

COPY

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S 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.

DEED OF TRUST INFORMATION:

Date: October 13, 2021
Grantor(s): Fernando Torres Jr, a single man
Original Mortgagee: Mortgage Electronic Registration Systems, Inc. ("MERS"), as nominee for Caliber Home Loans, Inc., its successors and assigns
Original Principal: \$265,109.00
Recording Information: 202100003673
Property County: Karnes
Property: See "Exhibit A"
Property Address: 16767 State Highway 80
Gillett, TX 78116

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: NewRez LLC
Mortgage Servicer: Shellpoint Mortgage Servicing
Mortgage Servicer Address: 75 Beattie Place
Greenville, SC 29601

SALE INFORMATION:

Date of Sale: October 6, 2026
Time of Sale: 11:00 AM or within three hours thereafter.
Place of Sale: Karnes County Courthouse, 210 W. Calvert Avenue, Karnes City, TX 78118 or, if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.
Substitute Auction.com, LLC, and Padgett Law Group, any to act
Trustee:
Substitute 546 Silicon Dr., Suite 103, Southlake, TX 76092
Trustee Address:

PLG File Number: 26-016424-1

FILED
At 4:09 o'clock P.M.
AUG 10 2026
JAMIE LEAL, COUNTY CLERK
KARNES COUNTY, TEXAS
Valerie [Signature] Deputy

APPOINTMENT OF SUBSTITUTE TRUSTEE:

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.

The undersigned is the attorney for the mortgagee and/or mortgage servicer, and in such capacity does hereby remove the original trustee and all successor substitute trustees under the above-described Deed of Trust and appoints in their place, any to act, those substitute trustees identified in the SALE INFORMATION section of this notice, whose address is c/o Padgett Law Group, 546 Silicon Dr., Suite 103, Southlake, TX 76092 as Substitute Trustee, who shall hereafter exercise all powers and duties to set aside the said original trustee under said Deed of Trust, and further does hereby request, authorize, and instruct said Substitute Trustees to conduct and direct the execution of remedies set aside to the beneficiary therein.

WHEREAS, the above-named Grantor(s) previously conveyed the above-described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared, such default was reported to not have been cured, and all sums secured by such Deed of Trust are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee under said Deed of Trust has been hereby removed and the herein described Substitute Trustees, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
2. The herein appointed Substitute Trustees, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. *The Financial Crimes Enforcement Network ("FinCEN"), a bureau of the U.S. Department of Treasury, now requires the collection, certification and reporting of certain information relating to non-financed transfers of real property to legal entities and/or trusts, which such information the successful bidder(s) shall be expected to provide to the auctioneer at the time of the subject sale. Interested bidders with questions regarding the necessary information to be provided are hereby directed, generally, to FinCEN's website and, more specifically to the FinCEN Real Estate Report located in the forms bank thereof.*
4. This sale shall be subject to any legal impediments to the sale of the Property to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien imposed by the Deed of Trust.
5. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be sold "AS-IS", purchaser's will buy the property "at the purchaser's own risk" and "at his peril" and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interest of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.
6. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of

Heinz

CERTIFICATE OF POSTING

Declarant's Name: Terry Martin

Date: 08/11/2020

546 Silicon Dr., Suite 103, Southlake, TX 76092
(850) 422-2520

WITNESS MY HAND this _____ day of _____

EXHIBIT "A"

Field notes of a 10.97 acre tract of land, more or less, being comprised of a called 6.7 acre tract (Less 1.33 Ac.) (Tract 1) and a called 5.4 acre tract (Tract 2) conveyed from Beverly Jean Overstreet to 16767 SH80, LLC, by Deed recorded in Volume 1110, Page 711 of the Official Public Records of Karnes County, Texas;

Said 10.97 acre tract, which is comprised of a portion of the John F. Miller Survey, Abstract 192, is situated in Karnes County, approximately 2.5 miles south of the town of Gillett and is described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod (with cap stamped "RPLS 6198") found at the northeast corner of said called 5.4 acre tract and the intersection of the southern right-of-way line of County Road 292 with the western right-of-way line of State Highway 80, for the northeast corner of this tract;

THENCE S 10° 44' 39" W along the east line of this tract, the east line of said called 5.4 acre tract and the western right-of-way line of said State Highway 80, at 550.87 ft. pass a 5/8" iron rod (with cap stamped "RPLS 6198") found at the southeast corner of said called 5.4 acre tract and the northeast corner of said called 6.7 acre tract, continuing along the east line of said called 6.7 acre tract, in all a distance of 1575.99 ft. to a 1/2" iron rod found at a fence corner post at the northeast corner of a called 1.33 acre tract conveyed to Mary L. & Calvin E. Daugherty by Deed recorded in Volume 555, Page 241 of said Official Public Records, for the southeast corner of this tract;

THENCE N 75° 47' 34" W generally with a fence along the south line of this tract, the north line of said called 1.33 acre tract and crossing said called 6.7 acre tract, a distance of 167.08 ft. to a 5/8" iron rod found near a fence corner post in the west line of said called 6.7 acre tract and at the northwest corner of said called 1.33 acre tract, for the southwest corner of this tract, same being also a point in the east line of a called 52.5 acre tract conveyed to Jerry Clemens by Deed recorded in Volume 148, Page 32 of the Deed Records of Karnes County, Texas;

THENCE N 00° 15' 56" W generally with a fence along the west line of this tract, the west line of said called 6.7 acre tract and the east line of said called 52.5 acre tract, at 972.33 ft. pass a 5/8" iron rod (with cap stamped "RPLS 6198") found at the northwest corner of said called 6.7 acre tract and the southwest corner of said called 5.4 acre tract, continuing along the west line of said called 5.4 acre tract, in all a distance of 1497.50 ft. to a 10" treated fence corner post in the southern right-of-way line of said County Road 292, at the northwest corner of said called 5.4 acre tract and the northeast corner of said called 52.5 acre tract, for the northwest corner of this tract;

THENCE N 88° 46' 39" E with a fence along the north line of this tract, the north line of said called 5.4 acre tract and the southern right-of-way line of said County Road 292, a distance of 462.80 ft. to the POINT OF BEGINNING, containing 10.97 acres, more or less.

Bearings and distances in this description are based on the Texas State Plane Coordinate System, North American Datum of 1927, South Central Zone.

The undersigned does hereby certify that this description represents the results of a survey performed on the ground of the property legally described herein, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible easements or protrusions, except as stated, this the 28th day of September, 2021.