

## Notice of Foreclosure Sale

September 3, 2024

### Deed of Trust ("Deed of Trust"):

Dated: April 19, 2022

Grantors: Ryan M. Hernandez, Daniel A. Hernandez, and Fidencio L. Hernandez, Jr.

Trustee: John W. Carlson

Lender: Riverview Enterprises, Ltd.

Recorded in: Clerk's File No. 9-36715, Volume 33, Page 146-154, Official Public Records of Terrell County, Texas

Legal Description: The surface estate only of all that certain tract or parcel of land, lying and being situated in the County of Terrell, State of Texas, being Tract 24 (45.62 acres), Rock House Ranch Subdivision, according to the plat of said subdivision of record in Sleeve 115-116, Plat Cabinet Records, Terrell County, Texas and referenced in Volume 20, Page 84, Official Public Records, Terrell County, Texas, reference to which is here made for all pertinent purposes.

Secures: Promissory Note ("Note") in the original principal amount of \$28,096.97, executed by Ryan M. Hernandez, Daniel A. Hernandez, and Fidencio L. Hernandez, Jr. ("Borrower") and payable to the order of Lender

### Foreclosure Sale:

Date: Tuesday, September 3, 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 10:00 AM** and not later than three hours thereafter.

Place: Front steps of the Terrell County Courthouse, 105 East Hackberry, Sanderson, Texas 79848.

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

Riverview Enterprises, Ltd.'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, Riverview Enterprises, Ltd., 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 Riverview Enterprises, Ltd.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Riverview Enterprises, Ltd.'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 Riverview Enterprises, Ltd. 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 Riverview Enterprises, Ltd.. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

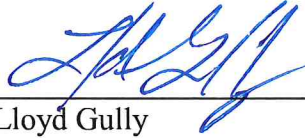
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical 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.

Signed this 8 day of August, 2024.



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Lloyd Gully  
Substitute Trustee

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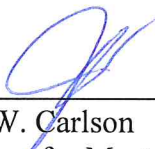
John W. Carlson  
Attorney for Mortgagee  
260 Thompson Drive, Suite 10  
Kerrville, Texas 78028  
Telephone (830) 896-4488  
Telecopier (830) 896-4474

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.

Signed this 10 day of July, 2024.

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Lloyd Gully  
Substitute Trustee



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John W. Carlson  
Attorney for Mortgagee  
260 Thompson Drive, Suite 10  
Kerrville, Texas 78028  
Telephone (830) 896-4488  
Telecopier (830) 896-4474

No. \_\_\_\_\_  
FILED TIME 9:45 AM

AUG 08 2024  
Raeline Thompson  
CLERK, COUNTY COURT, TERRELL CO., TEXAS  
BY: \_\_\_\_\_ DEPUTY