

FILED  
AT 2:41 O'CLOCK P.M.

Notice of Foreclosure Sale

JAN 10 2020

Tuesday, February 4, 2020

SARA MONTEMAYOR  
County Clerk Maverick County, Texas  
By  Deputy

Deed of Trust:

**Dated:** January 25, 2007

**Grantor:** GUADALUPE RODRIGUEZ and wife, NORMA RODRIGUEZ

**Trustee:** CARLOS J. KLUTTS  
P.O. Box 5729  
Austin, Travis County, Texas 78763

**Lender:** MAVERICK LAND, LTD., a Texas limited partnership, acting by and through its General Partner, BRUMLEY DEVELOPMENT CORP., a Texas corporation, H. WAYNE BRUMLEY, JR., President

**Recorded in:** Document No. 141192 in Book 1008, Page 1, of the Official Public Records of Maverick County, Texas

**Property:** THE SURFACE ESTATE ONLY IN AND TO TRACT NO. 6, A 10.050 ACRE TRACT IN THE JOHN POTTER SURVEY NO. 65, MAVERICK COUNTY, TEXAS.

BEING a 10.050 acre tract or parcel of land out of and being a part of the John Potter Survey No. 65, A-767, in Maverick County, Texas, and being a part of that certain 1264.319 acre tract in the C.C. Colley Survey No. 66, the John Potter Survey No. 65 and H.E. & W.T. RR Co. Survey No. 13 described in a deed from Pat O'Neil to Maverick Land, Ltd., dated May 26, 1999, recorded in Volume 540, Page 60, Maverick County Deed Records; said 10.050 acre tract more particularly described by meets and bounds in Exhibit "A" attached to and made a part of this instrument for all purposes.

**Secures:** Real Estate Lien Note ("Note") in the original principal amount of \$49,000.00, executed by GUADALUPE RODRIGUEZ and wife, NORMA RODRIGUEZ ("Borrower") and payable to the order of Lender

Foreclosure Sale:

**Date:** Tuesday, February 4, 2020

**Time:** The sale of the Property will be held between the hours of 10:00 A.M. and 1:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.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 MAVERICK 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.

  
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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. 6, A 10.050 ACRE TRACT IN THE JOHN POTTER SURVEY NO. 65, MAVERICK COUNTY, TEXAS.

BEING a 10.050 acre tract or parcel of land out of and being a part of the John Potter Survey No. 65, A-767, in Maverick County, Texas, and being a part of that certain 1264.319 acre tract in the C.C. Colley Survey No. 66, the John Potter Survey No. 65 and H.E. & W.T. RR Co. Survey No. 13 described in a deed from Pat O'Neil to Maverick Land, Ltd., dated May 26, 1999, recorded in Volume 540, Page 60, 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 a ½ inch iron rod found at a fence corner at the intersection of the east line of the said H.E. & W.T. RR Co. Survey No. 13 and west line of the Joseph Wipff, Jr. Survey No. 14, A-1266, with the west line of US Hwy. No. 277, an angle corner of the said 1264.319 acre tract.

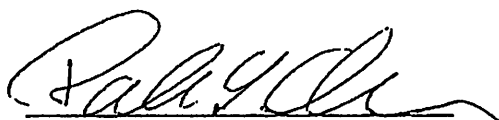
THENCE with the west line of US Hwy. No. 277, the east line of the 1264.319 acre tract, N 34 deg. 36 min. 06 sec. W, 1657.63 feet to a ½ inch iron rod found for the POINT OF BEGINNING, the southeast corner of this tract.

THENCE S 55 deg. 23 min. 50 sec. W, 1090.29 feet to a ½ inch iron rod found for the southwest corner of this tract.

THENCE N 34 deg. 36 min. 35 sec. W, 401.56 feet to a ½ inch iron rod found for the northwest corner of this tract.

THENCE N 55 deg. 24 min. 01 sec. E, 1090.35 feet to a ½ inch iron rod found in the west line of US Hwy. No. 277, the east line of the said 1264.319 acre tract, for the northeast corner of this tract.

THENCE with the west line of US Hwy. No. 277, the east line of the 1264.319 acre tract, S 34 deg. 36 min. 06 sec. E, 401.50 feet to the POINT OF BEGINNING, containing 10.050 acres of land.



