

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**MAVERICK County**

**Deed of Trust Dated:** November 21, 2003

**Amount:** \$100,789.00

**Grantor(s):** GUADALUPE HERNANDEZ UGARTE and OSCAR O UGARTE

**Original Mortgagee:** WR STARKEY MORTGAGE, L.L.P.

**Current Mortgagee:** M & T BANK

**Mortgagee Address:** M & T BANK, P. O. Box 1364, Buffalo, NY 14240-1364

**Recording Information:** Document No. 119859

**Legal Description:** BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND TOGETHER WITH ALL IMPROVEMENTS THEREON, AND BEING LOT 466 B, LOMA BONITA HEIGHTS, UNIT 2, AS SHOWN ON THE PLAT OF SAID UNIT 2 WHICH IS OF RECORD IN ENVELOPE 128, SIDE A, MAP RECORDS OF MAVERICK COUNTY, TEXAS.

**Date of Sale:** January 2, 2018 between the hours of 10:00 AM and 1:00 PM.

**Earliest Time Sale Will Begin:** 10:00 AM

**Place of Sale:** The foreclosure sale will be conducted at public venue in the area designated by the MAVERICK County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

CALVIN SPEER OR MELODY SPEER, WENDY SPEER, FREDERICK BRITTON, RAYMOND PEREZ, AMY ORTIZ, PATRICIA SANDERS, CHRIS LAFOND, FREDRICK BRITTON, NANCY GOMEZ OR LEO GOMEZ have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

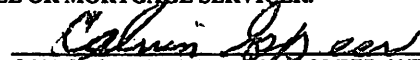
**NOTICE IS FURTHER GIVEN** that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

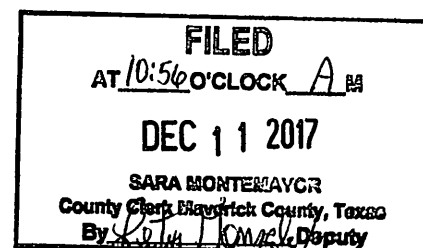
A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. Assert and protect your rights as a member 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.

**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.**

  
Aaron Espinoza, Attorney at Law

HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2016-017923

  
CALVIN SPEER OR MELODY SPEER, WENDY SPEER, FREDERICK BRITTON, RAYMOND PEREZ, AMY ORTIZ, PATRICIA SANDERS, CHRIS LAFOND, FREDRICK BRITTON, NANCY GOMEZ OR LEO GOMEZ  
c/o Tejas Trustee Services  
14800 Landmark Blvd, Suite 850  
Addison, TX 75254



**AFFIDAVIT OF POSTING/FILING NOTICE OF SALE  
STATE OF TEXAS**

COUNTY OF MAVERICK

The undersigned, having knowledge of the matters hereinafter set forth, after being duly sworn, deposes and states under oath, as follows:

On behalf of the holder of the indebtedness secured by a Deed of Trust, dated November 21, 2003, executed by OSCAR O. UGARTE AND GUADALUPE HERNANDEZ UGARTE, HUSBAND AND WIFE to W.R. STARKEY, Trustee(s) and recorded in the office of the County Clerk in Document No. 119859, MAVERICK County, Texas; at least twenty-one (21) days preceding the date of the sale made by Substitute Trustee on January 2, 2018 between the hours of 10:00 AM and 1:00 PM;

(i) Written notice of the proposed sale, designating the County in which the property securing the above Deed of Trust will be sold, was posted (Notice of Sale) at the courthouse door of each County in which the property securing the above Deed of Trust is located, or as otherwise designated by the County Commissioners; and

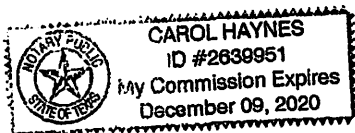
(ii) A copy of said Notice of Sale was filed in the office of the County Clerk of the County in which the sale was made.

Calvin Speer  
CALVIN SPEER OR MELODY SPEER, WENDY SPEER, FREDERICK BRITTON,  
RAYMOND PEREZ, AMY ORTIZ, PATRICIA SANDERS, CHRIS LAFOND, FREDRICK  
BRITTON, NANCY GOMEZ OR LEO GOMEZ  
Substitute Trustee

STATE OF TEXAS

COUNTY OF MAVERICK

This instrument was acknowledged before me on this 11 day of December, 2017, by  
Carol Haynes.



