financial Company, Limited Partnership is the current mortgagee of the note and deed of trust and CARDINAL FINANCIAL COMPANY, LIMITED PARTNERSHIP is mortgage servicer. A servicing agreement between the mortgagee, whose address is Cardinal Financial Company, Limited Partnership c/o CARDINAL FINANCIAL COMPANY, LIMITED PARTNERSHIP, 1 Corporate Dr., Ste 360, Lake Zurich, IL 60047 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Substitute Trustee(s) Appointed to Conduct Sale.* In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

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.



Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
Michael Zientz, Attorney at Law
Lori Liane Long, Attorney at Law
Chelsea Schneider, Attorney at Law
Ester Gonzales, Attorney at Law
Karla Balli, Attorney at Law
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254

For additional sale information visit: www.auction.com or (800) 280-2832

24-000003-391-1 // 110 GRAHAM ROAD, KENEDY, TX 78119

FILED

At 3:11 o'clock P M

FEB 08 2024

CAROL SWIZE, COUNTY CLERK
KARNES COUNTY, TEXAS

 Deputy