

NOTICE OF FORECLOSURE SALE

September 6, 2024

FILED FOR RECORD
COLORADO COUNTY, TX

2024 SEP -9 PM 1:38

KIMBERLY MENKE
COUNTY CLERK

MK

Deed of Trust ("Deed of Trust"):

Dated: June 22, 2022

Grantor: Brenda Luna Guerrero and Juan Guadalupe Guerrero Espinoza

Trustee: Liang Gao

Lender: Windsor Chase, LLC

Recorded in: Volume 1008, Page 422 of the real property records of Colorado County, Texas

Legal Description: Tract 1 BEING a 10.100 acre tract situated in the Henry Austin Survey, Abstract Number 4, Colorado County, Texas, being a portion of that certain called 99.919 acre tract described in instrument to Windsor Chase, LLC recorded in Volume 994, Page 261 of the Official Records of Colorado County, Texas (O.R.C.C.T.). said 10.100 acre tract being more particularly described by metes and bounds in the attached Exhibit A.

Secures: Promissory Note ("Note") in the original principal amount of \$225,000.00, executed by Brenda Luna Guerrero and Juan Guadalupe Guerrero Espinoza ("Borrower") and payable to the order of Lender

Substitute Trustee: Debby Jurasek, David Garvin

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

Mortgage Servicer: Texstar Escrow

Mortgage Servicer's Address: 5819 Acacia Circle
El Paso, Texas, 79912

Foreclosure Sale:

Date: Tuesday, October 1, 2024

- Time:** The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 1:00 P.M. and not later than three hours thereafter.
- Place:** Colorado County Courthouse Annex located at 318 Spring Street, Room 103, Columbus, Texas 78934, or any other place designated for real property foreclosures under Texas Property Code Section 51.002 by the Commissioners Court of Colorado County, Texas.
- 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 Windsor Chase, 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, Windsor Chase, 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 Windsor Chase, 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 Windsor Chase, LLC's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Mortgage Servicer is representing Windsor Chase, LLC in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Windsor Chase, LLC. The address of Mortgage Servicer is set forth above.

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 Windsor Chase, 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.

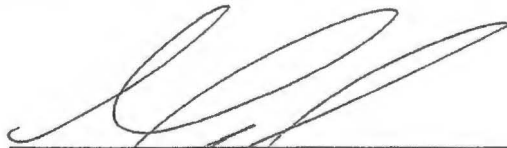
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 Windsor Chase, 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.

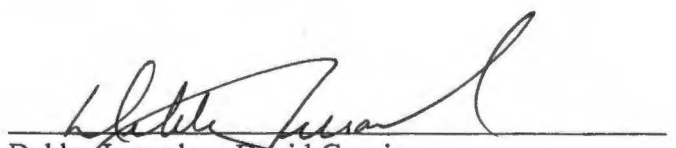
Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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



Debby Jurasek 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
TRACT 1
10.100 ACRES

TA 22 2482E

IN THE HENRY AUSTIN SURVEY, ABSTRACT NUMBER 4
COLORADO COUNTY, TEXAS

BEING a 10.100 acre tract situated in the Henry Austin Survey, Abstract Number 4, Colorado County, Texas, being a portion of that certain called 99.919 acre tract described in instrument to Windsor Chase LLC, recorded in Volume 994, Page 261 of the Official Records of Colorado County, Texas (O.R.C.C.T.), said 10.100 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a ½ inch iron rod with cap stamped "TPS 100834-00" set in the southerly margin of Union Pacific Railroad, the northerly margin of County Road 220 (CR 220) the northerly line of said 99.919 acre tract for the northwest corner of the herein described 10.100 acre tract, from which a ½ inch iron rod found for the northerly northwest corner of said 99.919 acre tract bears, North 85°26'48" West, 2809.31 feet, said POINT OF BEGINNING having a Texas State Plane Coordinate value of N: 13,809,022.18 E: 2,678,962.82, Texas South Central Zone (4204), grid measurements;

THENCE South 85°26'48" East, 280.00 feet, with the southerly margin of said Union Pacific Railroad, the northerly margin of said CR 220, the northerly line of said 99.919 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for the northeasterly corner of the herein described 10.100 acre tract;