Carol Haynes  
NOTARY PUBLIC, STATE OF TEXAS  
My Commission expires: 12-09-2020

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

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.

1. **Date, Time, and Place of Sale.**

**Date:** January 02, 2018

**Time:** The sale will begin at 10:00AM or not later than three hours after that time.

**Place:** THE STEPS AT THE FRONT OF THE MAVERICK COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated January 19, 2000 and recorded in Document VOLUME 570, PAGE 36; AS AFFECTED BY VOLUME 1285, PAGE 94 real property records of MAVERICK County, Texas, with ROBERTO M. SALINAS AND JULIA E. SALINAS, grantor(s) and VALLEY MORTGAGE COMPANY, INC., mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by ROBERTO M. SALINAS AND JULIA E. SALINAS, securing the payment of the indebtednesses in the original principal amount of \$162,740.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. THE VETERANS LAND BOARD OF THE STATE OF TEXAS AND DITECH FINANCIAL LLC is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

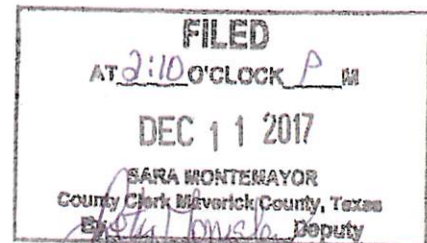
6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. DITECH FINANCIAL LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o DITECH FINANCIAL LLC  
345 SAINT PETER STREET  
ST. PAUL, MN 55102

Bertha Cardenas  
BERTHA CARDENAS OR DORTIS S SANCHEZ  
Substitute Trustee  
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
4004 Belt Line Road, Suite 100  
Addison, Texas 75001

My name is Bertha Cardenas and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on 12/11/17 I filed at the office of the MAVERICK County Clerk and caused to be posted at the MAVERICK County courthouse this notice of sale.

Declarant's Name: Bertha Cardenas  
Date: 12/11/2017



NOS20130013100007

## EXHIBIT "A"

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND, TOGETHER WITH ALL IMPROVEMENTS THEREON, AND BEING THE EAST 25 FEET OF LOT 22, ALL OF LOT 23, THE WEST 25 FEET OF LOT 24, AND THE NORTH 25 FEET OF LOT 26, ALL IN BLOCK 27, HILLCREST ADDITION TO THE CITY OF EAGLE PASS, MAVERICK COUNTY, TEXAS, AS SHOWN ON THE PLAT OF SAID ADDITION WHICH IS OF RECORD IN VOLUME 5, PAGE 195, MISCELLANEOUS RECORDS OF MAVERICK COUNTY, TEXAS.



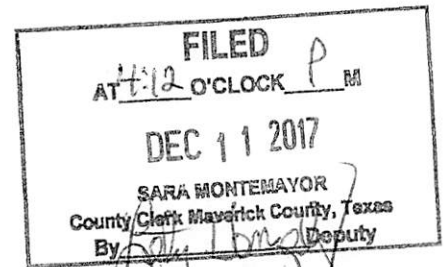
NOS20130013100007

## NOTICE OF FORECLOSURE SALE

State of Texas

County of Maverick

§  
§  
§



1. *Property to Be Sold.* The property to be sold is described as follows:

Property (including any improvements):

**Being all that certain tract or parcel of land and all improvements thereon, lying and being situated in Maverick County, Texas, described as: Lot 43, Block 1, Unit 1, of Loma Linda Subdivision, according to the Map or Plat thereof recorded in/under Envelope 136, Side A, Map/Plat Records, Maverick County, Texas, being the same land described in a Warranty Deed dated January 26, 2016 filed of record in Vol. 1561, Pages 112-115 of the Official Public Records of Maverick County, Texas, to which deed and the record thereof, reference is here made for a further description fo said land.**

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is that certain Deed of Trust dated January 26, 2016:

Grantor: Olga Noriega

Recorded in: Document No. 190265, Book 1561, Pages 116-125, Official Pubic Records of Maverick County, Texas.

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: **January 2, 2018**

Time: The sale will begin no earlier than 1:00 p.m. or no later than three hours thereafter. The sale will be completed within such three hour time period.

Place: At the steps at the front of the Maverick County Courthouse, 500 Quarry Street, Eagle Pass, Maverick County, Texas 78852.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refileing may be after the date originally scheduled for this sale.

4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The 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 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. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the deed of trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (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 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Martin A. Saucedo and Hilda G. Saucedo.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$63,000.00, executed by Olga Noriega, and payable to the order of Thomas S. Muñoz and Maria E. Muñoz and (b) all renewals and extensions of the note. Thomas S. Muñoz and Maria E. Muñoz are the current owners and holders of the Obligation and are the beneficiary under the deed of trust.

As of December 11, 2017 the principal owing was \$61,391.78 plus interest at the rate of 18% per annum from November, 2016 to the date of sale. In addition there are attorney's fees and court costs incurred in this matter in the amount of \$7,562.50 which must be paid by the Buyer to secure the title to the property free of any liens, per Final Judgment dated December 11, 2017.

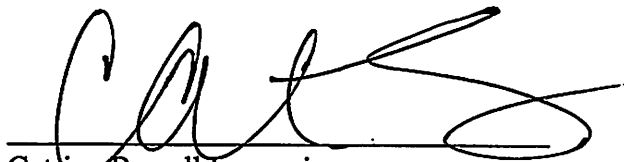
Questions concerning the sale may be directed to the undersigned or to the beneficiary, Thomas S. Muñoz and Maria E. Muñoz, at (830) 513-0273.



7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

**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.**

Dated December 11, 2017.



Catrina Purcell Longoria  
August Linnartz, Jr.  
Heriberto Morales, Jr.  
Patrick J. Kelly  
Daniel M. Gonzalez  
Langley & Banack, Inc.  
Attorneys & Counselors at Law  
401 Quarry Street  
Eagle Pass, Texas 78852  
Telephone No. (830) 773-6700  
Facsimile No. (830) 757-4045

ATTORNEYS FOR BENEFICIARY

## NOTICE OF FORECLOSURE SALE

Effective as of April 22, 2016, Alex Moses, Jr. and Estella Moses ("Grantor"), executed a Deed of Trust (the "Deed of Trust"), conveying to Charles W. Downing, as Trustee, the Real Property (as hereinafter defined), and Grantor granting a security interest in favor of the Lender (as hereinafter defined) on the Personal Property (as hereinafter defined), said Deed of Trust originally filed for record under Document Number 192558, in the Official Records of Maverick County, Texas, to secure Terrenos Con Futuro, LLC ("Lender"), in the payment of a promissory note of even date, in the original principal sum of \$88,500.00, executed by Grantor, payable to Lender (the "Note"), together with all other debt that Grantor may owe Lender.

The Real Property and the Personal Property are hereinafter collectively referred to as the "Collateral."

Pursuant to the terms of the Deed of Trust, the undersigned has been appointed trustee ("Trustee").

Lender, as the owner and holder of the Note, has instructed Trustee to sell the Collateral, Lender having elected to proceed against and sell the Collateral in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

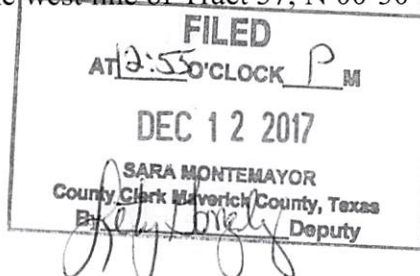
NOTICE IS HEREBY GIVEN that on January 2, 2018 at 10:00 a.m., or not later than three hours after that time, I will, as Trustee under the Deed of Trust, begin the sale of the Collateral, at public auction, to the highest bidder for cash, except that Lender's bid may be by credit against the Note, at the area being the area designated by the Commissioners' Court of Maverick County, Texas for conduction foreclosure sales.

The Real Property is described as follows:

Being a 13.126 acre tract and being Tract 57, Block D, of Quemado Valley Lands of G. Bedell Moore, in Maverick County, Texas, according to plat thereof recorded in Envelope 8, Side 1, Map Records of Maverick County, Texas, said 13.126 acres being more particularly described by metes and bounds in Substitute Trustee's Deed dated May 30, 2008, from Calvin Speer, Substitute Trustee to Wells Fargo Bank, National Association recorded in Volume 1517, Page 193, Official Public Records of Maverick County, Texas, reference being here made to deed and the record thereof for a further description of said land and for all purposes, described by metes and bounds as follows:

Beginning at a ½" iron set to mark the southwest corner of Tract 57 Quemado Valley, G. Bedell Moore Lands Block D;

THENCE along a fence, the west line of Tract 57, N 00°30'00" E, 324.80 feet to a ½" iron rod;





THENCE along a fence, the south line of the Maverick County Water Control and Improvement District No. 1, Lateral SE (60' Row), N 74° 30'00" E, 1233.77 feet to a ½" iron rod;

THENCE along a fence on the east line of Tract 57, S 07° 30'00" W, 147.76 feet to a ½" iron rod; S 00° 10' 00" E, 508.00 feet to a ½" iron rod;

THENCE along a fence on the south line of Tract 57, West 1173.92 feet to the POINT OF BEGINNING.

