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202240135

NOTICE OF TRUSTEE'S SALE

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

STAYS IN FILE

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.

Notice is hereby given that a public sale at auction of the Property (as that term is defined and described below) will be held at the date, time, and place specified in this notice.

DATE OF SALE: Tuesday, the 5th day of April, 2022.

TIME OF SALE: Between the hours of 10:00 a.m. and 4:00 p.m. The earliest time at which the sale will commence is 10:00 a.m., and the sale will commence no later than 12:59 p.m.

PLACE OF SALE: Travis County Courthouse, 1000 Guadalupe Street, Austin, Travis County, Texas 78701 at the area at the Travis County Courthouse designated by the Commissioner's Court of Travis County, Texas, where foreclosures are to take place, such area is the rear "Sallyport" area of the Travis County Courthouse, which is located on the west side of the Courthouse immediately south of and slightly east of the intersection of 11th Street and San Antonio Street.

INFORMATION REGARDING THE LIEN THAT IS THE SUBJECT OF THIS SALE:

NAME OF DOCUMENT: Declaration of Condominium Regime for Smithfield Condominiums, recorded under Document No. 2016051993, Official Public Records, Travis County, Texas (the "Declaration"). The real property encumbered by the Assessment Lien granted under the Declaration is described on Exhibit "A" attached hereto and made a part hereof for all purposes together with all and singular the rights, appurtenances, improvements and fixtures thereto (collectively, the "Property").

INDEBTEDNESS SECURED: Pursuant to the *Declaration of Condominium Regime for Smithfield Condominiums*, recorded under Document No. 2016051993, Official Public Records, Travis County, Texas (the "Declaration"), the Smithfield Condominium Community, Inc. (the "Association") is authorized to impose maintenance assessments upon the Property to meet the common expenses associated with the improvement, maintenance, operation, administration, and preservation of the Smithfield Condominiums (the "Assessments") and has an express contractual lien on the Property to secure the payment of any due but unpaid Assessments owed by the owner of the Property.

APPOINTMENT OF TRUSTEE:

NAME OF DOCUMENT: Appointment of Trustee

DATE: March 3, 2022.

NAME OF TRUSTEE: Gregory S. Cagle, and/or Adam Pugh, and/or Greg P. Garza, and/or Nelson Remels, and/or Kevin Slater, and/or Kathleen Kilanowski, and/or Shawna Dalrymple, 4301 Westbank Drive, Building A, Suite 150, Austin, Texas 78746.

The Property is a condominium unit in the Smithfield Condominiums (the "Project") and is subject to the *Declaration of Condominium Regime for Smithfield Condominiums*, (the "Declaration").

SALVADOR RAMIREZ JR. ("Debtor") is the owner of the Property pursuant to an Executor's Deed recorded at Document No. 2017190416, Official Public Records, Travis County, Texas;

The Declaration establishes Smithfield Condominium Community, Inc. (the "Association"), an association as that term is used in the Texas Uniform Condominium Act, to manage and administer the affairs of the Project and authorizes the Association to impose maintenance assessments upon all owners of the condominium units in the Project to meet the common expenses associated with the improvement, maintenance, operation, administration, and preservation of the Project (the "Assessments");

The Declaration and/or the Texas Uniform Condominium Act creates an express contractual lien on each condominium unit in the Project to secure the payment of any due but unpaid Assessments owed by any unit owner (the "Lien") and authorizes the Association to enforce such Lien through nonjudicial foreclosure;

The Declaration and/or the Texas Uniform Condominium Act provides that by accepting a deed to his or her condominium unit, such owner shall be deemed to have expressly granted to the Association a power of sale upon his or her unit to secure payment of the Assessments thereafter imposed upon such owner and without other formality than executing an instrument in writing, the Association shall have the right to appoint a successor or trustee to exercise the power of sale;

Debtor has failed to pay the Assessments imposed by the Association;

The Association has requested that Gregory S. Cagle, and/or Adam Pugh, and/or Kevin Slater, and/or Kathleen Kilanowski, and/or Shawna Dalrymple, and/or Greg P. Garza, and/or Nelson Remels, act as trustee pursuant to the Appointment of Trustee, sell the Property, and apply the proceeds of such sale in accordance with the provisions of the Declaration. Pursuant to section 51.009 of the Texas Property Code, the sale of the Property will be AS IS condition, without any express or implied warranties, and subject to any prior encumbrances to title filed of record and/or expressly set forth in the Declaration.

Therefore, at the date, time, and place set forth above, the undersigned, as Trustee, will conduct the sale of the Property as a public auction to the highest bidder for cash pursuant to the

terms of the Declaration, subject to all prior encumbrances (including but not limited to prior liens), easements, restrictive covenants, liens, rights of parties in possession, mineral interests and leases, and other matters affecting title to the Property that would be shown by a review of the Official Public Records of Travis County, Texas, or by an on-the-ground inspection of the Property.

Pursuant to section 51.0075 of the Texas Property, Code, the Trustee or any Substitute Trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the Trustee or any Substitute Trustee.

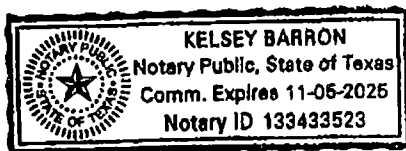
Please be advised that, pursuant to Section 3.311 of the Texas Business and Commerce Code, all communications concerning a dispute of this debt, including an instrument tendered as full and final satisfaction of this debt, are to be sent to the undersigned. This firm is a debt collector. Should you wish to obtain more information regarding your rights as a debtor, please visit: <https://www.consumerfinance.gov/>. Additionally, should you dispute all or any part of the sums set forth above please email debtverification@caglepugh.com.

IN WITNESS WHEREOF, this Notice of Trustee's Sale has been executed on this the 4th day of March, 2022

Gregory S. Cagle, and/or Adam Pugh, and/or
Greg P. Garza, and/or Nelson Remels, and/or
Kevin Slater, and/or Kathleen Kilanowski,
and/or Shawna Dalrymple, any to act as
trustee

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 4th day of March, 2022, by Greg Garza, Trustee.



K. Barron
Notary Public Signature

NAME AND ADDRESS OF TRUSTEE:

Gregory S. Cagle, and/or Adam Pugh, and/or Greg P. Garza, and/or Kevin Slater, and/or Kathleen Kilanowski, and/or Shawna Dalrymple, any to act as trustee

CAGLE PUGH

4301 Westbank Drive, Building A, Suite 150,
Austin, Texas 78746

EXHIBIT "A"

PROPERTY DESCRIPTION

ADDRESS: 1511 AREDALE RD 1303, AUSTIN, TEXAS 78748

UNIT 1303, BUILDING 15, TOGETHER WITH THE UNDIVIDED INTEREST IN AND TO THE COMMON ELEMENTS APPURTENANT THERETO, OF SMITHFIELD CONDOMINIUMS, A CONDOMINIUM PROJECT IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE DECLARATION OF CONDOMINIUM, RECORDED UNDER DOCUMENT NUMBER 2016051993, AS AMENDED IN DOCUMENT NUMBER 2017002784, 2017145293, 2017149713 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.



202240135

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Ra
Rebecca Guerrero, County Clerk
Travis County, Texas

Mar 14, 2022 11:54 AM

Fee: \$3.00

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