



VG-371-2023-23

Blanco County
Laura Walla
Blanco County Clerk

Instrument Number: 23

Foreclosure Posting

FILED this 14 day of Aug 2023
LAURA WALLA
County Clerk Blanco County, Texas
By Melody Easton Deputy

Recorded On: August 14, 2023 03:47 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$3.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 23
Receipt Number: 20230814000015
Recorded Date/Time: August 14, 2023 03:47 PM
User: Melody E
Station: cclerk01

Record and Return To:
RUSSELL FROST



STATE OF TEXAS
Blanco County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Blanco County, Texas

Laura Walla
Blanco County Clerk
Blanco County, TX

Laura Walla

Notice of Foreclosure 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. *Property to Be Sold.* The property to be sold is described as follows:

All of that certain 5.15 acre tract of land (called Tract B) and the improvements thereon, out of the G.B.&C.N.G. Railroad Company Survey No. 97, Abstract No. 755, situated in Blanco County, Texas; being part of Tract No. 17 in the Altwein Subdivision, an unrecorded plat in said County, and being part of that certain 10.4 acre tract of land described in a conveyance from Walter P. Cook, et ux., to Jimmy Alamo, said conveyance being found of record in a Warranty Deed dated November 30, 1998, recorded in Volume 201, Page 852, et seq., of the Official Public Records of Blanco County, Texas, being more particularly described on Exhibit A, attached hereto and incorporated herein in its entirety by this reference.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust electronically recorded in the real property records of Blanco County, Texas, document no. 230985.

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

Date: September 5, 2023

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be completed by no later than 4:00 p.m.

Place: At the south entrance of the Blanco County Courthouse in an area not to exceed 12 feet out from the front door, or where the Commissioner's Court has designated for the holding of such sales in Blanco County, Texas, or if no area is so designated, the Courthouse door at which this notice is posted.

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 refiled 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 their bid immediately in cash if their bid is accepted.

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 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, security agreement and financing statement executed by Noel J. Flores and Gloria Flores.

The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

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 the promissory note in the original principal amount of \$144,635.00, executed by Noel J. Flores and Gloria Flores, and payable to the order of Jose A. Perez Del Rio. Jose A. Perez Del Rio, is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Jose A. Perez Del Rio, 1172 Altwein Road, #A, Blanco, TX 78606.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has authorized me, as trustee or 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.

Dated: August 14, 2023.

A handwritten signature in black ink, appearing to be 'Russell Frost', written over a horizontal line.

Russell Frost
711 West 7th Street
Austin, Texas 78701
Telephone (512) 225-5590
Telecopier (512) 692-2895

COUNTY CLERK'S MEMO
 PORTIONS OF THIS DOCUMENT NOT
 LEGIBLE AND/OR REPRODUCIBLE
 WHEN RECEIVED, BUT RECORDED
 AT CUSTOMER'S REQUEST



SULTEMEIER
 SURVEYING & ENGINEERING

501 North Loop
 P.O. Box 1280
 Houston, Texas 77255

TRACT NO. 116-0063
 BLANCO COUNTY TEXAS

PLAT 000-8
 DECEMBER 27, 2018

A DESCRIPTION OF A 1.15 ACRE TRACT OF LAND OUT OF THE U. S. & C. N. G. RAILROAD COMPANY SURVEY NO. 27, ABSTRACT NO. 758, SITUATED IN BLANCO COUNTY, TEXAS, BEING PART OF TRACT NO. 27 IN THE ALPHEA SURVEY NO. 1, AN UNRECORDED PLAT IN SAID COUNTY, AND BEING PART OF THAT CERTAIN 10.4 ACRE (BEING CALLED ACREAGE) TRACT OF LAND DESCRIBED IN A CONVEYANCE FROM WALTER H. COOK ET UX TO JENNIE ALAMO, SAID CONVEYANCE BEING FOUND OF RECORD IN A WARRANTY DEED DATED NOVEMBER 20, 1998, RECORDED IN VOLUME 202, PAGE 452 BY SEC. OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY SAID 1.15 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT 2 1/2 CORNERS; AT POINT OF THE SOUTHWEST CORNER OF THE SAID 10.4 ACRE TRACT BEING THE WEST ONE OF THE CORNERS BEING DESCRIBED IN VOLUME 202, PAGE 452 AT SEC. OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND AT THE NORTHEAST CORNER; THENCE CORNER BEING DESCRIBED IN VOLUME 27, PAGE 453 AT SEC. OF THE SAID DEED RECORDS; TO THE SOUTHWEST CORNER BEING:

THENCE WITH THE SOUTHWEST CORNER OF THE SAID 10.4 ACRE TRACT 5 02' 20" 04" TO A DISTANCE OF 300.23 FEET TO A POINT BEING FOUND AT THE SOUTHWEST CORNER BEING AT THE SOUTHWEST CORNER OF THE SAID TRACT DESCRIBED IN VOLUME 27, PAGE 453 AT SEC. OF THE SAID DEED RECORDS; THENCE WITH THE SOUTHWEST CORNER BEING:

THENCE WITH THE WEST CORNER OF THE SAID 10.4 ACRE TRACT THE FOLLOWING TWO (2) COURSES:

- 1. N 35° 27' 04" E a distance of 100.12 feet to a point being found and
- 2. N 04° 14' 41" E a distance of 151.03 feet to a 2 1/2 CORNERS BEING AT THE SOUTHWEST CORNER OF A 1.0 ACRE TRACT BEING DESCRIBED IN THE NORTHWEST CORNER BEING:

THENCE BEING FOUND AT THE SOUTHWEST CORNER OF THE SAID 1.0 ACRE TRACT WITH THE FOLLOWING TWO (2) COURSES:

- 1. S 89° 24' 24" E a distance of 445.75 feet to a 2 1/2 CORNERS BEING AT THE SOUTHWEST CORNER OF THE SAID 1.0 ACRE TRACT BEING DESCRIBED IN VOLUME 137, PAGE 542 AT SEC. OF THE SAID DEED RECORDS; THENCE WITH THE SOUTHWEST CORNER OF THE SAID 1.0 ACRE TRACT THE SOUTHWEST CORNER BEING:

THENCE WITH THE SAID SOUTHWEST CORNER OF THE SAID 1.0 ACRE TRACT THE FOLLOWING TWO (2) COURSES:

- 1. S 00° 34' 07" E a distance of 34.4 feet to a 2 1/2 CORNERS BEING AT THE SOUTHWEST CORNER OF THE SAID 1.0 ACRE TRACT BEING DESCRIBED IN VOLUME 137, PAGE 542 AT SEC. OF THE SAID DEED RECORDS; THENCE WITH THE SOUTHWEST CORNER OF THE SAID 1.0 ACRE TRACT THE SOUTHWEST CORNER BEING:

I, Dale Allen Sultemeier, a Registered Professional Land Surveyor, do hereby certify that this plat was prepared from work on the ground survey performed under my direction and supervision.

SULTEMEIER SURVEYING & ENGINEERING, L.L.C.
 3001 North Loop
 Houston, Texas 77255
 (832) 490-1322



Dale Allen Sultemeier
 Dale Allen Sultemeier
 Registered Professional Land Surveyor
 No. 4542 - State of Texas



PLAT 000-8

Exhibit A
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