Dale L. Olson  
Reg. Pro. Land Surveyor 1753

OR

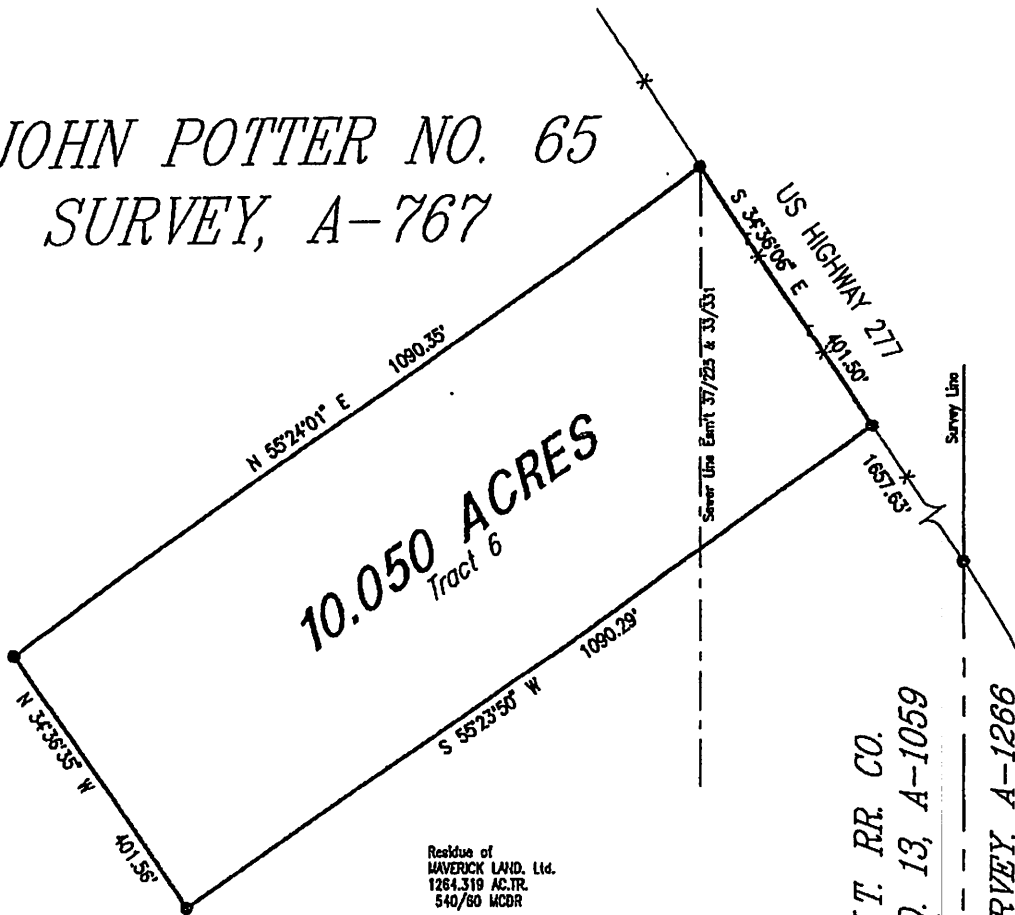
Michael D. Olson  
Reg. Pro. Land Surveyor 5386

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Order #: 165903-6

Date Created:02/03/04

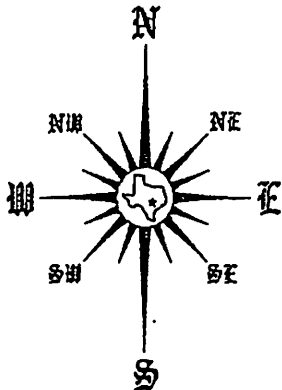
JOHN POTTER NO. 65  
SURVEY, A-767



10.050 ACRES  
Tract 6

Residue of  
MAVERICK LAND, Ltd.  
1264.319 AC.TR.  
540/80 MCDR

H.E. & W.T. R.R. CO.  
SURVEY, NO. 13, A-1059  
JOS. WIPFF Jr. SURVEY, A-1266



SCALE: 1" = 200'

- CONCRETE MONUMENT
- IRON ROD FOUND
- ⊙ IRON PIPE FOUND
- 5/8 IRON ROD SET
- ▲ FENCE POST
- △ TREE
- ⊕ UTILITY POLE
- ⊗ WATER METER
- ◇ WATER WELL
- x- FENCE LINE
- E- ELECTRIC LINE

THE FOLLOWING EASEMENTS DO NOT EFFECT THIS TRACT;  
28/207, 28/208, 29/209,  
48/44, 26/339, 26/569,  
28/572, 29/201, 175/405,  
175/402, 29/518,  
33/543, 52/445, 175/339,  
& 527/385

NO portion of this tract appears to be in a Federally designated FLOOD PRONE AREA according to FRM No. 480470 007 A for WAREX COUNTY, TEXAS.  
Effective Date 12/17/77  
This tract lies in Zone(s)  
Base Flood Elevator: None

The undersigned does hereby certify to the U.S. Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property hereby described herein, 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 herein, and that said property has frontage on a dedicated road way, except as shown herein.

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

SURVEY PLAT  
of a 10.050 ACRE TRACT in the  
JOHN POTTER SURVEY, A-767  
MAVERICK COUNTY, TEXAS.

**WARNING:**  
This Flood Statement, as determined by FRM DOES NOT IMPLY that the Property or improvements hereon will be free from Flooding or Flood Damage. On rare occasions, Greater Floods Can ARISE With Occur, and Flood Heights may increase by 10-15% or Higher Causes.

*[Signature]*  
DALE L. OLSON      MICHAEL D. OLSON  
REG. NO. 0753      REG. NO. 8366

THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR  
© 2004 Dale L. Olson Surveying Company  
ALL RIGHTS RESERVED

DALE L. OLSON SURVEYING COMPANY  
DATE: 02/05/04

SCALE:	1" = 200.00'	CARLOS KLUTTS
DRAWN BY:	D. BROOKS	
DATE:	05 FEB 04	ORDER / 165803
	DISK-FILE 243-L-6	PLAT FILE / -9-