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FILED
2/7/2025 12:36 m
Terri Berry, County Clerk
Gaines County, Texas

25-00041
607 SW 2ND ST, SEMINOLE, TX 79360

**NOTICE OF FORECLOSURE SALE AND
APPOINTMENT OF SUBSTITUTE TRUSTEE**

BY [Signature]
Deputy

Property: The Property to be sold is described as follows:

THE SURFACE ESTATE ONLY IN AND TO ALL OF LOT 13, AND THE SOUTH 46.0 FEET OF LOT 12, BLOCK 44, ORIGINAL TOWN OF SEMINOLE, GAINES COUNTY, TEXAS,

Security Instrument: Deed of Trust dated October 20, 2022 and recorded on October 24, 2022 at Instrument Number 2022-05309 in the real property records of GAINES County, Texas, which contains a power of sale.

Sale Information: April 1, 2025, at 1:00 PM, or not later than three hours thereafter, at the area bounded by the west edge of the west porch of the Gaines County Courthouse and on the east by the middle landing of the inside stairs leading into the courthouse from the west door, or as designated by the County Commissioners Court.

Terms of Sale: Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured: The Deed of Trust executed by KATHERINE ELIZABETH ARZAGA AND MARTIN OMAR ARZAGA secures the repayment of a Note dated October 20, 2022 in the amount of \$287,201.00. VILLAGE CAPITAL & INVESTMENT LLC, whose address is c/o Village Capital & Investment, LLC, 2550 Paseo Verde Parkway, Suite 100, Henderson, NV 89074, is the current mortgagee of the Deed of Trust and Note and Village Capital & Investment, LLC is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee: In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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.

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.

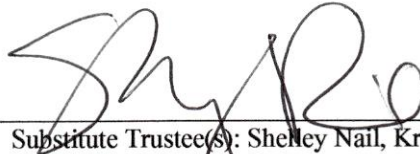


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Nicki Company

De Cubas & Lewis, P.C.
Nicki Company, Attorney at Law
PO Box 5026
Fort Lauderdale, FL 33310



Substitute Trustee(s): Shelley Nail, Kristina McCrary,
Donna Trout, Cassie Martin, Charles Green,
Kristopher Holub, Ramiro Cuevas, Patrick Zwiers,
Shawn Schiller, Zane Nail, Zoey Fernandez, Zia Nail

c/o De Cubas & Lewis, P.C.
PO Box 5026
Fort Lauderdale, FL 33310

Certificate of Posting

I, Shelley Nail, declare under penalty of perjury that on the 6 day of Feb, 2025 filed and posted this Notice of Foreclosure Sale in accordance with the requirements of GAINES County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).