

NOTICE OF FORECLOSURE SALE

November 30, 2023

FILED FOR RECORD
COLORADO COUNTY, TEXAS

2023 DEC 12 PM 2: 34

KIMBERLY MENKE
COUNTY CLERK

Deed of Trust ("Deed of Trust"):

Dated: June 23, 2022

Grantor: Bernardo Miranda II and Bernardo Miranda

Trustee: Liang Gao

Lender: Texas Southern Drilling, LLC, a Texas limited liability company

Recorded in: Instrument No. 3210, Volume 1005, Page 859 of the Official Records of Colorado County, Texas

Legal Description: Called Tract 02, being a 35.416 acre tract situated in the B. B. B. & C. R.R. Co. Survey, Abstract Number 116, Colorado County, Texas, being a portion of that certain called 49.453 acre tract described in instrument to Texas Southern Drilling, LLC., recorded in Volume 946, Page 380, of the Official Records of Colorado County, Texas (O.R.C.C.T.), said 35.416 acre tract being more particularly described by metes and bounds in the attached Exhibit(s).

Secures: Promissory Note ("Note") in the original principal amount of \$289,000.00, executed by Bernardo Miranda II and Bernardo Miranda ("Borrower") and payable to the order of Lender

Substitute Trustee: Debby Jurasek, Megan Randle, Ebbie Murphy or David Garvin

Substitute Trustee's Address: c/o Foreclosure Services, LLC
8101 Boat Club Rd., Suite 320
Fort Worth, Texas, 76179

Foreclosure Sale:

Date: Tuesday, January 2, 2024

Time: The sale of the Property will be held between the hours of 1:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 1:00 A.M. and not later than three hours thereafter.

Place: In the foyer, inside the main entrance of the Colorado County, Anex Building, located at 318 Spring Street, Columbus, Texas 78934, or

if the preceding area is no longer the designated area, at the area most recently designated by County Commissioner's Court or at any other place designated for real property foreclosures under Texas Property Code Section 51.002.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Texas Southern Drilling, LLC'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, Texas Southern Drilling, LLC, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Texas Southern Drilling, LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Texas Southern Drilling, LLC's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

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 Texas Southern Drilling, LLC 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 Texas Southern Drilling, LLC. 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.

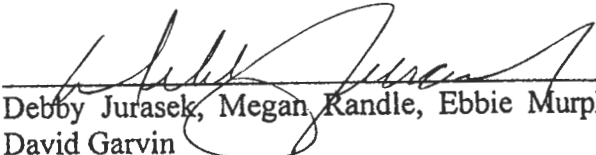
Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

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.



Margaret H. Banahan
Veronica A. Martinez
R. Alex Weatherford
Banahan Martinez Weatherford, PLLC
1400 Broadfield Blvd., Suite 105
Houston, Texas 77084
Telephone (281) 394-3122
Telecopier (281) 940-2743
Attorney for Lender



Debby Jurasek, Megan Randle, Ebbie Murphy or
David Garvin
c/o Foreclosure Services LLC
8101 Boat Club Road, Suite 320
Fort Worth, Texas 76179

Exhibit A



TEXAS PROFESSIONAL SURVEYING, LLC.

3032 N. FRAZIER STREET, CONROE, TEXAS 77303
(936)756-7447 FAX (936)756-7448
FIRM REGISTRATION No. 100834-00

**FIELD NOTE DESCRIPTION
35.416 ACRES
IN THE B. B. B. & C. R.R. CO. SURVEY, ABSTRACT NUMBER 116
COLORADO COUNTY, TEXAS**

BEING a 35.416 acre tract situated in the B. B. B. & C. R.R. Co. Survey, Abstract Number 116, Colorado County, Texas, being a portion of that certain called 49.453 acre tract described in instrument to Texas Southern Drilling, LLC., recorded in Volume 946, Page 380, of the Official Records of Colorado County, Texas (O.R.C.C.T.), said 35.416 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a fence corner post, having a Texas State Plane coordinate value of N: 13769274.69, E: 2770144.56, (TXSC- 4204) found in the southwesterly margin of State Highway 71 (SH 71), for the common easterly corner of said 49.453 acre tract and that certain called 281.145 acre tract described in instrument to Altair Disposal Services, LLC., recorded in Volume 413, Page 662, O.R.C.C.T., being the most northerly corner of the herein described 35.416 acre tract, from which a ½ inch iron rod found for reference bears, North 30°33'47" West, 3044.49 feet;

THENCE South 30°36'15" East, 818.47 feet, with the southwesterly margin of said SH 71, the northeasterly line of said 49.453 acre tract, to a fence corner post found in the southwesterly margin of said SH 71, being a easterly corner of the herein described 35.416 acre tract;

THENCE South 06°59'33" West, 77.34 feet, with the westerly margin of said SH 71, the northerly margin of County Road 102 (CR 102), to a fence corner post found in the northerly margin of said CR 102, being a easterly corner of the herein described 35.416 acre tract;