The Collateral will be sold subject to any prior liens, outstanding ad valorem taxes, other matters of record in Maverick County, Texas, and by instruments filed with the Texas Secretary of State's office, to the extent such matters are still effective and are superior to the liens and security interests on the Property granted in the Deed of Trust, and other exceptions to conveyance and warranty in the Deed of Trust.

Any real or personal property described in the Deed of Trust not to be sold as part of the Collateral in the sale may be notice at Lender's election, for sale at a subsequent date and time noticed in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

The following disclosure is provided in order to comply with Section 51.002(i) of the Texas Property Code:

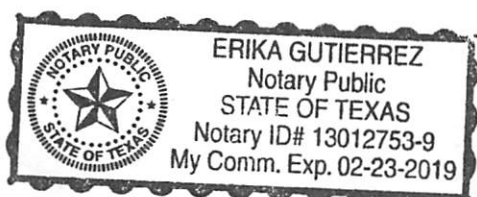
**Assert and protect your rights as a member of the armed forces of the United States. If you or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard of the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.**

Executed effective as of December 12, 2017.

  
Charles W. Downing, Trustee

STATE OF TEXAS       §  
                                  §  
COUNTY OF UVALDE   §

Acknowledged, sworn to, and subscribed before me on this 12th day of December, 2017 by Charles W. Downing.



  
Notary Public, State of Texas

## NOTICE OF FORECLOSURE SALE

Effective as of April 22, 2016, Richard Moses ("Grantor"), executed a Deed of Trust (the "Deed of Trust"), conveying to Charles W. Downing, as Trustee, the Real Property (as hereinafter defined), and Grantor granting a security interest in favor of the Lender (as hereinafter defined) on the Personal Property (as hereinafter defined), said Deed of Trust originally filed for record under Document Number 192557, in the Official Records of Maverick County, Texas, to secure Terrenos Con Futuro, LLC ("Lender"), in the payment of a promissory note of even date, in the original principal sum of \$74,500.00, executed by Grantor, payable to Lender (the "Note"), together with all other debt that Grantor may owe Lender.

The Real Property and the Personal Property are hereinafter collectively referred to as the "Collateral."

Pursuant to the terms of the Deed of Trust, the undersigned has been appointed trustee ("Trustee").

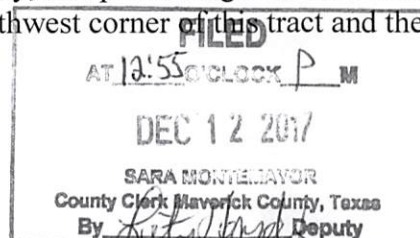
Lender, as the owner and holder of the Note, has instructed Trustee to sell the Collateral, Lender having elected to proceed against and sell the Collateral in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

NOTICE IS HEREBY GIVEN that on January 2, 2018 at 10:00 a.m., or not later than three hours after that time, I will, as Trustee under the Deed of Trust, begin the sale of the Collateral, at public auction, to the highest bidder for cash, except that Lender's bid may be by credit against the Note, at the area being the area designated by the Commissioners' Court of Maverick County, Texas for conduction foreclosure sales.

The Real Property is described as follows:

Being 11.06 acres, and lying and situated in Maverick County, Texas, out of Survey 53, Abstract 8, Arnold Barrett, Original Grantee, and also being the east 11.06 acres out of Tract 20, a 22.11 acres tract out of the Eidson-Estrada Subdivision Quemado Valley Lands, which is of record in Envelope 10, Side 1 (formerly Volume 1, Page 21), map records of Maverick County, Texas; Said 11.06 acres being the same land as that described by metes and bounds in deed from Jack Setser, trustee, to Amy Patricia Wettstein, dated January 1, 1979, recorded in Volume 168, Page 211, deed records of Maverick county, Texas, reference being here made to said deed and the record thereof for a further description of said land for all purposes, described by metes and bounds as follows:

