

Notice of Foreclosure Sale

April 1, 2025

No. 9-37753
FILED TIME 11:30 AM

Deed of Trust ("Deed of Trust"):

Dated: July 15, 2022

Grantor: Erasmo Mendoza Cervantes

Trustee: John W. Carlson

Lender: Riverview Enterprises, Ltd., a Texas limited partnership

Recorded in: Clerk's File No. 9-36294, Volume 27, Page 109-120, 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 more particularly described on Exhibit "A" attached hereto and made a part hereof for all purposes.

Secures: Promissory Note ("Note") in the original principal amount of \$617,500.00, executed by Erasmo Mendoza Cervantes ("Borrower") and payable to the order of Lender;

Assumption Warranty Deed dated May 12, 2023 between Erasmo Mendoza Cervantes and Kayleigh Lane Mendoza, recorded in Clerk's File No. 9-36793, Volume 34, Page 318-323, Official Public Records of Terrell County, Texas;

Assumption Agreement dated May 12, 2023 between Erasmo Mendoza Cervantes and Kayleigh Lane Mendoza.

Foreclosure Sale:

Date: Tuesday, April 1, 2025

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 A.M.** and not later than three hours thereafter.

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

MAR 10 2025
Rachael Thompson
CLERK, COUNTY COURT, TERRELL CO., TEXAS
BY: Veronica Adams DEPUTY

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 5 day of March, 2025.



Lloyd Gully
Substitute Trustee



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

EXHIBIT A

KOCH & KOCH LAND SURVEYORS, INC.
P.O. BOX 246 707 FM 1796 D'HANIS, TEXAS 78850
Office: 830-363-7331 Fax: 830-363-7441
E-Mail: kochkoch@swtexas.net
(TBPELS Firm Registration/License No. 10005800)

FOR DEED TO RIVERVIEW ENTERPRISES, LTD.
1011.397 ACRE TRACT

THE STATE OF TEXAS)
COUNTY OF TERRELL)

Field Notes of a perimeter/boundary survey of a 1011.397 acre tract of land, made for Merily H. Keller, Thomas W. Keller, the Merily H. Keller Irrevocable Trust-2011, and The Merily Hodge Trust.

Said 1011.397 acre tract of land lying and being situated on and south of U.S. Hwy. No. 90, 13.7 miles southeast of Dryden, in Terrell County, Texas; about 31.7 miles S 66° E of the City of Sanderson, the County Seat; and containing acreages in the various original Surveys, as follows:

Sur. No.	Original Grantee	Abst. No.	Block	Acres
6	W. P. Gray (E.L. & R.R. R.R. Co.)	1765	D-7	116.890
7	E.L. & R.R. R.R. Co.	305	D-7	557.455
26	W. P. Gray (E.L. & R.R. R.R. Co.)	1766	D-7	334.350
27	E.L. & R.R. R.R. Co.	315	D-7	0.534
39	E.L. & R.R. R.R. Co.	321	D-7	2.168
Total Acres				1011.397

Said 1011.397 acre tract being the southwest portion of the same lands referred to as 12,652.08 acres (14,419.58 acres, save and except 1767.5 acres), known as the "Rock House Tract", as conveyed to Merily H. Keller, Thomas W. Keller, the Merily H. Keller Irrevocable Trust-2011, and The Merily Hodge Trust (Keller), by Byron Wilson Hodge, et al., by Partition/Exchange Deed dated October 29, 2020, and recorded in Vol. 10, Pages 57-102, of the Official Public Records of said County. Said 1011.397 acre tract being bounded on the north/northeast by the south/southwest R.O.W. line of said U.S. Hwy. No. 90; on the south, from east to west, by Tract Nos. 176, 166, 158, 145, 178, and 177, of the Cedar Creek Ranch Subdivision, as recorded in Vol. 1, Pages 43-46, of the Plat Records of said County; and on the west by the Mejia Land & Cattle Company, LLC (Mejia) 1309.25 acre tract, as recorded in Vol. 7, Pages 142-145, of the Official Public Records of said County. Said 1011.397 acre tract being more fully

described by metes and bounds, as follows:

BEGINNING at a 5/8" Steel Pin found 1.1 ft. north of a 3-way cedar fence corner post; in the south R.O.W. line of said U.S. Hwy. No. 90, in the west line of said Sur. No. 6, Block D-7, the east line of Sur. No. 71, M.K. & T.E. R.R. Co. Block D-6; at the N.E. corner of said Mejia 1309.25 acre tract, for the N.W. corner of said Keller 12,652.08 acres (lying south of said Hwy.), and the N.W. corner of this tract; said 5/8" Steel Pin being distant 1787.45 ft. N 00° 24' 14" E (with fence and said survey line) of the common corner of the following four original Surveys, viz: the N.E. corner of Sur. No. 70, the S.E. corner of said Sur. No. 71, both of said Block D-6; the S.W. corner of said Sur. No. 6, and the N.W. corner of said Sur. No. 7, both of said Block D-7;

THENCE leaving said survey line; and with the south/southwest R.O.W. line of said U.S. Hwy. No. 90, the north/northeast side of said Keller 12,652.08 acres (lying south of said Hwy.), and the north and northeast sides of this tract, along fence, as follows:

