

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.

Notice of Foreclosure Sale

FILED
AT 1:24 O'CLOCK PM

Tuesday, December 1, 2020

NOV 09 2020

Deed of Trust:

Dated: May 25, 2011

Grantor: MARCELA MARTINEZ

Trustee: JONATHAN P. FRIDAY

Substitute Trustee: ADRIAN VOORHIES
P.O. Box 1845
Austin, Travis County, Texas 78767

Lender: LAMPASITOS LAND LTD., a Texas limited partnership

Recorded in: Document No. 165838 in Book 1293, Page 76, of the Official Public Records of Maverick County, Texas

Property: THE SURFACE ESTATE ONLY IN AND TO TRACT NO. 138, A 10.754 ACRE TRACT OUT OF SURVEY NO. 51, BLOCK 6, I & GN RR CO. SURVEY, IN MAVERICK COUNTY, TEXAS.

BEING a 10.754 acre tract or parcel of land out of and being a part of the Survey No. 51, A-657, 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, and being described in a deed from Carlos J. Klutts to LAMPASITOS LAND, LTD dated August 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. 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 \$44,000.00, executed by MARCELA MARTINEZ ("Borrower") and payable to the order of Lender

SARIA MONTEMAYOR
County Clerk Maverick County, Texas
By *Saria Montemayor* Deputy

Foreclosure Sale:

- Date:** Tuesday, December 1, 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, Lender has requested Substitute Trustee to sell the Property. Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute 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, Substitute 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 Substitute Trustee.



ADRIAN VOORHIES, Substitute Trustee