Starting in search of a point of beginning at the northwest corner of said Tract 20, thence N 74 degrees 27' 44" E, 236.70 feet with the south line of Maverick County Water Control and Improvement District No. 1, lateral no. 8E, said lateral having a 60 foot right-of-way, and paralleling a 40 foot county road north of said lateral, to a stake for the northwest corner of said tract and the point beginning:





Thence N 74 degrees 27' 44" E, 230.30 feet with the south line of said lateral 8E and the north line of said Tract 20, paralleling a 40 foot county road north of said lateral 8E, to a stake for the northeast corner of this tract and the northeast corner of said Tract 20;

Thence S 0 degrees 29' 44" W, 2,206.03 feet to a stake for the southeast corner;

Thence S 89 degrees 21' 26" W, 221.38 feet to a stake for the southeast corner;

Thence N 0 degrees 29' 44" E, 2,146.82 feet to the point of beginning of the tract herein described and containing 11.06 acres, more or less.

The Collateral will be sold subject to any prior liens, outstanding ad valorem taxes, other matters of record in Maverick County, Texas, and by instruments filed with the Texas Secretary of State's office, to the extent such matters are still effective and are superior to the liens and security interests on the Property granted in the Deed of Trust, and other exceptions to conveyance and warranty in the Deed of Trust.

Any real or personal property described in the Deed of Trust not to be sold as part of the Collateral in the sale may be notice at Lender's election, for sale at a subsequent date and time noticed in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

The following disclosure is provided in order to comply with Section 51.002(i) of the Texas Property Code:

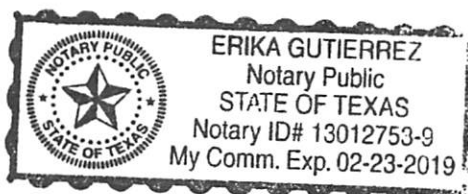
**Assert and protect your rights as a member of the armed forces of the United States. If you or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard of the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.**

Executed effective as of December 12, 2017.

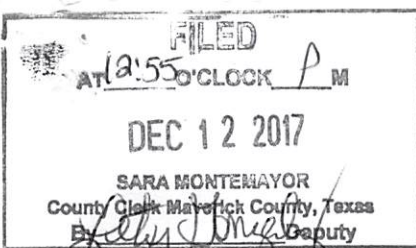
  
\_\_\_\_\_  
Charles W. Downing, Trustee

STATE OF TEXAS       §  
                                  §  
COUNTY OF UVALDE   §

Acknowledged, sworn to, and subscribed before me on this 12th day of December, 2017 by Charles W. Downing.



  
\_\_\_\_\_  
Notary Public, State of Texas



## NOTICE OF FORECLOSURE SALE

Effective as of April 24, 2017, Yecenia Olivares ("Grantor"), executed a Deed of Trust (the "Deed of Trust"), conveying to Charles W. Downing, as Trustee, the Real Property (as hereinafter defined), and Grantor granting a security interest in favor of the Lender (as hereinafter defined) on the Personal Property (as hereinafter defined), said Deed of Trust originally filed for record under Document Number 197384, in the Official Records of Maverick County, Texas, to secure Terrenos Con Futuro, LLC ("Lender"), in the payment of a promissory note of even date, in the original principal sum of \$89,000.00, executed by Grantor, payable to Lender (the "Note"), together with all other debt that Grantor may owe Lender.

The Real Property and the Personal Property are hereinafter collectively referred to as the "Collateral."

Pursuant to the terms of the Deed of Trust, the undersigned has been appointed trustee ("Trustee").

Lender, as the owner and holder of the Note, has instructed Trustee to sell the Collateral, Lender having elected to proceed against and sell the Collateral in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

NOTICE IS HEREBY GIVEN that on January 2, 2018 at 10:00a.m., or not later than three hours after that time, I will, as Trustee under the Deed of Trust, begin the sale of the Collateral, at public auction, to the highest bidder for cash, except that Lender's bid may be by credit against the Note, at the area being the area designated by the Commissioners' Court of Maverick County, Texas for conduction foreclosure sales.

The Real Property is described as follows in the attached Exhibit A, which is incorporated by reference.

The Collateral will be sold subject to any prior liens, outstanding ad valorem taxes, other matters of record in Maverick County, Texas, and by instruments filed with the Texas Secretary of State's office, to the extent such matters are still effective and are superior to the liens and security interests on the Property granted in the Deed of Trust, and other exceptions to conveyance and warranty in the Deed of Trust.