THENCE severing, over and across said 99.919 acre tract, the following three (3) courses and distances:

1. South 02°53'23" East, at a distance of 62.46 feet, pass a ½ inch iron rod found for reference in the southerly margin of said CR 220, in all, a total distance of 336.83 feet, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for corner;
2. South 02°10'44" East, 386.57 feet, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for corner;
3. South 01°48'28" East, 208.34 feet, to a ½ inch iron rod with cap stamped "TPS 100834-00" set in the common line between said 99.919 acre tract and that certain called 16.818 acre tract described as "Tract One" in instrument to Jack A. Janecka, et al., recorded in Volume 914, Page 371 O.R.C.C.T., for the southeasterly corner of the herein described 10.100 acre tract;

THENCE North 88°30'41" West, 639.79 feet, with the common line between said 99.919 acre tract and said 16.818 acre tract, to a 6 inch by 6 inch concrete post found for the common corner of said 99.919 acre tract, said 16.818 acre tract and that certain called 15.72 acre tract described in instrument to City of Weimer, recorded in Volume 153, Page 26 of the Deed Records of Colorado County, Texas (D.R.C.C.T.), being an angle point in the southerly line of the herein described 10.100 acre tract;

THENCE North 88°52'38" West, 13.92 feet, with the common line between said 99.919 acre tract and said 15.72 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for the southwesterly corner of the herein described 10.100 acre tract;

THENCE North 19°44'54" East, continuing over and across said 99.919 acre tract, at a distance of 927.93 feet, pass a 1/4 inch iron rod with cap stamped "TPS 100834-00" set for reference in the southerly margin of said CR 220, in all, a total distance of 994.78 feet, to the POINT OF BEGINNING and containing a computed area of 10.100 acres of land within this Field Note Description.

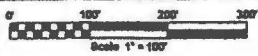
This Field Note Description was prepared from a survey performed on the ground on April 4, 2022 by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number 24388.

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

May 9, 2022
Date

A handwritten signature in black ink, appearing to be "C.A. Johnson", written over a horizontal line.