THENCE South 62°54'34" West, 1711.34 feet, with the northerly margin of said CR 102, the southerly line of said 49.453 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set in said common line, being the southwesterly corner of the herein described 35.416 acre tract, from which a fence corner post found for reference bears, South 62°54'34" West, 665.47 feet;

THENCE North 30°05'18" West, 880.41 feet, severing, over and across said 49.453 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set in the northerly line of said 281.145 acre tract, being the northwesterly corner of the herein described 35.416 acre tract, from which a fence corner post found for reference bears, South 62°51'04" West, 675.43 feet;

THENCE North 62°51'04" East, 1750.56 feet, with the common line of said 49.453 acre tract and said 281.145 acre tract, to the **POINT OF BEGINNING**;

CONTAINING a computed area of 35.416 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground on January 2, 2022, by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number 18113_35.416AC.

Bearings and distances recited herein are based on GPS observations and are referenced to the North American Datum of 1983 (NAD83), Texas State Plane Coordinate System, South Central Zone (TXSC - 4204), grid measurements.

January 12, 2022
Date



Carey A. Johnson
R.P.L.S. No. 6524



SYMBOL LEGEND

- - - - - Overhead Power Line
- - - - - Guy Wire
- - - - - Wood Fence
- - - - - Wrought Iron Fence
- - - - - Chainlink Fence
- - - - - Wire Fence
- - - - - Fire Hydrant
- - - - - Power Pole
- - - - - Telephone Pedestal
- - - - - Water Valve
- - - - - Water Meter
- - - - - Set Iron Rod w/TPS Cap
- - - - - Fod Iron Rod

BAU
3 M

**B. B. & C. RR. CO. SURVEY
ABSTRACT No. 116**

ALTAIR DISPOSAL SERVICE, LLC.
CALLED 281.145 ACRES
VOL. 413, PG. 862
O.R.C.C.T.

35.416 ACRES
PORTION OF
TEXAS SOUTHERN DRILLING, LLC.
CALLED 49.453 ACRES
VOL. 948, PG. 380
O.R.C.C.T.

REMAINDER OF
TEXAS SOUTHERN DRILLING, LLC.
CALLED 48.453 ACRES
VOL. 948, PG. 380
O.R.C.C.T.

LINE	BEARING	DISTANCE
L1	S 06° 59' 33" W	77.34'

BOUNDARY SURVEY

BEING a 35.416 acre tract situated in the B. B. & C. R.R. Co. Survey, Abstract Number 116, Colorado County, Texas, being a portion of that certain called 49.453 acre tract described in instrument to Texas Southern Drilling, LLC., recorded in Volume 948, Page 380, of the Official Records of Colorado County, Texas (O.R.C.C.T.), said 35.416 acre tract being more particularly described by attached metes and bounds description.

The Subject Tract(s) as shown hereon may be subject to the following Easement:

- 1) R.O.W. to State of Texas per Vol. 304, Pg. 419 D.R.C.C.T. (Dood is for SH 71 / provides access to property)

General Notes:

1) This survey was performed without benefit of a current title report. Surveyor did not abstract title and does not certify to easements or restrictions not shown. Check with your local governing agencies for any additional easements, building lines or other restrictions not reflected on survey.

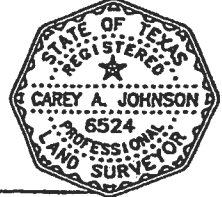
This Property Lies in Zone X outside the 100 Year Flood Plain Per Omaha Scoring according to Community Panel No. 48069CD4500 having an effective date 2/4/2011.

Job No.: 18113_35.416AC
Scale: 1" = 300'
Date: 01/02/2022
Drawn By: DVB/DED
Field Crew: TE
Revised: 01/11/2022

Purchaser: State Highway 102, Garwood, TX 77442
Address: _____
Lot: _____ Block: _____ Section: _____
Survey: B. B. & C. RR. CO. A 116
Area: 35.416 Acres
Subdivision: _____
Cabinet: _____ Sheet: _____ Records: _____
Colorado County, Texas

Bearings shown hereon are based on GPS observations and are referenced to the NAD83, Texas State Plane Coordinate System, South Central Zone (4204).
Basis of Bearings _____

I hereby certify that this survey was this day made under my supervision on the ground of the above described property, and that the above plat or drawing reflects the findings on the ground of the property at this time and that this survey meets the minimum standards of practice as approved by the Texas Board of Professional Land Surveying.



Carey A. Johnson
Carey A. Johnson
Registered Professional Land Surveyor No. 6524

TEXAS
PROFESSIONAL
SURVEYING, LLC
3032 N. FRAZIER STREET - CONROE, TX 77303
PH (832) 738-7447 - FAX (832) 738-7448
www.surveyingtexas.com
FRM REGISTRATION No. 100034-00