Any real or personal property described in the Deed of Trust not to be sold as part of the Collateral in the sale may be notice at Lender's election, for sale at a subsequent date and time noticed in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

The following disclosure is provided in order to comply with Section 51.002(i) of the Texas Property Code:

**Assert and protect your rights as a member of the armed forces of the United States. If you 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.

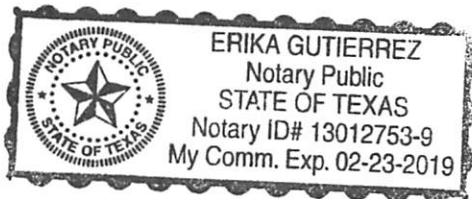
Executed effective as of December 12, 2017.



Charles W. Downing, Trustee

STATE OF TEXAS       §  
                                  §  
COUNTY OF UVALDE   §

Acknowledged, sworn to, and subscribed before me on this 12th day of December, 2017  
by Charles W. Downing.

  
Notary Public, State of Texas



# D. G. SMYTH & COMPANY, INC.

*"A Statewide Professional Land Surveying Service Company"*

**1022 Garner Field Road, Suite C**

**Uvalde, Texas 78801**

**FIRM # 10008800**

**Office Tel. (830) 591-0858**

*smythsurveyors.com*

**Fax (830) 591-0863**

## **FIELD NOTES FOR A SEVERANCE SURVEY OF TRACT 2 15.72 GRID ACRES, MORE OR LESS COMPLETED MARCH 6, 2017**

Being a Severance Survey of Tract 2 (15.72 grid acres, more or less), located in Maverick County, Texas, being out of and a part of the west portion of Tract 49, Block 4, of Quemado Valley Lands, recorded in Envelope 4, Side A of the Maverick County Map Records, being out of and a part of B. B. & C. RR. Co. Survey 75-1/4, Abstract No. 61, and also being out of and a part of that same certain tract called 62.33 acres as described in conveyance document to Terrenos Con Futuros LLC, recorded in Volume 1609, Page 104 of the Maverick County Official Public Records, Maverick County, Texas and being more particularly described by metes and bounds as follows: (The courses, distances, areas and any coordinates cited herein or shown on the corresponding survey plat conform to the Texas Coordinate System, North American Datum 1983(86), Texas South Central Zone.) (All corners called for as being set are marked on the ground with 1/2 inch rebar with plastic identification caps stamped "RPLS/6418" attached unless otherwise noted or shown.)

**BEGINNING** at a set 1/2" diameter rebar located at S.P.C. N=13532150.47' & E=1442794.57', at a point along the northerly margin of Moore Avenue, at a point along the southerly line of said Tract 49, at a point along a southerly line of said parent tract, marking an exterior corner of that same certain tract called Tract 1 (15.72 grid acres, more or less) simultaneously surveyed this same day, and marking an exterior corner of the herein described tract;

**THENCE:** Crossing into and across said parent tract, and with the common lines of said Tract 1 for the following two (2) calls:

- 1.) N 11° 29' 49" E, for a distance of 322.98 feet to a set 1/2" diameter rebar marking the northeast corner of said Tract 1, and marking a reentrant corner of the herein described tract;
- 2.) N 89° 18' 02" W, at 2059.81 feet passing a set 1/2" diameter rebar, continuing on the same course for a total distance of 2120.18 feet at a point along the southeasterly bank of the Rio Grande,

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marking the northwest corner of said Tract 1, and marking the southwest corner of the herein described tract;

**THENCE:** Progressing northeasterly, upstream along and with the southeasterly bank of the Rio Grande for the following two (2) calls which approximate the sinuosity of said southeasterly bank as of this date:

- 1.) N 19° 32' 09" E, for a distance of 161.94 feet marking a deflection point of the herein described tract;
- 2.) N 29° 26' 27" E, for a distance of 197.29 feet marking the southwest corner of that same certain tract called Tract 3 (15.73 grid acres, more or less) simultaneously surveyed this same day, and marking the northwest corner of the herein described tract;

**THENCE:** Crossing into and across said parent tract, and with the common lines of said Tract 3 for the following two (2) calls:

