

FILED
AT 2:40'CLOCK PM

Notice of Foreclosure Sale

JAN 10 2020

Tuesday, February 4, 2020

SARA MONTEMAYOR
County Clerk Maverick County, Texas
By  Deputy

Deed of Trust:

Dated: September 29, 2017

Grantor: ARTURO MARES, NOE MARES, JASON MARES, THOMAS MARES, and JAY T. YANCY

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

Lender: HERMOSA VISTA VENTURES, LP, a Texas limited partnership, acting by and through its General Partner, HVV LAND, LLC, a Texas limited liability company, JAMES E. EGLOFF, Manager

Recorded in: Document No. 199782, Book 1673, Page 171, of the Official Public Records of Maverick County, Texas

Property: THE SURFACE ESTATE ONLY IN AND TO TRACT NO. 27, A 20.114 ACRE TRACT IN BLOCK A, FIRST SUBDIVISION OF INDIO LANDS, MAVERICK COUNTY TEXAS.

BEING a 20.114 acre tract or parcel of land in Clearwater Ranch Estates, an unrecorded subdivision in Maverick County, Texas, and being out of Block A, First Subdivision of Indio Lands, a subdivision in Maverick County, Texas as recorded in Envelope 14, Slide 1, Maverick County Map Records, and being a part of that certain 458.722 acre tract described in a deed from EARL M. HERRING, a single man, to HERMOSA VISTA VENTURES, LP, a Texas limited partnership, dated May 31, 2016, and recorded as Document No. 192236 in Book 1584, Page 141 of the Official Public Records of Maverick County, Texas; said 20.114 acre tract more particularly described by metes and bounds on Exhibit "A" attached hereto 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 \$64,000.00, executed by ARTURO MARES, NOE MARES, JASON MARES, THOMAS MARES, and JAY T. YANCY ("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 1:00 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 sale.
- 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.

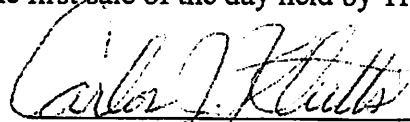
Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, CARLOS J. KLUTTS, Trustee of HERMOSA VISTA VENTURES, LP, the owner and holder of the Note, has requested Trustee to sell the Property. Therefore, notice is given that 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

Exhibit A

Page 1 of 2

DALE L. OLSON
Registered Professional Land Surveyor
711 Water Street
Bastrop, Texas 78602
Phone (512)321-5476 Fax (512)303-5476
olsonsurvey@sbcglobal.net

FIELD NOTES FOR TRACT NO. 27, A 20.114 ACRE TRACT OUT OF BLOCK A, FIRST SUBDIVISION OF INDIO LANDS, MAVERICK COUNTY, TEXAS.

BEING a 20.114 acre tract or parcel of land out of Block A, First Subdivision of Indio Lands, a subdivision in Maverick County, Texas, as recorded in Envelope 14, Slide 1, Maverick County Map Records, and being a part of that certain 458.722 acre tract described in a deed from Earl M. Herring to Hermosa Vista Ventures, LP, recorded in Book 1584, Page 141, Maverick County Official Public Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the southwest corner of the said 458.722 acre tract, a 5/8 inch iron rod found in the east line of Farm to Market Road No. 1021, the northwest corner of that certain 581.426 acre tract described in a deed from Earl M. Herring to Hermosa Vista Ventures, LP, recorded in Book No. 1584, Page 167, Maverick County Official Public Records.

THENCE with the east line of Farm to Market Road No. 1021 and west line of the 458.722 acre tract, N 00 deg. 06 min. 00 sec. W, 258.24 feet to a 5/8 inch iron rod set for angle; N 07 deg. 37 min. 00 sec. W, 866.31 feet to a point where same intersects the center of Aqua Alegre Way, a 60 foot access easement.

THENCE with the center of Aqua Alegre Way, S 89 deg. 55 min. 44 sec. E, 731.85 feet to a 5/8 inch iron rod set at angle; S 52 deg. 40 min. 13 sec. E, 2469.53 feet to a 5/8 inch iron rod set at angle of said easement.


THENCE continuing with the center of Aqua Alegre Way, N 09 deg. 31 min. 07 sec. W, 1543.52 feet to a 5/8 inch iron rod set; N 05 deg. 49 min. 17 sec. W, 959.97 feet to a 5/8 inch iron rod set in the center of a 60 foot radius cul-de-sac for the POINT OF BEGINNING, the most southerly corner of this tract from which a 5/8 inch iron rod set for Reference in said cul-de-sac bears N 45 deg. 17 min. 21 sec. W, 60.00 feet.

THENCE N 45 deg. 17 min. 21 sec. W, 992.29 feet to a 5/8 inch iron rod set for the most westerly corner of this tract.

THENCE N 33 deg. 30 min. 18 sec. E, 598.22 feet to a 5/8 inch iron rod found in the east or northeast line of the 458.722 acre tract and west or southwest line of the Maverick County WCID No. 1 Lateral No. 71, for the northwest corner of this tract.

THENCE with the east or northeast line of the 458.722 acre tract and west or southwest line of Lateral No. 71, N 66 deg. 33 min. 00 sec. E, 557.40 feet to a 5/8 inch iron rod found; S 89 deg. 28 min. 00 sec. E, 320.40 feet to a 5/8 inch iron rod found; S 58 deg. 43 min. 00 sec. E, 97.81 feet to a 5/8 inch iron rod set for the northeast corner of this tract.

