

## 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: ALL THAT CERTAIN TRACT OF LAND CONTAINING 2.0 ACRES BEING SEVERED OUT OF THE SOUTH END OF LOT SEVENTEEN (17), OAKS SOUTH SUBDIVISION OF WHICH A PLAT IS OF RECORD IN VOLUME 4, PAGE 46 OF THE PLAT RECORDS OF ATASCOSA COUNTY, TEXAS, SAID 2.0 ACRE TRACT BEING THE SOUTH 2.0 ACRES OUT OF THAT CERTAIN 4.82 ACRE TRACT (BEING OUT OF THE NORTH PORTION OF LOT SEVENTEEN (17) CONVEYED BY ARTHUR FLORES AND WIFE, EVA C. FLORES BY DEED OF TRUST DATED MAY 16, 1983 TO PERFECTO H. TERRAZAS, JR. AND WIFE, VIOLA A. TERRAZAS, SAID 2.0 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN IRON PIN FOUND AT THE NORTHWEST CORNER OF SAID LOT SEVENTEEN (17), SAME BEING THE SOUTHWEST CORNER OF LOT #16 LOCATED ON THE EAST RIGHT OF WAY LINE OF HICKORY DRIVE AT A POINT THAT IS SOUTH 00 DEGREES 00 MINUTES 47 SECONDS EAST 1,708.0 FEET FROM THE INTERSECTION POINT OF THE SOUTH RIGHT OF WAY LINE OF STACEY ROAD AND EAST RIGHT OF WAY LINE OF HICKORY DRIVE;

THENCE SOUTH 00 DEGREES 00 MINUTES 47 SECONDS EAST 249.00 FEET ALONG THE EAST RIGHT OF WAY LINE OF SAID HICKORY DRIVE TO A 1/2 INCH DIAMETER IRON PIPE SET FOR THE NORTHWEST CORNER OF THIS TRACT BEING HEREIN DESCRIBED;

THENCE NORTH 89 DEGREES 59 MINUTES 13 SECONDS EAST 322.00 FEET TO A 1/2 INCH DIAMETER IRON PIPE SET FOR A NORTHERLY RIGHT ANGLE CORNER OF THIS TRACT BEING HEREIN DESCRIBED;

THENCE NORTH 00 DEGREES 00 MINUTES 47 SECONDS WEST 23.17 FEET TO ANOTHER 1/2 INCH DIAMETER IRON PIPE SET FOR ANOTHER NORTHERLY RIGHT ANGLE CORNER OF THIS TRACT BEING HEREIN DESCRIBED;

THENCE NORTH 89 DEGREES 59 MINUTES 13 SECONDS EAST 188.07 TO A 1/2 INCH DIAMETER IRON PIPE SET ON THE EAST BOUNDARY LINE OF SAID LOT SEVENTEEN (17) FOR THE NORTHEAST CORNER OF THIS TRACT BEING HEREIN DESCRIBED;

THENCE SOUTH 00 DEGREES 00 MINUTES 47 SECONDS EAST 186.17 FEET ALONG THE EAST BOUNDARY LINE OF SAID LOT SEVENTEEN (17) TO A 1/2 INCH DIAMETER IRON PIPE SET FOR THE SOUTHEAST CORNER OF THIS TRACT BEING HEREIN DESCRIBED WHICH IS LOCATED N00° 47 INCHES WEST 15.0 FROM THE ORIGINAL SOUTHEAST CORNER OF SAID LOT SEVENTEEN (17);

THENCE 89 DEGREES 59 MINUTES 13 SECONDS WEST 510.07 FEET TO A 1/2 INCH DIAMETER IRON PIPE SET ON THE WEST BOUNDARY LINE OF SAID LOT SEVENTEEN (17) LOCATED ON THE EAST RIGHT OF WAY LINE OF HICKORY DRIVE AT A POINT THAT IS NORTH 00 DEGREES 00 MINUTES 47 SECONDS WEST 15.0 FEET FROM THE ORIGINAL SOUTHWEST CORNER OF SAID LOT SEVENTEEN (17) FOR THE SOUTHWEST CORNER OF THIS 2.0 ACRE TRACT BEING HEREIN DESCRIBED;

THENCE NORTH 00 DEGREES 00 MINUTES 47 SECONDS WEST 163.00 FEET TO THE PLACE OF BEGINNING.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 07/24/2007 and recorded in Document 92425 real property records of Atascosa County, Texas.

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

Date: 05/07/2024

Time: 12:00 PM

Place: Atascosa County, Texas at the following location: THE WEST PORCH OF THE COURTHOUSE ENTRANCE:NEW LOCATION PASSED 7/14/2003 EFFECTIVE 8/15/2003 BEING THE WEST PORCH OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE 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.

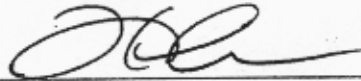
5. *Obligations Secured.* The Deed of Trust executed by BETTY TERRAZAS AND RAYMOND ANTHONY TERRAZAS, provides that it secures the payment of the indebtedness in the original principal amount of \$62,481.72, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS OWNER TRUSTEE FOR CITIGROUP MORTGAGE LOAN TRUST 2023-RP2 is the current mortgagee of the note and deed of trust and FAY SERVICING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS OWNER TRUSTEE FOR CITIGROUP MORTGAGE LOAN TRUST 2023-RP2 c/o FAY SERVICING, LLC, 425 S. Financial Place, Suite 2000, Chicago, IL 60605 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.



6. *Order to Foreclose.* U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS OWNER TRUSTEE FOR CITIGROUP MORTGAGE LOAN TRUST 2023-RP2 obtained a Order from the 81st/218th District Court of Atascosa County on 04/04/2024 under Cause No. 24-02-0102-CVA. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

7. *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.mwzmlaw.com/tx-investors](http://www.mwzmlaw.com/tx-investors)

Certificate of Posting

I am Terri Martin whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on April 11, 2024 I filed this Notice of Foreclosure Sale at the office of the Atascosa County Clerk and caused it to be posted at the location directed by the Atascosa County Commissioners Court.

FILED FOR RECORD

2024 APR 11 AM 11:53

THERESA CARRASCO  
ATASCOSA COUNTY CLERK

BY ysm DEPUTY