

Notice of Foreclosure Sale

April 11, 2024

FILED FOR RECORD

2024 APR 16 AM 11:19

THELISA CARRASCO
ATASCOSA COUNTY CLERK

BY S. Ahn DEPUTY

Deed of Trust:

Dated: July 3, 2020

Grantor: Chad E. Tower and Fern I. Tower, a married couple

Trustee: Gary Glick

Lender: Frazier Land & Cattle Co., Ltd.

Recorded in: Clerk's File No. 206037 of the real property records of Atascosa County, Texas

Legal Description: Tract 6, containing 10.006 acres of land, more or less, in the John W. Cook Survey No. 1626, A-1148 in Atascosa County, Texas, more particularly described on attached Exhibit A

Secures: Real Estate Lien Note in the original principal amount of \$56,000.00, executed by Chad E. Tower and Fern I. Tower ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Substitute Trustee: Jane Whaley or Renata Castro or Michel Miranda

Substitute Trustee's Address: 1301 South 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: May 7, 2024

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. and not later than three hours thereafter.**

Place: Front steps of the Atascosa County Courthouse located at Room #1 Circle Drive, Jourdanton, Texas 78026

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.

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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



Renata Castro

DALE L. OLSON

Registered Professional Land Surveyor
711 Water Street
Bastrop, TX 78602
Phone (512) 321-5476 * Fax (512) 303-5476

FIELD NOTES FOR TRACT NO. 6, A 10.006 ACRE TRACT IN THE JOHN W. COOK SURVEY NO. 1626 IN ATASCOSA COUNTY, TEXAS.

BEING a 10.006 acre tract, lot, or parcel of land out of and being a part of the John W. Cook Survey No. 1626, A-1148, in Atascosa County, Texas, and being a part of that certain 317.94 acre tract described in a deed from Blackfoot Interests, LTD., to Frazier Land & Cattle Company, LTD., dated October 17, 2012, recorded by Instrument No. 135798, Atascosa County Official Public Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the most southerly southeast corner of the said 317.94 acre tract and southwest corner of that certain 289.44 acre tract described in a deed from Dan A. Hughes, Sr. and Dan Allen Hughes, Jr., to Nancy L. Ince, dated February 14, 2012, recorded by Document No. 128922, Atascosa County Official Public Records, a 1/2 inch iron rod found at a fence corner in the north line of Farm to Market Road No. 140.

THENCE with the north line of Farm to Market Road No. 140 and south line of the 317.94 acre tract, S 74 deg. 08 min. 51 sec. W, 2412.88 feet to a 5/8 inch iron rod set for the POINT OF BEGINNING, the southeast corner of this tract.

THENCE continuing with the north line of Farm to Market Road No. 140 and south line of the said 317.94 acre tract, S 74 deg. 08 min. 51 sec. W, 30.00 feet to a 5/8 inch iron rod set for the most southerly southwest corner of this tract.


THENCE N 16 deg. 09 min. 33 sec. W, 1318.59 feet to a 5/8 inch iron rod set for an interior corner of this tract.

THENCE S 73 deg. 57 min. 01 sec. W, 330.66 feet to a 5/8 inch iron rod set for the most northerly southwest corner of this tract.

THENCE N 16 deg. 09 min. 34 sec. E, 1098.52 feet to a 5/8 inch iron rod set in the most southerly north line of the 317.94 acre tract, the south line of Lot No. 19, a 178.4 acre tract in McAda Ranch Subdivision, as recorded in Vol. 34, Page 20, Atascosa County Deed Records, for the northwest corner of this tract.

THENCE with the most southerly north line of the 317.94 acre tract and south line of Lot No. 19, McAda Ranch, N 75 deg. 50 min. 30 sec. E, 360.66 feet to a 5/8 inch iron rod set for the northeast corner of this tract.

THENCE S 16 deg. 09 min. 33 sec. E, 2417.90 feet to the POINT OF BEGINNING, containing 10.006 acres of land.


Dale L. Olson
Reg. Pro. Land Surveyor 1753

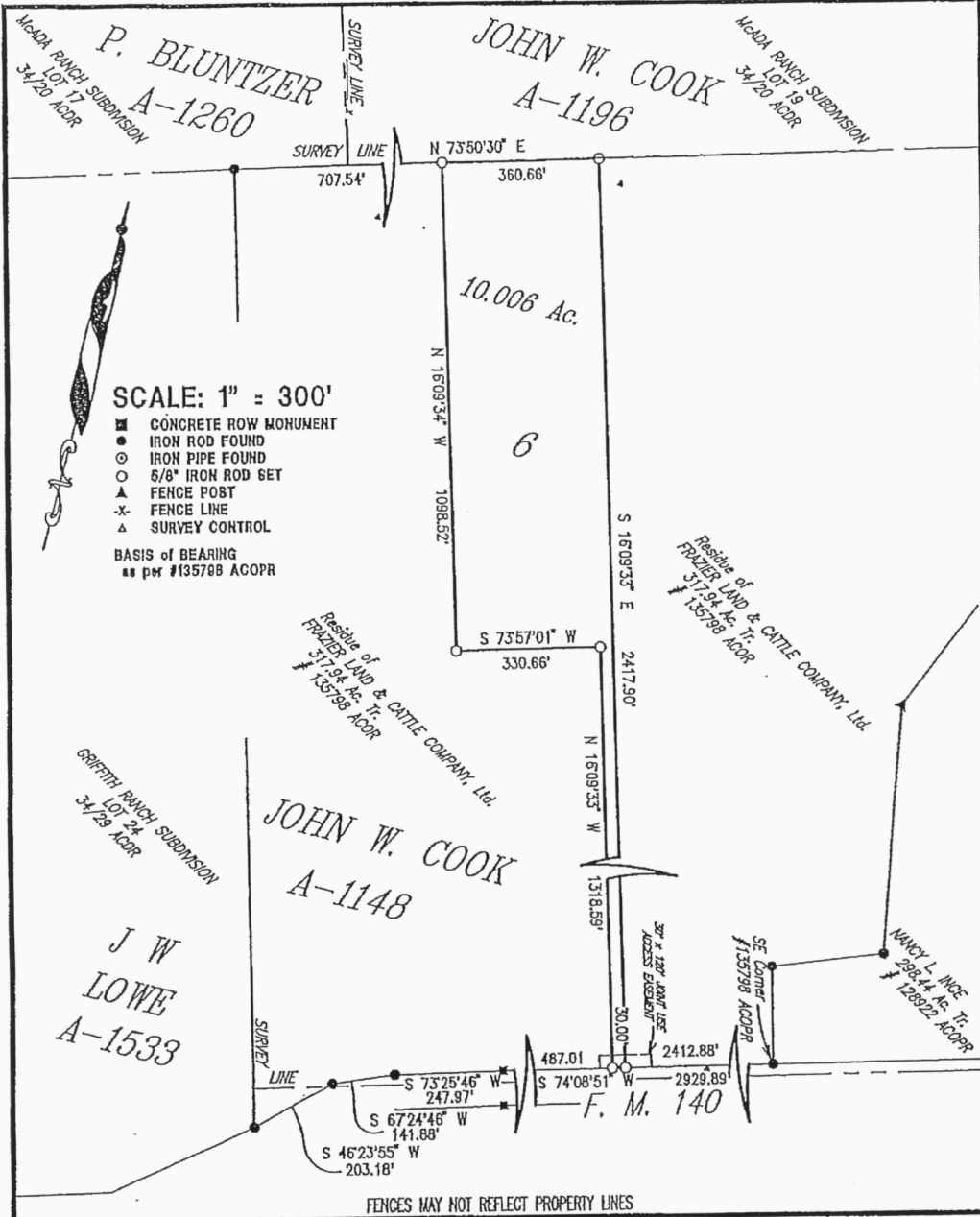


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Michael D. Olson
Reg. Pro. Land Surveyor 5386

Order #: 12-330-34-6

Date Created: 10-01-12
Revised: 11-05-12



SCALE: 1" = 300'

- CONCRETE ROW MONUMENT
- IRON ROD FOUND
- IRON PIPE FOUND
- 5/8" IRON ROD SET
- ▲ FENCE POST
- x- FENCE LINE
- △ SURVEY CONTROL

BASIS OF BEARING
as per #135788 ACOPR

**JOHN W. COOK
A-1148**

**J W
LOWE
A-1533**

FENCES MAY NOT REFLECT PROPERTY LINES

The undersigned does hereby certify to the Agent, Broker, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property hereby described herein, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and that said property has previously been dedicated road way, except as shown, hereon.

DALE L. OLSON
REG. NO. 1753
DALE L. OLSON SURVEYING COMPANY
DATE: 10/01/12



DALE L. OLSON
REGISTERED PROFESSIONAL LAND SURVEYOR
711 WATER STREET (512) 321-5476 BASTROP, TEXAS

SURVEY PLAT
of a 10.006 ACRE TRACT in the
JOHN W. COOK SURVEY, A-1148,
in ATASCOSA COUNTY, TEXAS.

SCALE: 1" = 300.00'
DRAWN BY: K. Cochran
DATE: 10/01-12
FRAZIER LAND & CATTLE COMPANY, Ltd.
DSX-FILE: 330-34a
ORDER: 12-330-34-6
PLAN FILE: -6-