

Notice of Foreclosure Sale

Tuesday, May 7, 2019

Deed of Trust:

Dated: March 2, 2015

Grantor: STEVE A. MARTINEZ and LETTY A. MARTINEZ

Trustee: CARLOS J. KLUTTS
P.O. Box 5729
Austin, Travis County, Texas 78763

Lender: SOUTHWEST TEXAS LAND HOLDINGS, LLC, a Texas limited liability company

Recorded in: Document No. 214893 in Volume 310, Page 84, of the Official Public Records of Live Oak County, Texas

Property: THE SURFACE ESTATE ONLY IN AND TO TRACT NO. 8, A 10.767 ACRE TRACT IN THE LOUIS ROMERO SURVEY, LIVE OAK COUNTY TEXAS.

BEING a 10.767 acre tract or parcel of land in Brush Country Estates, an unrecorded subdivision in Live Oak County, Texas, and being a part of the Louis Romero Survey, A-395, in Live Oak County, Texas, and being a part of that certain 150.707 acre tract described in a deed from THAD R. MOORE, a single man, and RICHARD L. MOORE, a single man, to SOUTHWEST TEXAS LAND HOLDINGS, LLC, a Texas limited liability company, dated November 17, 2014 and recorded as Document No. 213721 in Volume 302, Page 446 of the Official Records of Live Oak County, Texas. Said 150.707 acre tract being a part of that certain 153.78 acre tract described as Tract Three in a deed from the ESTATE OF LUCY R. MOORE to THAD R. MOORE, a single man, and RICHARD L. MOORE, a single man, dated September 7, 2011 and recorded as Document No. 195442 in Volume 193, Page 122 of the Official Public Records of Live Oak County, Texas, and being Tract No. 4 of the Partition of the L.A. Reagan 678.31 acre estate as shown on the plat recorded in Volume 3, Page 65 of the Plat Records of Live Oak County, Texas; said 10.767 acre tract more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part of this instrument for all purposes. A PORTION OF THIS PROPERTY IS OR MAY BE LOCATED IN THE 100-YEAR FLOOD PLAIN.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$59,000.00, executed by STEVE A. MARTINEZ and LETTY A. MARTINEZ ("Borrower") and payable to the order of Lender.

FILED April 16 A.D. 2019
LIVE OAK COUNTY, TEXAS
IDA VASQUEZ, CLERK, COUNTY COURT
BY Sharon Remm DEPUTY
AT 2:04 O'CLOCK P.M.

Foreclosure Sale:

- Date:** Tuesday, May 7, 2019
- Time:** The sale of the Property will be held between the hours of 10:00 A.M. and 1:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M.
- Place:** Live Oak County Courthouse, 301 Houston Street, George West, TX 78022, or any such place so designated by the Live Oak County Commissioners for the place for such sales.
- Terms:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that the 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, CARLOS J. KLUTTS, Trustee of SOUTHWEST TEXAS LAND HOLDINGS, LLC, the owner and holder of the Note, has requested Trustee to sell the Property. 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 the 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 the 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, 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.


CARLOS J. KLUTTS, Trustee

DALE L. OLSON
Registered Professional Land Surveyor
711 Water Street
Bastrop, Texas 78602
Phone (512)321-5476 Fax (512)303-5476
olsonsurvey@sbcglobal.net

FIELD NOTES FOR TRACT NO. 8, A 10.767 ACRE TRACT IN THE LOUIS ROMERO SURVEY IN LIVE OAK COUNTY, TEXAS.

BEING a 10.767 acre tract or parcel of land out of and being a part of the Louis Romero Survey, A-395, in Live Oak County, Texas, and being a part of that certain 150.707 acre tract in the Louis Romero and Louis Leal Survey, A-23, described in a deed from Thad R. Moore and Richard L. Moore to Southwest Texas Land Holding, LLC., dated Nov. 17, 2014, recorded in Vol. 302, Page 446, Live Oak County Official Public Records. Said 150.707 acre tract being a part of that certain 153.78 acre tract described as Tract Three in a deed from the Estate of Lucy R. Moore to Thad R. Moore and Richard L. Moore recorded in Vol. 193, Page 122, of the Live Oak County Official Records and being Tract No. 4 of the Partition of the L.A. Reagan 678.31 acre Estate as shown on plat recorded in Vol. 3, Page 65, Live Oak County Plat Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a fence corner post found at the intersection of the west line of County Road No. 229 with the north line of Farm to Market Road No. 1358, the southeast corner of the 153.78 acre and 150.707 acre tracts.

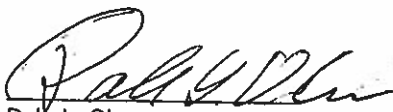
THENCE with the west line of County Road No. 229 and east line of the 153.78 acre and 150.707 acre tracts, N 28 deg. 50 min. 49 sec. W, 423.11 feet to a 5/8 inch iron rod set for angle; N 00 deg. 55 min. 31 sec. E, 1735.77 feet to a 5/8 inch iron rod set for the POINT OF BEGINNING, the southeast corner of this tract.

THENCE crossing said 153.78 acre and 150.707 acre tracts, N 88 deg. 55 min. 05 sec. W, 1364.84 feet to a 5/8 inch iron rod set in west line of same, the east line of that certain 153.792 acre tract described in a deed from Campbell A. Patton, et. al., to Daniel Garcia, Jr., recorded in Vol. 587, Page 294, Live Oak County Deed Records, for the southwest corner of this tract.

THENCE with the west line of the 153.78 acre and 150.707 acre tracts, the east line of the Garcia 153.792 acre tract, N 01 deg. 04 min. 55 sec. E, 343.75 feet to a 5/8 inch iron rod set for the northwest corner of this tract.

THENCE crossing said 153.78 acre and 150.707 acre tracts, S 88 deg. 55 min. 05 sec. E, 1363.90 feet to a 5/8 inch iron rod set in east line of same, the west line of County Road No. 229, for the northeast corner of this tract.

THENCE with the west line of County Road No. 229 and east line of the 153.78 acre and 150.707 acre tracts, S 00 deg. 55 min. 31 sec. W, 343.75 feet to the POINT OF BEGINNING, containing 10.767 acres of land.



Dale L. Olson
Reg. Pro. Land Surveyor 1753

OR

Michael D. Olson
Reg. Pro. Land Surveyor 5386

©2014 Dale L. Olson Surveying Co.

Order# 14-353-02-8

Date Created: 11-24-14