THENCE S 25 deg. 08 min. 17 sec. W, 1314.14 feet to a 5/8 inch iron rod set for angle; S 05 deg. 49 min. 17 sec. E, 116.20 feet to a 5/8 inch iron rod set in the before mentioned 60 foot radius easement, in all 176.20 feet to the POINT OF BEGINNING, containing 20.114 acres of land.



Dale L. Olson
Reg. Pro. Land Surveyor 1753

OR

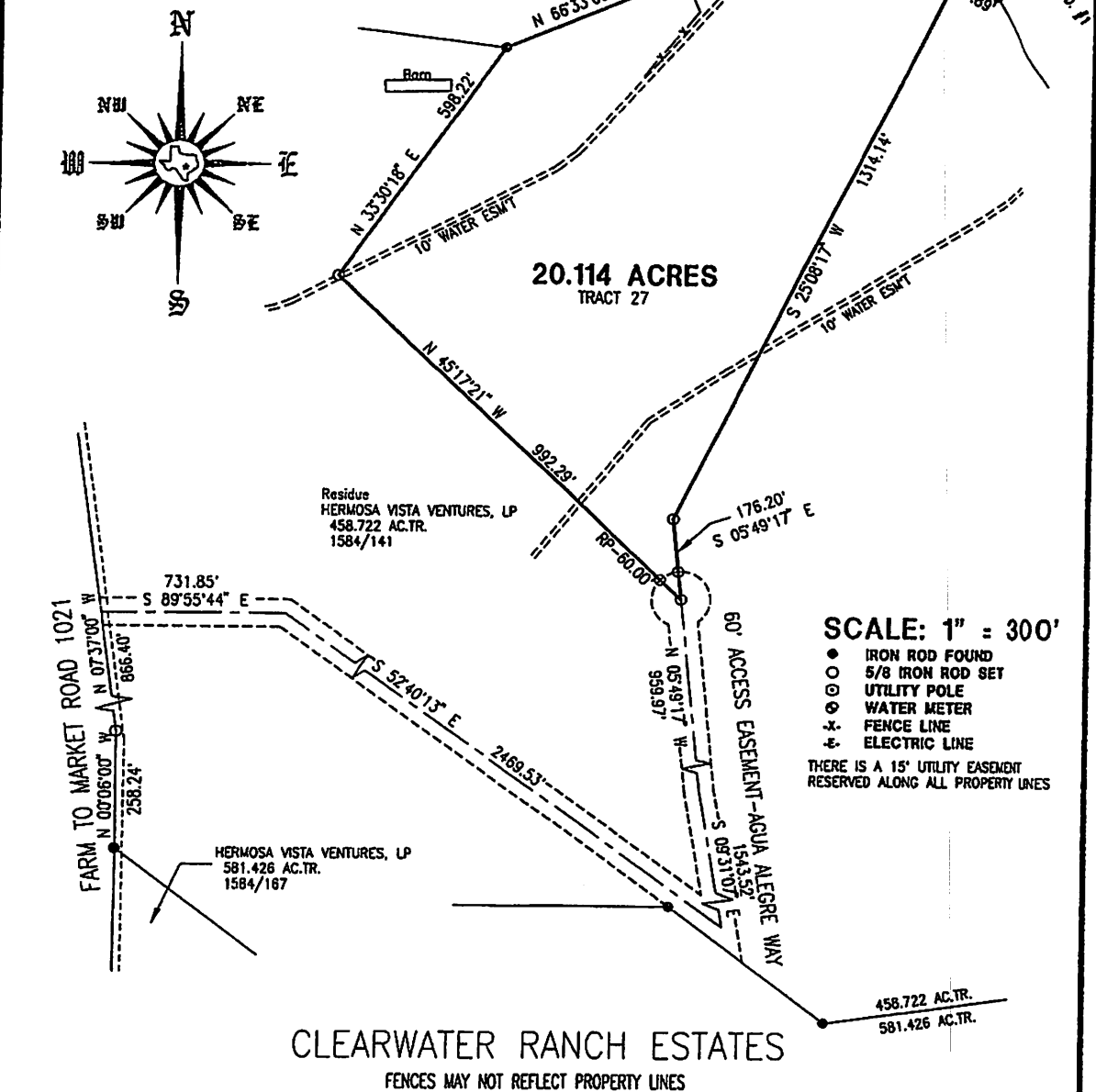
Michael D. Olson
Reg. Pro. Land Surveyor 5386

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Order# 16-366-1_27N

Date Created: 7-6-16

FIRST SUBDIVISION OF INDIO LANDS BLOCK A



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 legally 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.

CERTIFIED COPY ONLY
IF YELLOW SEAL IS PRESENT

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

SURVEY PLAT

of a 20.114 ACRE TRACT being a PORTION of BLOCK A, FIRST SUBDIVISION OF INDIO LANDS, recorded in ENVELOPE 14, SLIDE 1, PLAT MAPS of MAVERICK COUNTY, TEXAS.

Dale L. Olson
DALE L. OLSON **MICHAEL D. OLSON**
REG. NO. 1753 REG. NO. 5386
DALE L. OLSON SURVEYING COMPANY
DATE: 07/07/16

SCALE:	1" = 300.00'	CARLOS KLUTTS or ASSIGNS
DRAFTSMAN:	D. BROOKS	
DATE:	6 JUL 16	

DISK-FILE 356-L-27N ORDER / 16-366-L-27N PLAT FILE / -2-