

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE**Date:** November 12, 2025**Deed of Trust:**

Date: August 19, 2025
Grantor: Cesar Octavio Cerros Rodriguez and Maria Isabel Barron Casas
Trustee: Ben De Leon, Esq., his successors and assigns
Lender: Eduardo Cortez and Leticia Cortez, husband and wife
Recording Information: Deed of Trust to Secure Assumption ("DOTSA") recorded as Document No. 2510281, Official Public Records of Waller County, Texas, from Grantor to Ben De Leon, Esq., Trustee, his successors and assigns, for the benefit of Lender, as Mortgagee
Legal Description: Lot 39, of LAKESIDE ESTATES, SECTION 1, a Subdivision in the Preston Pavehouse Survey, A-235, Waller County, according to the Plat thereof recorded in Volume 252, Page 434, Waller County, Texas.
Secures: Second Lien Secured Promissory Note dated August 19, 20255 (the "Note"), in the original principal amount of \$391,192.89, executed by Grantor and payable to Lender

Foreclosure Sale:

Date: Tuesday, January 6, 2026
Time: 1:00 p.m. or within three (3) hours thereafter
Place: Waller County, Texas at the following location: Waller County Courthouse 425 FM 1488, Hempstead, TX 77445, or as designated by the County Commissioner's Office pursuant to Section 51.002 of the Texas Property Code at the place where foreclosure sales are to take place, or as designated by the Waller County Commissioner's Court.
Terms of Sale: The foreclosure sale will be conducted as a public auction and the Property will be sole to the highest bidder for cash.

RECITALS

Default has occurred in the payment of the Note and in the performance of the obligations of the DOTSA that secures the Note. Because of that default, Mortgagee, the owner and holder of the Note and Deed of Trust lien under Texas Property Code Section 51.002, has requested that Trustee, any of Trustee's substitutes, successors and assigns, sell the Property according to the terms of the DOTSA and applicable law.

The DOTSA may encumber both real and personal property. Formal notice is hereby given of Mortgagee's election to proceed against and sell both the real property and any personal property described in the DOTSA in accordance with Mortgagee's rights and remedies under the DOTSA and Section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on the Date and Time of Trustee's Sale of Property and at the Place of Trustee's Sale of Property, Trustee, or any other substitute trustee Mortgagee may

appoint, will sell the Property by public sale to the highest bidder for cash or acceptable certified funds, according to the DOTSA and applicable law. Trustee has not made and will not make any covenants, representations, or warranties about the Property, other than providing the successful bidder at the sale with a deed to the Property containing any warranties of title required by the DOTSA.

If Mortgagee passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the DOTSA and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the DOTSA, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the DOTSA. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the DOTSA by Mortgagee. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold "AS IS," **without any expressed or implied warranties, except as to the warranties (if any) provided for under the DOTSA.** Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to Section 51.0075(a) of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale, such as qualifying bidders for accepting that bidder's bid, including but not limited to requiring some or all bidders to show proof of good funds. Trustee may reject bids made by bidders, bidding groups, or employees of bidding groups that have a prior history of bidding in bad faith. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee.

NOTICE

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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE DOTSA IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE

IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

WHEREAS, in my capacity as attorney for the Mortgagee and/or Mortgagee's Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby appoint and designate Ben De Leon, Anne Grigg, Of Counsel, Yunus Aricanli, Alan Winograd, Of Counsel, De Leon Law, PLLC, or De Leon Law, PLLC, as Substitute Trustee.

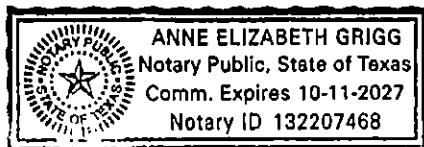
The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is: 2705 Bee Caves Road, Suite 225, Austin, TX 78746.

EXECUTED on November 12, 2025.

Benjamin S. De Leon
Texas Bar No. 24048426
De Leon Law, PLLC
2705 Bee Caves Road, Suite 22
Austin, Texas 78746
Phone: (512) 761-7009
Fax: (512) 610-1554
Email: ben@bsdlawgroup.com
Attorney for Mortgagor

STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned notary, on this 12th day of November, personally appeared Benjamin S. De Leon, known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same for the purposes and consideration therein expressed.



Notary Public, State of Texas

FILED AND RECORDED

Instrument Number: 25-114

Filing and Recording Date: 12/01/2025 09:13:35 AM Pages: 4 Recording Fee: \$4.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



A handwritten signature in black ink that reads "Debbie Hollan".

Debbie Hollan, County Clerk
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Marlene Arranaga, Deputy

Returned To: