

FILED FOR RECORD

2024 JUN 10 PM 2: 10

THERESA CARRASCO
ATASCOSA COUNTY CLERK

NOTICE OF FORECLOSURE SALE

BY  DEPUTY

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

KNOW ALL MEN BY THESE PRESENTS:

Notice is hereby given of a public non-judicial foreclosure sale.

1. Property to Be Sold. The property to be sold is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF HEREON.

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

Date: July 2, 2024

Time: The sale shall begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale shall be completed by no later than 1:00 p.m.

Place: At the place designated by the Atascosa County Commissioner's Court for foreclosure sales in Atascosa County, Texas at the Atascosa County Courthouse in Jourdanton, Texas.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the 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 re-filed in accordance with the posting and filing requirements of the Texas Property Code. Such re-posting or re-filing may be after the date originally scheduled for this sale.

3. Terms of Sale. The sale will be conducted in 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 cash on the day the property is sold.

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. 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.

4. Type of Sale. The sale is a non-judicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust dated June 28, 2022, executed by TGI Properties, LLC as Grantor to Darrell G. Adams, Trustee, filed of record as Document No. 226344 of the Official Public Records of Atascosa County, Texas

(the "Deed of Trust").

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (the "Obligation"), including but not limited to that one certain Commercial Promissory Note dated June 28, 2022, in the original principal amount of \$898,500.00 executed TGI Properties, LLC, as Maker in favor of PlainsCapital Bank as Payee (the "Note"). PlainsCapital Bank is the current owner and holder of the Obligation and is the Beneficiary under the Deed of Trust.

6. Default and Request To Act. Default has occurred under the Deed of Trust and the Beneficiary has requested me, as Trustee, to conduct this sale. Notice is given that before the sale, the Beneficiary may appoint another person or trustee to conduct the sale.

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU 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 ANY OTHER STATE, OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE MILITARY DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

DATED: June 10, 2024

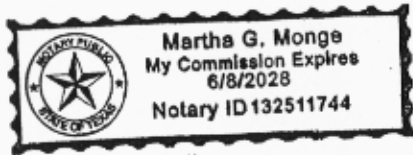



GUILLERMO DEKAT, Substitute Trustee
10127 Morocco Street, Suite 137
San Antonio, TX 78216
(210) 828-5641
gdekat@flumelaw.net

STATE OF TEXAS
COUNTY OF BEXAR

§
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This instrument was acknowledged before me on the 10th day of June 2024 by
Guillermo Dekat, Substitute Trustee.





Notary Public in and for the State of Texas

State of Texas
County of Atascosa

Field notes for a 29.52 tract of land, being all of a 28.35 acre tract of land, and all of a 1.10 acre tract of land, lying in the B. Manchaca Survey No. 137, Abstract No. 637, Atascosa County, Texas, as shown on the accompanying Plat of Survey prepared for the Nick Rodriguez, dated June 23, 2022.

A 29.52 tract of land, being all of a 28.35 acre tract of land, described in an instrument, recorded in Clerk's File No. 142359, Official Public Records, Atascosa County, Texas, and all of a 1.10 acre tract of land, described in an instrument, recorded in Clerk's File No. 189336, Official Public Records, Atascosa County, Texas, and lying in the B. Manchaca Survey No. 137, Abstract No. 637, Atascosa County, Texas, said tract of land being more particularly described by metes and bounds as follows:

Beginning at point marked by a 1/2 steel rod monument, found for the North corner of said 28.35 acre tract of land, being the West corner of a 11.241 acre tract of land, described in an instrument, recorded in Clerk's File No. 130832, Official Public Records, Atascosa County, Texas, and lying on the Southeast line of a 32.34 acre tract of land, described in an instrument, recorded in Clerk's File No. 111002, Official Public Records, Atascosa County, Texas, said point of beginning be the North corner of this tract of land;

Thence South 48° 50' 57" East, 994.03 feet, along the Northeast line of said 28.35 acre tract of land, being the Southwest line of said 11.241 acre tract of land, to a point marked by a 1/2 inch steel rod monument, found for a reentrant corner of said 28.35 acre tract of land, being the South corner of said 11.241 acre tract of land, said point being a reentrant corner of this tract of land;

Thence North 28° 58' 00" East, 170.09 feet, continuing along the same common line, to a point marked by a 1/2 inch steel rod monument, found for an angle point of this tract of land, being an angle point of said 11.241 acre tract of land, said point being an angle point of this tract of land;

Thence North 70° 24' 20" East, 90.21 feet, continuing along the same common line, to a point marked by a 1/2 steel rod monument, found for the East corner of said 28.35 acre tract of land, being an angle point of said 11.241 acre tract of land, and being the Northwest line of Everitt Road, said point being the East corner of this tract of land;

Thence South 29° 14' 28" West, 54.12 feet, along the Southeast line of said 28.35 acre tract of land, being the Northwest line of said Everitt Road, to a point marked by a 5/8 inch steel rod monument, with a cap stamped Rakowitz Engineering and Surveying, set for the North corner of said 1.10 acre tract of land, being the West corner of said Everitt Road, said point being a reentrant corner of this tract of land;

South 60° 57' 11" East, 29.80 feet, along the Northeast line of said 1.10 acre tract of land, being the Southwest line of said Everitt Road, to a point marked by a 5/8 inch steel rod monument, with a cap stamped Rakowitz Engineering and Surveying, set for the East corner of said 1.10 acres, being a salient corner of a 3.26 acre tract of land, described in an instrument, recorded in Clerk's File No. 80945, Official Public Records, Atascosa County, Texas, said point being a salient corner of this tract of land;

Thence South 28° 53' 11" West, 465.35 feet, along the Southeast line of said 1.10 acre tract of land, being the Northwest line of said 3.26 acre tract of land, and a 29.68 acre tract of land, described in an instrument, recorded in Clerk's File No. 166346, Official Public Records, Atascosa County, Texas, to a point marked by a fence corner post, found for an angle point of said 1.10 acre tract of land, and an angle point of said 29.68 acre tract of land, said point being an angle point of this tract of land;

Thence South 42° 28' 18" West, 1164.47 feet, continuing along same common line to a point marked by a 5/8 inch steel rod monument, with a cap stamped Rakowitz Engineering and Surveying, set for the South corner of said 1.10 acre tract of land, and lying on the Northeast line of a 83.35 acre tract of land, Property Identification No. 12986, ACAD, said point being the South corner of this tract of land;


Thence North 16° 28' 01" West, along the Southwest line of said 1.10 acre tract of land, and said 28.35 acre tract of land, being the Northeast line of said 83.35 acre tract of land, and a 83.35 acre

tract of land, Property Identification No. 12967, ACAD, and a 26.11 acre tract of land, described in an instrument, recorded in Clerk's File No. 138250, Official Public Records, Atascosa County, Texas, passing a point, marked by a 1/2 inch steel rod monument, at 39.79 feet, found for the West corner of said 1.10 acre tract of land, being the South corner of said 28.35 acre tract of land, in all a total distance of 1527.24 feet, to a point marked by a 1/2 inch steel rod monument, found for the West corner of said 28.35 acre tract of land, being the South corner of said 32.34 acre tract of land, said point being the West corner of this tract of land;

Thence North $57^{\circ}21'39''$ East, 627.65 feet, along the Northwest line of said 28.35 acre tract of land, being the Southeast line of said 32.34 acre tract of land, to the point of beginning;

The basis of bearing for this survey is Grid North, Texas State Plane Coordinate System, NAD 83 (2011), South Central Zone.

I, Richard Pollok, being a Registered Professional Land Surveyor, registered in the State of Texas, do hereby certify that the foregoing field notes for a 29.52 acres, on the accompanying Plat of Survey prepared for the Nick Rodríguez, dated June 23, 2022, were prepared from an actual survey done under my supervision and that to the best of my knowledge and belief they are a true and correct representation of said survey.


Richard Pollok R.P.L.S. 5825
Rakowitz Engineering and Surveying
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