

Notice of Foreclosure Sale

Tuesday, January 7, 2020

FILED
AT 3:53 O'CLOCK P.M.

DEC 17 2019

Deed of Trust:

Dated: November 14, 2018

Grantor: MANUEL R. DE LUNA and LAURA BALLESTEROS

Trustee: CARLOS J. KLUTTS

Lender: LAMPASITOS LAND LTD., a Texas limited partnership

Recorded in: Document No. 205963 in Book 1743, Page 258, of the Official Public Records of Maverick County, Texas

Property: THE SURFACE ESTATE ONLY IN AND TO TRACT NO. 153, A 10.049 ACRE TRACT OUT OF SURVEYS NO. 51 AND 57, BLOCK 6, I & GN RR CO. SURVEY, IN MAVERICK COUNTY, TEXAS.

BEING a 10.049 acre tract or parcel of land in Sunset Ranch Estates, an unrecorded subdivision in Maverick County, and being a part of Survey No. 51, A-657, and Survey No. 57, A-663, Block 6, I & GN RR Co. Survey, in Maverick County, Texas, and being a part of that certain 1531.030 acre tract out of Survey No. 26, A-632, Survey No. 27, A-633, Survey No. 51, A-657, Survey No. 52, A-658, and Survey No. 57, A-663, Block 6, I & GN RR Co. Survey, in Maverick County, Texas, and being described in a deed from CARLOS J. KLUTTS to LAMPASITOS LAND, LTD., a Texas limited partnership, dated August 12, 2010, and recorded as Document No. 161705 in Book 1252, Page 368 of the Official Public Records of Maverick County, Texas; said 10.049 acre tract more particularly described by metes and bounds on Exhibit "A" attached to and made a part of this instrument for all purposes. A PORTION OF THIS PROPERTY IS OR MAY BE LOCATED IN THE 100-YEAR FLOOD PLAIN.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$54,000.00, executed by MANUEL R. DE LUNA and LAURA BALLESTEROS ("Borrower") and payable to the order of Lender

SARA MONTEMAYOR
County Clerk Maverick County, Texas
By *[Signature]* Deputy

Foreclosure Sale:

- Date:** Tuesday, January 7, 2020
- Time:** The sale of the Property will be held between the hours of 1:00 P.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 1:00 P.M.
- Place:** Maverick County Courthouse, 500 Quarry Street, Eagle Pass, TX 78852, or any such place so designated by the Maverick County Commissioners for the place for such sales
- Terms:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that the Lender's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, CARLOS J. KLUTTS, Trustee of LAMPASITOS LAND LTD., the owner and holder of the Note, has requested Trustee to sell the Property. Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If the Lender 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 Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, 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 Deed of Trust. 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 Deed of Trust by the Lender. 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 Deed of Trust. 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. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee.


CARLOS J. KLUTTS, Trustee

DALE L. OLSON

Registered Professional Land Surveyor

711 Water Street

Bastrop, TX 78602

Phone (512) 321-5476 * Fax (512) 303-5476

FIELD NOTES FOR TRACT NO. 153, A 10.049 ACRE TRACT OUT OF SURVEY NO. 51 AND 57, BLOCK 6, I&G.N. R.R. CO. SURVEY IN MAVERICK COUNTY, TEXAS.

BEING a 10.049 acre tract or parcel of land out of and being a part of the Survey No. 51, A-657, and No. 57, A-663, Block 6, I&GN RR Co. Survey, in Maverick County, Texas, and being a part of that certain 1531.030 acre tract out of Survey No. 26, A-633, Survey No. 51, A-657, Survey No. 52, A-658, and Survey No. 57, A-663, Block 6, I&GN RR Co. Survey, in Maverick County, Texas, being described in a deed from Carlos J. Klutts to Lampasitos Land, Ltd., dated Aug. 12, 2010, recorded in Book 1252, Page 368, Maverick County Deed Records. Said 1531.030 acre tract being a part of that certain 3714.107 acre tract described in a deed from Herrinton Partners, Ltd, to Barnes Brothers Farms, LLC, recorded in Vol. 515, Page 48, Maverick County Deed Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

COMMENCING for reference at the southeast corner of the said 3714.107 acre and 1531.030 acre tracts, a 5/8 inch iron rod found at a fence corner of a 75 foot strip containing 30.905 acres, from which a 1/2 inch iron rod found at a fence corner at the southeast corner of the 75 foot strip bears, S 69 deg. 32 min. 40 sec. E, 80.05 feet.

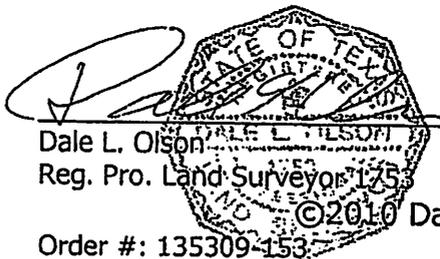
THENCE with the north line of US Highway No. 277 and south line of the 3714.107 acre and 1531.030 acre tracts, N 69 deg. 32 min. 40 sec. W, 1040.03 feet to a 5/8 inch iron rod set for the POINT OF BEGINNING, the southeast corner of this tract.

THENCE continuing with the north line of US Highway No. 277 and south line of the 3714.107 acre and 1531.030 acre tracts, N 69 deg. 32 min. 40 sec. W, 367.55 feet to a 5/8 inch iron rod set for the southwest corner of this tract.

THENCE N 20 deg. 27 min. 20 sec. E, 1187.38 feet to a 5/8 inch iron rod set for the northwest corner of this tract.

THENCE S 70 deg. 39 min. 47 sec. E, 367.62 feet to a 5/8 inch iron rod set for the northeast corner of this tract.