- 1.) S 89° 18' 02" E, at 44.01 feet passing a set ½" diameter rebar, continuing on the same course for a total distance of 2042.04 feet to a set ½" diameter rebar marking a reentrant corner of said Tract 3, and marking the northeast corner of the herein described tract;
- 2.) S 11° 29' 49" W, for a distance of 655.13 feet to a set ½" diameter rebar at a point along the northerly margin of Moore Avenue, at a point along a southerly line of said parent tract, marking an exterior corner of said Tract 3, and marking an exterior corner of the herein described tract;

**THENCE:** N 89° 07' 14" W, with the northerly margin of Moore Avenue and a southerly line of the herein described tract for a distance of 6.78 feet to the **Place of Beginning** and containing 15.72 grid acres of land, more or less, within the herein described boundary, according to an actual on the ground survey made by D. G. Smyth & Co., Inc. and completed on March 6, 2017.

THE STATE OF TEXAS:  
COUNTY OF UVALDE:

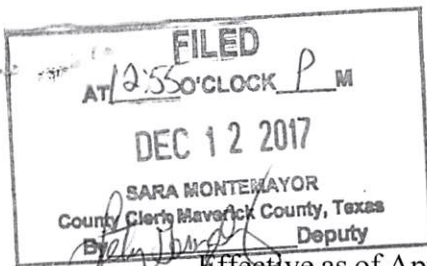
It is hereby certified that the foregoing field note description and Attached plat were prepared from an actual on the ground survey Made by personnel working under my direct supervision and that Same are true and correct according to said survey.

Mark E. Loggbrinck, Registered Professional Land Surveyor/  
No. 6418  
PROJ. NO. 16-5912 TRACT 2



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## NOTICE OF FORECLOSURE SALE

Effective as of April 24, 2017, Yecenia Olivares ("Grantor"), executed a Deed of Trust (the "Deed of Trust"), conveying to Charles W. Downing, as Trustee, the Real Property (as hereinafter defined), and Grantor granting a security interest in favor of the Lender (as hereinafter defined) on the Personal Property (as hereinafter defined), said Deed of Trust originally filed for record under Document Number 197385, in the Official Records of Maverick County, Texas, to secure Terrenos Con Futuro, LLC ("Lender"), in the payment of a promissory note of even date, in the original principal sum of \$89,000.00, executed by Grantor, payable to Lender (the "Note"), together with all other debt that Grantor may owe Lender.

The Real Property and the Personal Property are hereinafter collectively referred to as the "Collateral."

Pursuant to the terms of the Deed of Trust, the undersigned has been appointed trustee ("Trustee").

Lender, as the owner and holder of the Note, has instructed Trustee to sell the Collateral, Lender having elected to proceed against and sell the Collateral in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

NOTICE IS HEREBY GIVEN that on January 2, 2018 at 10:00a.m., or not later than three hours after that time, I will, as Trustee under the Deed of Trust, begin the sale of the Collateral, at public auction, to the highest bidder for cash, except that Lender's bid may be by credit against the Note, at the area being the area designated by the Commissioners' Court of Maverick County, Texas for conduction foreclosure sales.

The Real Property is described as follows in the attached Exhibit A, which is incorporated by reference.

The Collateral will be sold subject to any prior liens, outstanding ad valorem taxes, other matters of record in Maverick County, Texas, and by instruments filed with the Texas Secretary of State's office, to the extent such matters are still effective and are superior to the liens and security interests on the Property granted in the Deed of Trust, and other exceptions to conveyance and warranty in the Deed of Trust.

Any real or personal property described in the Deed of Trust not to be sold as part of the Collateral in the sale may be notice at Lender's election, for sale at a subsequent date and time noticed in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

The following disclosure is provided in order to comply with Section 51.002(i) of the Texas Property Code:

**Assert and protect your rights as a member of the armed forces of the United States. If you or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard of the National Guard of another state or as a member of a reserve**

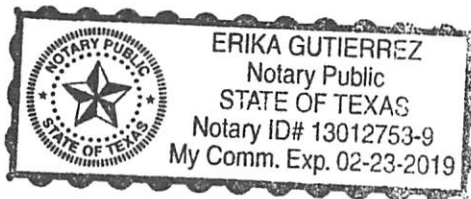
*component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.*

Executed effective as of December 12, 2017.

  
\_\_\_\_\_  
Charles W. Downing, Trustee

STATE OF TEXAS       §  
                                  §  
COUNTY OF UVALDE   §

Acknowledged, sworn to, and subscribed before me on this 12th day of December, 2017  
by Charles W. Downing.



  
\_\_\_\_\_  
Notary Public, State of Texas

# D. G. SMYTH & COMPANY, INC.

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**Fax (830) 591-0863**

## **FIELD NOTES FOR A SEVERANCE SURVEY OF TRACT 3 15.73 GRID ACRES, MORE OR LESS COMPLETED MARCH 6, 2017**

Being a Severance Survey of Tract 3 (15.73 grid acres, more or less), located in Maverick County, Texas, being out of and a part of the west portion of Tract 49, Block 4, of Quemado Valley Lands, recorded in Envelope 4, Side A of the Maverick County Map Records, being out of and a part of B. B. B. & C. RR. Co. Survey 75-1/4, Abstract No. 61, and also being out of and a part of that same certain tract called 62.33 acres as described in conveyance document to Terrenos Con Futuros LLC, recorded in Volume 1609, Page 104 of the Maverick County Official Public Records, Maverick County, Texas and being more particularly described by metes and bounds as follows: (The courses, distances, areas and any coordinates cited herein or shown on the corresponding survey plat conform to the Texas Coordinate System, North American Datum 1983(86), Texas South Central Zone.) (All corners called for as being set are marked on the ground with 1/2 inch rebar with plastic identification caps stamped "RPLS/6418" attached unless otherwise noted or shown.)

**BEGINNING** at a set 1/2" diameter rebar located at S.P.C. N= 13532150.26' & E= 1442808.13', at a point along the northerly margin of Moore Avenue, at a point along the southerly line of said Tract 49, at a point along a southerly line of said parent tract, marking an exterior corner of that same certain tract called Tract 4 (15.73 grid acres, more or less) simultaneously surveyed this same day, and marking an exterior corner of the herein described tract;

**THENCE:** N 89° 07' 14" W, with the northerly margin of Moore Avenue and a southerly line of the herein described tract for a distance of 6.78 feet to a set 1/2" diameter rebar marking an exterior corner of that same certain tract called Tract 2 (15.72 grid acres, more or less) simultaneously surveyed this same day, and marking an exterior corner of the herein described tract;

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**THENCE:** Crossing into and across said parent tract, and with the common lines of said Tract 2 for the following two (2) calls:

- 1.) N 11° 29' 49" E, for a distance of **655.13** feet to a set ½" diameter rebar marking the northeast corner of said Tract 2, and marking a reentrant corner of the herein described tract;
- 2.) N 89° 18' 02" W, at 1998.03 feet passing a set ½" diameter rebar, continuing on the same course for a total distance of **2042.04** feet at a point along the southeasterly bank of the Rio Grande, marking the northwest corner of said Tract 2, and marking the southwest corner of the herein described tract;

**THENCE:** Progressing northeasterly, upstream along and with the southeasterly bank of the Rio Grande for the following three (3) calls which approximate the sinuosity of said southeasterly bank as of this date:

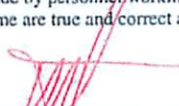
- 1.) N 29° 26' 27" E, for a distance of **157.81** feet marking a deflection point of the herein described tract;
- 2.) N 22° 28' 43" E, for a distance of **146.17** feet marking a deflection point of the herein described tract;
- 3.) N 20° 18' 18" E, for a distance of **71.01** feet marking the southwest corner of said Tract 4, and marking the northwest corner of the herein described tract;

**THENCE:** Crossing into and across said parent tract, and with the common lines of said Tract 4 for the following two (2) calls:

- 1.) S 89° 18' 02" E, at 56.28 feet passing a set ½" diameter rebar, continuing on the same course for a total distance of **1959.91** feet to a set ½" diameter rebar marking a reentrant corner of said Tract 4, and marking the northeast corner of the herein described tract;
- 2.) S 11° 29' 49" W, for a distance of **1002.30** feet to the **Place of Beginning** and containing **15.73** grid acres of land, more or less, within the herein described boundary, according to an actual on the ground survey made by D. G. Smyth & Co., Inc. and completed on March 6, 2017.

THE STATE OF TEXAS:  
COUNTY OF UVALDE:

It is hereby certified that the foregoing field note description and Attached plat were prepared from an actual on the ground survey Made by personnel working under my direct supervision and that Same are true and correct according to said survey.

  
Mark E. Logbrinck, Registered Professional Land Surveyor/  
No. 6418  
PROJ. NO. 16-5912 TRACT 3



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