

## Notice of Foreclosure Sale

May 13, 2019

**POSTED**  
This 14<sup>th</sup> day of May, 2019  
At 2:40 o'clock, P M  
**MICHELLE BONILLA**  
County Clerk, Zavala County, Texas  
By Vanessa Paez

### Deed of Trust to Secure Assumption:

Dated: December 22, 2015

Grantor: Andres Elizondo

Trustee: Gary Glick

Lender: Lago Espantosa, LP

Recorded in: Instrument No. 092121, Volume 0380, Page 0645 of the real property records of Zavala County, Texas

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$31,000.00, executed by Tomas R. Torres assumed by Andres Elizondo ("Borrower") and payable to the order of Lender

[Original] Property: Tract 17 out of Section 124 of the Cross S Ranch Subdivision in Zavala County, Texas, more particularly described on attached Exhibit A, together with all improvements, fixtures, and appurtenances thereto

Substitute Trustee: Gary Glick or Renata Castro or Michel Miranda

[Substitute] Trustee's Address: 1301 S. Capital of Texas Highway, Suite A234; Austin, Texas 78746

Mortgage Servicer: Lone Star Land Company

Mortgage Servicer's Address: P.O. Box 4688; Horseshoe Bay, Texas 78657

Foreclosure Sale:

Date: Tuesday, June 4, 2019

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 12:00 P.M.**

Place: Front steps of the Zavala County Courthouse located at 200 East Uvalde, Crystal City, Texas 78839.

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 Lender'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, Lender, 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 Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust 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.

Mortgage Servicer is representing Lender in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Lender. 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 Lender 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 Lender. 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.**

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Trustee – Renata Castro



# Exhibit A

STATE OF TEXAS  
COUNTY OF ZAVALA

PREPARED FOR: Greg Tom  
Tract No. 17

## FIELD NOTES TO DESCRIBE

A 5.82 Acre Tract of land (Tract No. 17) being situated about 1.5 miles N 65° E of Crystal City in Zavala County, Texas, being out of Farm Tract 57, Section 125 and Farm Tracts 31 and 30, Section 124 of the Cross S. Ranch Subdivision according to the Plat thereof recorded in Volume P, Page 487 of the Deed Records of Zavala County, Texas, also being out of a 129.353 Acre Tract of land conveyed from the Marrs McLean Trust and the Marrs and Verna McLean Foundation to Robert W. Mayo by Deed dated February 9, 1994 and recorded in Volume 228, Page 88 of the Deed Records Zavala County, Texas, and being more particularly described as follows:

BEGINNING: At a 5/8" iron pin set in the North line of F. M. Highway 582 (80 feet wide) and the South line of said 129.353 Acre Tract for the lower Southwest corner of Tract 16 (7.16 Acre Tract, this day surveyed) and the Southeast corner of this tract from which a 3/4" iron pin found for an angle point of said 129.353 Acre Tract bears N 70° 52' 23" E 1728.36 feet (reference bearing) from which a 5/8" iron pin set in the West line of the Nueces River for the Southeast corner of said 129.353 Acre Tract bears S 68° 50' 33" W 154.49 feet;

THENCE: With fence and the North line of said highway as follows:

S 70° 52' 23" W 170.87 feet to a 3/4" iron pin found for an angle point of this tract;

S 71° 26' 03" W 499.78 feet to a 3/4" iron pin found for the Southwest corner of this tract;

THENCE: With the West line of said 129.353 Acre Tract and the East line of Espantosa Lake (Volume 22, Page 500, Deed Records) as follows:

N 85° 05' 37" W 314.35 feet to a 1 1/4" iron pipe found for an angle point of this tract;

N 32° 47' 42" W 158.75 feet to a 5/8" iron pin set for the upper Southwest corner of Tract 16 and the Northwest corner of this tract;

THENCE: N 70° 52' 23" E 958.03 feet to a 5/8" iron pin set for an interior corner of Tract 16 and the Northeast corner of this tract;


THENCE: With the lower West line of Tract 16 and the East line of this tract passing 5/8" iron pin set as follows:

S 31° 08' 41" E 178.65 feet to an angle point;

S 19° 07' 37" E 112.44 feet to the POINT OF BEGINNING.

I hereby certify that the foregoing field note description and accompanying plat were prepared from an actual survey performed on the ground, under my supervision and that to the best of my belief and knowledge they are true and correct.

This the 24th day of February, 2002.

  
John Howard, R.P.S.  
402 State Highway 173  
Hondo, Texas 78861  
(830) 426-4776

