

Notice of Foreclosure Sale

May 3, 2023

Deed of Trust:

Dated: May 18, 2022.
Grantor: Jose Rivera, Jr.
Trustee: Juanita Fitzpatrick.
Lender: Annette Ireland Griffin.

FILED
At 8.14 o'clock A M
This 8 day of May, 2023

Aaron T. Ibarra
Clerk County Court FRIO COUNTY, TX
BY: [Signature] DEPUTY

Recorded in: The Deed of Trust dated May 18, 2022, Jose Rivera, Jr., and recorded at Clerks Instrument No. 0164700, on September 28, 2022, in the real property records of Frio County, Texas, securing the obligations therein described (the "Indebtedness"), with a Scrivener's Affidavit recorded at Clerks Instrument No. 0165935, on March 27, 2023, in the real property records of Frio County, Texas, adding the Trustee's information.

Property/
Legal Description: See attached Exhibit A which is the legal description of the property from the Deed of Trust Recorded at Instrument No. 0164700 of the real property records of Frio County, Texas. This legal description is incorporated herein verbatim for all purposes.

Secures: Promissory Note ("Note") in the original principal amount of \$74,000, executed by Jose Rivera, Jr., ("Borrower") and payable to the order of Lender.

Lender: Annette Ireland Griffin.

Lenders Address: 1848 CR 2557, Moore, Texas 78057

Foreclosure Sale:

Date: June 6, 2023

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: The north door of the Frio County Courthouse and its steps as the exact location at the Courthouse, (which office bears the address of

500 East San Antonio Street, Pearsall, Texas 78061) or as designated by the County Commissioners Court.

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 Beneficiary'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, Beneficiary, the owner of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Beneficiary's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Beneficiary'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, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Beneficiary 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 Beneficiary. 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, 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 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.

/s/ Juanita Fitzpatrick

Trustee
Juanita Fitzpatrick
7039 San Pedro, #801
San Antonio, TX 78216

EXHIBIT "A"

BEGINNING at a 1/2-inch iron rod found (monument of record dignity) for the southwest corner of this 2.000 acres, same being the southwest corner of said 40.17 acres, from which a 5/8-inch iron rod found for the northwest corner of the Whitetail Frio Resources, L.L.C. (Whitetail) 186.597 acres (Volume 222, Page 628), bears North 73 degrees 34 minutes 53 seconds West, a distance of 2.99 feet, same also being on the southeast Right-of-Way line of the Union Pacific Railroad, and the **POINT OF BEGINNING**;

THENCE along the line common to this 2.000 acres and said Union Pacific Railroad, North 56 degrees 25 minutes 13 seconds East (called North 57 degrees 15 minutes 00 seconds East), at a distance of 104.38 feet pass the northwest corner of a 35-foot Access Easement (Volume 301, Page 192), for access to CR 2557, and continuing a total distance of 601.39 feet to a 1/2-inch iron rod capped WALs set for the northeast corner of this 2.000 acres, same being on the northwest line of said 40.17 acres, at the northwest corner of a 8.051 acre tract surveyed on this date as Tract 1.2;

THENCE departing the northwest line of, and severing through said 40.17 acres, South 03 degrees 39 minutes 30 seconds West, at a distance of 181.99 feet pass a 60d nail set online, and continuing a total distance of 363.98 feet to a 1/2-inch iron rod capped WALs set for the southeast corner of this 2.000 acres, same being on the South line of said 40.17 acres, at the southwest corner of said Tract 1.2, same also being on the South line of said 35-foot Access Easement, and the North line of said Whitetail 186.597 acres;

THENCE along the line common to this 2.000 acres and said Whitetail 186.597 acres, North 86 degrees 20 minutes 05 seconds West (called North 85 degrees 30 minutes 57 seconds West), a distance of 478.79 feet to the **POINT OF BEGINNING**, and containing 2.000 acres of land, more or less.