S 72° 40' 39" E 952.53 ft. to a 4" x 4" concrete Hwy. R.O.W. marker found at a 2-way cedar fence corner post, for corner;
S 17° 23' 13" W 24.71 ft. to a 4" x 4" concrete Hwy. R.O.W. marker found at a 2-way cedar fence corner post, for corner;
S 72° 38' 38" E, passing the north terminal of a 0.170 acre channel easement (Vol. 54, Pages 63-64 & Vol. 55, Pages 101-102, Deed Records), lying within the north side of this described tract, 650.10 ft. to a 4" x 4" concrete Hwy. R.O.W. marker found at a 2-way cedar fence corner post, for corner;
N 17° 21' 23" E 25.00 ft. to a 5/8" Steel Pin set at a 2-way cedar fence corner post, for corner;
S 72° 40' 28" E, at 3988.28 ft. cross the east line of said Sur. No. 6, the west line of said Sur. No. 27; total 4148.57 ft. to a mutilated 4" x 4" concrete Hwy. R.O.W. marker found in fence, for corner, at the beginning of a circular curve to the right;
Thence with the arc of said curve to the right; whose central angle is 26° 18' 14", whose radius is 2789.79 ft.; whose chord bears S 59° 32' 08" E 1269.54 ft., at a curve length of 222.72 ft. cross the south line of said Sur. No. 27, the north line of said Sur. No. 26; a total curve length of 1280.76 ft. to a 4" x 4" concrete Hwy. R.O.W. marker found in fence, for corner, at the end of said curve;
S 46° 23' 11" E 3539.19 ft. to a 4" x 4" concrete Hwy. R.O.W. marker found in fence, for corner; and

THENCE S 46° 23' 34" E, at 1977.95 ft. cross the east line of

Cont. Page 3 of 4, Merily H. Keller, et al. -- 1011.397 Acre Tract.

said Sur. No. 26, the west line of said Sur. No. 39; total 2604.05 ft. to a 5/8" Steel Pin set 1.1 ft. northeast of a 2-7/8" Steel Pipe 3-way fence corner post, in the southwest R.O.W. line of said U.S. Hwy. No. 90; at the N.N.E. corner of said Tract No. 176, of said Cedar Creek Ranch Subdivision; for the S.E. corner of said Keller 12,652.08 acres (lying south of said Hwy.), and the S.E. corner of this tract;

THENCE leaving the southwest R.O.W. line of said U.S. Hwy. No. 90; and with the north sides of said Tract Nos. 176, 166, 158, 145, 178, and 177, respectively, of said Cedar Creek Ranch Subdivision; with the lower south side of said Keller 12,652.08 acres, and the south side of this tract, along fence, as follows:

N 88° 04' 57" W, at 453.61 ft. re-cross the west line of said Sur. No. 39, the east line of said Sur. No. 26; total 1668.62 ft. to a 3/4" Steel Pin found in fence, at the N.W. corner of said Tract No. 176, the N.E. corner of said Tract No. 166, for corner;

N 88° 04' 56" W 2373.83 ft. to a 3/4" Steel Pin found 1.0 ft. south of fence, at the N.W. corner of said Tract No. 166, the N.E. corner of said Tract No. 158, for corner;

N 88° 05' 15" W, at 1656.00 ft. cross the west line of said Sur. No. 26, the east line of said Sur. No. 7; total 1930.21 ft. to a 3/4" Steel Pin found 1.0 ft. south of fence, at the N.W. corner of said Tract No. 145, the N.E. corner of said Tract No. 178, for corner;

N 88° 04' 36" W 1724.99 ft. to a 3/4" Steel Pin found 1.3 ft. south of fence, at the N.W. corner of said Tract No. 178, the N.E. corner of said Tract No. 177, for corner; and

THENCE N 88° 04' 39" W 3384.93 ft. to a 5/8" Steel Pin set at a 3-way cedar fence corner post, in the west line of said Sur. No. 7, Block D-7, the east line of said Sur. No. 70, Block D-6; in the east side of said Mejia 1309.25 acre tract; at the N.W. corner of said Tract No. 177 of said Cedar Creek Ranch Subdivision; for the S.S.W. corner of said Keller 12,652.08 acres, and the S.W. corner of this tract;

THENCE with fence and said survey line (until noted); with the east side of said Mejia 1309.25 acre tract, the lower west side of said Keller 12,652.08 acres, and the west side of this tract, N 00° 24' 14" E, at 4435.27 ft. pass the above-mentioned common corner of the following four original Surveys, viz: the N.E. corner of said Sur. No. 70, the S.E. corner of said Sur. No. 71, both of said Block D-6; the S.W. corner of said Sur. No. 6, and the N.W. corner of said

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Sur. No. 7, both of said Block D-7; and thence with the west line of said Sur. No. 6, the east line of said Sur. No. 71; total 6222.72 ft. to the place of BEGINNING:

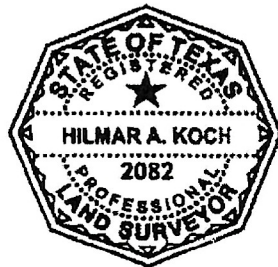
Note: Bearings noted herein are true geodetic (surface) bearings (relative to true north) based on Global Navigation Satellite System (GNSS) observations (WGS '84 Datum). All 5/8" Steel Pins "set" are plastic-capped, stamped "Koch & Koch 2082".

Surveyed: December 16, 2020 - February 5, 2021.

Field Crew Personnel: Spencer J. Burrell
Jon Q. Koch

THE STATE OF TEXAS)
COUNTY OF MEDINA)

I, Hilmar A. Koch, a Registered Professional Land Surveyor of the State of Texas, do hereby state that the foregoing legal description and accompanying plat correctly represent an actual survey made under my supervision, on the ground, on the date given.



Hilmar A. Koch
Registered Professional
Land Surveyor No. 2082