THENCE S 20 deg. 27 min. 20 sec. W, 1194.55 feet to the POINT OF BEGINNING, containing 10.049 acres of land of which approx. 2.013 acres are in Survey No. 51 and approx. 8.036 acres are in Survey No. 57.



Dale L. Olson
Reg. Pro. Land Surveyor 1253

OR
Michael D. Olson
Reg. Pro. Land Surveyor 5386

Order #: 135309-153

Dale L. Olson Surveying Co.

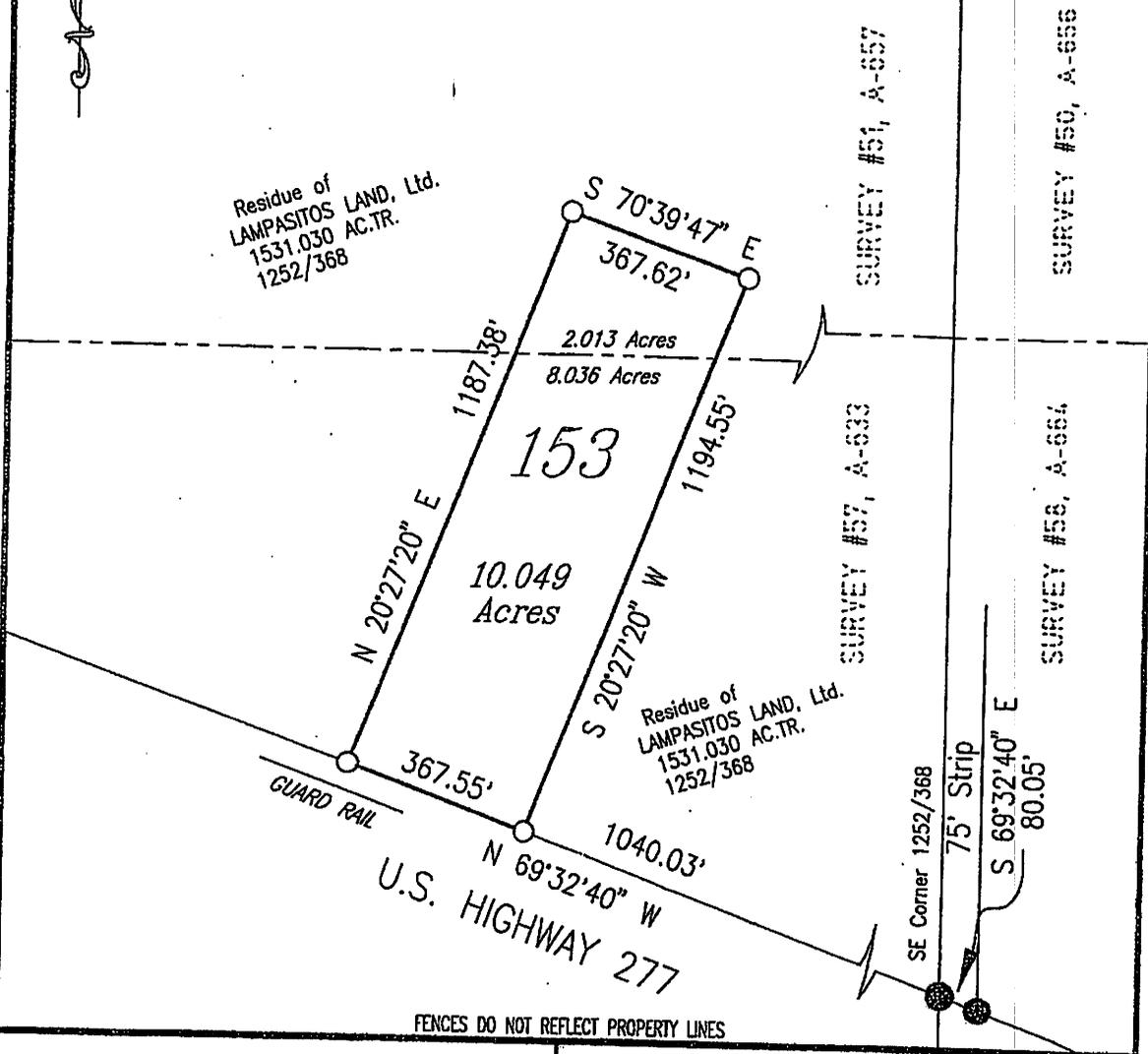
Date Created: 08/30/10



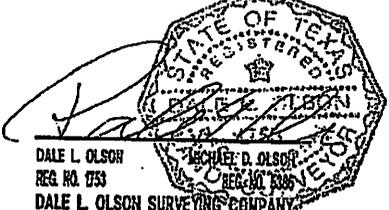
SCALE: 1" = 300'

- CONCRETE MONUMENT
- IRON ROD FOUND
- ⊙ 80d NAIL SET
- 5/8 IRON ROD SET

BLOCK 6, I & G.N. R.R. CO. SURVEY



The undersigned does hereby certify to the Title Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property hereby described hereon, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and that said property has frontage on a dedicated road way, except as shown hereon.



DALE L. OLSON
 REG. NO. 753
 DALE L. OLSON SURVEYING COMPANY
 DATE: 08/30/10

DALE L. OLSON
 REGISTERED PROFESSIONAL LAND SURVEYOR
 711 WATER STREET (512) 321-5476 BASTROP, TEXAS

SURVEY PLAT
 of Tract 153, a 10.049 Acre Tract in
 BLOCK 6, I&GN RR Co. SURVEYS,
 #51, A-657, and #57, A-633
 in MAVERICK COUNTY, TEXAS.

SCALE:	1" = 300.00'	SUNSET RANCH ESTATES
DRAWN BY:	K. Coetz	
DATE:	30 AUG 10	

ORDER / 135309-153 PLAT FILE / -0-