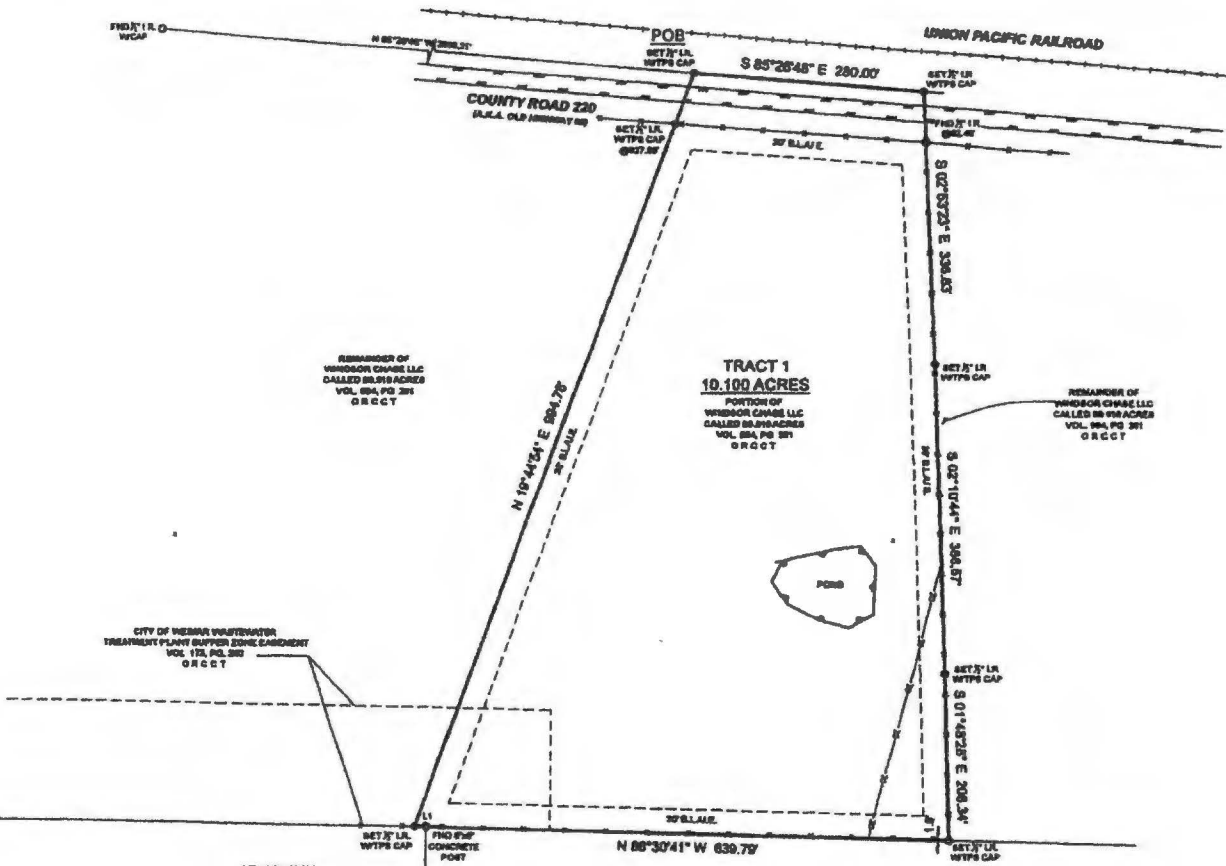
Carey A. Johnson
R.P.L.S. No. 6524



SYMBOL LEGEND

- DEED OF SURVEY
- CODE OF SURVEY
- CHAINED ELECTED
- WIRE FENCE
- PERMANENT SURVEY MONUMENT
- SET SURVEY MONUMENT

**HENRY AUSTIN SURVEY
ABSTRACT NO. 4**



7A 22 2012
 32

BOUNDARY SURVEY

BEING a PLAT and been filed in the Henry Austin Survey, Abstract Number 4, Colorado County, Texas, being a portion of the records called 88-938 were last described in Instrument to Wendson Chase LLC, recorded in Volume 88A, Page 281 of the Official Records of Colorado County, Texas (2010-01-27), and 18-938 were last being more particularly described by attached notes and bench description.

I HEREBY CERTIFY THAT THIS SURVEY WAS THE BEST MADE UNDER MY SUPERVISION ON THE GROUND OF THE ABOVE DESCRIBED PROPERTY AND THE THEREAFTER PLAT OR DRAWING REFLECTS THE RESULTS OF THE SURVEY OF THE PROPERTY AT THE TIME AND THAT THIS SURVEY MEETS THE USUAL REQUIREMENTS OF PRECISION AS APPROVED BY THE BOARD OF PROFESSIONAL LAND SURVEYORS.

Carey A. Johnson
 Carey A. Johnson
 Registered Professional Land Surveyor No. 6234



SCORER'S NOTE:

1) THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A CURRENT TITLE REPORT. SURVEYOR DID NOT EXAMINE TITLE AND DOES NOT GUARANTEE TO EXAMINATIONS OR RESTRICTIONS SET FORTH, CHECK WITH YOUR LOCAL GOVERNMENT AGENCIES FOR ANY ADDITIONAL RESTRICTIONS, EASEMENTS, EASEMENTS OR OTHER RESTRICTIONS NOT INDICATED ON SURVEY.

NO PORTION OF THIS PROPERTY APPEARS TO BE WITHIN THE 10 YEAR FLOODPLAIN PER ANNUAL FLOODING OF COMMUNITY PANEL. NO ADJACENT RECORDS OR INSTRUMENTS WERE CONSULTED.

NAME OF RECORDS, EASEMENTS AND INSTRUMENTS CHECKED HEREON ARE BASED ON GPS COORDINATES AND ARE REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83), USING STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (TXSAC-83), GRID MEASUREMENTS.

PURCHASER	NO	*****	*****	*****	*****	*****	*****	*****	*****
ADDRESS	NO	*****	*****	*****	*****	*****	*****	*****	*****
CITY	NO	*****	*****	*****	*****	*****	*****	*****	*****
COUNTY	NO	*****	*****	*****	*****	*****	*****	*****	*****

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