

**NOTICE OF DEFAULT AND
FORECLOSURE SALE
LEGAL NOTICE**

Notice is hereby given that a Notice of Default & Foreclosure Sale was recorded in the Cameron Recorder's office. WHEREAS, on **April 14, 2009** a certain Mortgage Deed was executed by **Eloise C. Gonzales**, as mortgagor(s) (grantor(s)) in favor of **Alan E. South**, as mortgagee (grantee), and Urban Financial Group, as mortgagee beneficiary, was recorded on **May 05, 2009** in **Instrument number 2009-17922 Book 15975, Page 1** in the Office of the Recorder, **Cameron County**, Texas; and

WHEREAS, the Mortgage is now owned by the Secretary, pursuant to an assignment dated October 30, 2019, and recorded on **February 24, 2020** in/as **Instrument number 2020-6883**, in the Office of the Recorder, **Cameron County**, Texas; and

WHEREAS the entire amount delinquent as of **March 17, 2025 is \$ 95,150.16**; and

WHEREAS, by virtue of this default, the Secretary has declared the entire amount of the indebtedness secured by the Mortgage to be immediately due and payable; and

NOW THEREFORE, pursuant to powers vested in me by the Single Family Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR Part 27 subpart B, and by the Secretary's designation of me as Foreclosure **Commissioner**, recorded on **June 29, 2021 in Instrument Number 2021-28453**, notice is hereby given that, on **May 06, 2025 at 10:00AM** local time all real and personal property at or used in connection with the following described premises ("Property"), will be sold at public auction to the highest bidder(s):

LEGAL DESCRIPTION

A 1.000 ACRE TRACT OF LAND, MORE OR LESS, BEING THE NORTH ONE-HALF OUT OF A CERTAIN TWO ACRE TRACT OUT OF THE SALDANA 19.84 ACRE TRACT AS SHOWN ON MAP OF FRESNOS LAND AND IRRIGATION COMPANY SUBDIVISION, CAMERON COUNTY, TEXAS, AS RECORDED IN VOLUME 3, PAGE 9, MAP RECORDS OF CAMERON COUNTY, TEXAS, SAID CERTAIN TWO ACRE BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST BOUNDARY OF SALDANA 19.84 ACRE TRACT AS SHOWN ON MAP OF FRESNOS LAND AND IRRIGATION CO.'S SUBDIVISION, AS DULY RECORDED AT PAGE 9, PLAT BOOK 3, OF PLAT RECORDS OF CAMERON COUNTY, TEXAS, A DISTANCE OF 245 FEET FROM THE SOUTHWEST CORNER OF SAID 19.84 ACRE TRACT FOR THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED:

THENCE WITH THE EAST LINE OF ALICE ROAD NORTH 5 DEG. 05 MIN. EAST 178.6 FEET TO POINT FOR THE NORTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE SOUTH 84 DEG. 55 MIN. EAST 523.5 FEET TO POINT IN EAST BOUNDARY OF SAID 19.84 ACRE TRACT FOR THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE WITH EAST BOUNDARY SOUTH 26 DEG. 45 MIN. WEST 192.2 FEET TO POINT FOR THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE NORTH 84 DEG. 55 MIN. WEST 452.5 FEET TO THE PLACE OF BEGINNING, CONTAINING BY THE ABOVE DESCRIBED METES AND BOUNDS 2.0 ACRES.

Commonly Known As: **32849 FM 1575 Los Fresnos, TX 78566**
Permanent Parcel Number: **79-2220-0130-0030-00**

The Sale will be held in the lobby of the **974 E Harrison St. Brownsville, TX 78520**. The Secretary of Housing and Urban Development will bid an amount to be determined.

There will be no proration of taxes, rents or other income or liabilities, except that the purchaser(s) will pay, at or before closing, his (their) pro-rata share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale.

When making their bids, all bidders, except the Secretary, must submit a deposit totaling (10% of the Secretary's bid) **\$9,954.37** in the form of a certified check or cashier's check made out to the United States Secretary of Housing and Urban Development. Each oral bid need not be accompanied by a deposit. If the successful bid is oral, a deposit of 10% of the purchase price must be presented before the bidding is closed. The deposit is nonrefundable. The remainder of the purchase price must be delivered within 30 days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a certified or cashier's check. If the Secretary is the high bidder, he need not pay the bid amount in cash. The successful bidder(s) will pay all conveyancing fees, all real estate and other taxes that are due on or after the date of closing and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidder(s) will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee of \$500 paid in advance. The extension fee shall be paid in the form of a certified or cashier's check made payable to the United States Secretary of Housing and Urban Development. If the high bidder(s) close(s) the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due at closing.

If the high bidder(s) is/are unable to close the sale within the required period, or within any extensions of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit, or at the election of the foreclosure commissioner after consultation with the HUD representative, will be liable to HUD for any costs incurred as a result of such failure. The Commissioner may, at the direction of the HUD Field Office Representative, offer the Property to the second highest bidder for an amount equal to the highest price offered by that bidder.

There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant.

The scheduled foreclosure sale shall be cancelled or adjourned if it is established, by documented written application of the mortgagor to the Foreclosure Commissioner not less than 3 days before the date of sale, or otherwise, that the default or defaults upon which the foreclosure is based did not exist at the time of service of this notice of default and foreclosure sale, or all amounts due under the mortgage agreement are tendered to the Foreclosure Commissioner, in the form of a certified or cashier's check payable to the United States Secretary of Housing and Urban Development, before public auction of the property is completed.

The amount that must be paid if the mortgage is to be reinstated prior to the scheduled sale is **\$55,145.06 as of March 17, 2025**, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred in giving notice, mileage by the most reasonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out of pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement.

Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner provided below.

This instrument prepared by:
Carson Emmons
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Irving, TX 75039
Phone: 469-804-8457
Faz: 469-804-8462
Firm #25-000667