

121 Lerdo Street  
Taft, Texas 78390

RECEIVED

JAN 11 2021

10:49 A<sup>M</sup>

GRACIE ALANIZ-GONZALES  
COUNTY CLERK

## NOTICE OF FORECLOSURE

Notice is hereby given of a public nonjudicial foreclosure sale.

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

Lots Seventeen (17), Eighteen (18), Nineteen (19), and Twenty (20), Block Three (3), HIDALGO ADDITION to the City of Taft in San Patricio County, Texas, as shown by map or plat of same record in Volume 2, Page 37, of the Map Records of San Patricio County, Texas.

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

Date: February 2, 2021.

Time: The sale shall begin no earlier than 1:00 P.M. or no later than three hours thereafter. The sale shall be completed by no later than 4:00 P.M.

Place: San Patricio County Courthouse in Taft, Texas, at the following location: The first floor of the Courthouse at the South Entrance between the glass doors in the vestibule as designated by the San Patricio County Commissioners Court. The San Patricio County Courthouse is located at 400 W. Sinton Street, Sinton, Texas 78387.

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 reposting or re-filing may be after the date originally scheduled for this sale.

3. 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 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.

4. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Esmeralda Molina and Juan Molina. The deed of trust is dated February 24, 2020, and on file under document number 696610 in the real property records of San Patricio County, Texas.

121 Lerdo Street  
Taft, Texas 78390

5. Obligations Secured. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to (1) the promissory note in the original principal amount of \$23,000.00, executed by Esmeralda Molina and Juan Molina, and payable to the order of American Finance & Investment Co., Inc.; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of Esmeralda Molina and Juan Molina. American Finance & Investment Co., Inc. is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

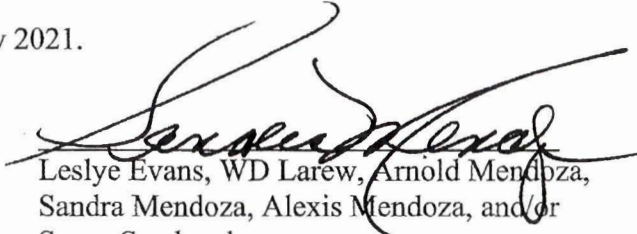
Questions concerning the sale may be directed to the undersigned:

The Law Offices of Michael J. Zimprich  
7001 Westwind Drive, Suite 205  
El Paso, Texas 79912  
Attention: Michael Zimprich  
Telephone:(915) 201-4944

6. Default and Request to Act. Default has occurred under the deed of trust, and the beneficiary has requested that the Trustee, Michael Zimprich, Nassim Salloum, and/ or Beverly Mitrisin conduct the sale. The Trustee intends to appoint Leslye Evans, WD Larew, Arnold Mendoza, Sandra Mendoza, Alexis Mendoza, and/or Susan Sandoval, c/o Resolve-Trustee Services, 2024 W. 15<sup>th</sup> Street, Suite F142, Plano Texas 75075, as Substitute Trustee prior to the auction to conduct this 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.**

EXECUTED this 8<sup>th</sup> day of January 2021.

  
Leslye Evans, WD Larew, Arnold Mendoza,  
Sandra Mendoza, Alexis Mendoza, and/or  
Susan Sandoval

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JAN - 8 2021

2:35 PM  
GRACIE ALANIZ-GONZALES  
COUNTY CLERK

**Notice of Foreclosure Sale**

January 7, 2021

Deed of Trust ("Deed of Trust"):

Dated: June 27, 2014

Grantor: Sea Breeze Motel & Cottages, LLC

Trustee: Kevin M. Maraist

Lender: First Community Bank

Recorded in: Document No. 638692 of the official public records of San Patricio County, Texas.

Secures: Promissory Note ("Note") in the original principal amount of \$415,000.00, executed by Sea Breeze Motel & Cottages, LLC ("Borrower") and payable to the order of Lender.

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described as follows, and all rights and appurtenances thereto:

Tract 1:  
1.356 acre tract of land, more or less, comprised of all or part of Lots 1 thru 19, both inclusive, and a portion of the adjacent alley of the Huachuaca Syndicate Second Addition, Aransas Pass, San Patricio County, Texas, and being more particularly described on Exhibit "A" hereto attached.

Tract 2:  
0.355 acre tract of land, being comprised of a portion of the Rosa Teal Survey, Abstract 262, and part of Lot 1, Outlot 37, Burton and Danforth Subdivision, San Patricio County, Texas, and being more particularly described on Exhibit "A" hereto attached.

Tract 3:  
0.345 acre tract of land, being comprised of a portion of the Rosa Teal Survey, Abstract 262, and part of Lot 2, Outlot 37, Burton and Danforth Subdivision, San Patricio County, Texas, and being more particularly described on Exhibit "A" hereto attached (the "Property").



Trustee's            Anderson, Lehrman, Barre & Maraist, LLP  
Address:            Gaslight Square  
                          1001 Third Street, Ste. 1  
                          Corpus Christi, TX 78404

Foreclosure Sale:

Date:                Tuesday, February 2, 2021

Time:                The sale of the Property will be held between the hours of 1:00 p.m. and 4:00 p.m. local time; **the earliest time at which the Foreclosure Sale will begin is 1:00 p.m. and not later than three hours thereafter.**

Place:                San Patricio County Courthouse in Sinton, Texas, at the following location: at the first floor of the courthouse, at the south entrance, between the glass doors in the vestibule, or such other location as may be designated by the County Commissioners Court of San Patricio County, Texas.

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 the Trustee to sell the Property.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, the 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, the 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 the 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.**

Dated: January 7, 2021



---

Kevin M. Maraist, Trustee  
1001 Third St., Ste. 1  
Corpus Christi, TX 78404  
361-884-4981  
361-884-1286 (fax)

Mortgagee:

First Community Bank  
416 N. Water Street  
Corpus Christi, TX 78401

# EXHIBIT A

Field notes of an 1.356 acre tract of land, being all of a tract of land conveyed from B. M. Basley, et al, to James A. Heard by General Warranty Deed dated August 5, 1977, and recorded in Volume 560, Page 187 of the Deed Records of San Patricio County, Texas, and being the same land described in Deed of Trust from James A. Heard to John J. Bailey and/or Ray B. Trant, Trustee, dated August 10, 1989, and recorded in Clerk's File No. 381363 of the Real Property Records of San Patricio County, Texas; and being all or part of Lots 1- 19 and a portion of the adjacent alley (not opened and assumed to be closed) of the Huachuaca Syndicate Second Addition, as shown on plat recorded in Volume 1, Page 1-C (Envelope 149) of the Map Records of San Patricio County, Texas;

Said 1.356 acre tract is comprised of a portion of the Rosa Teal Survey, Abstract 262, and is part of Lot 2, Outlot 37 of the Burton and Danforth Subdivision as shown on map recorded in Volume 1, Page 62 of the Map Records of San Patricio County, Texas;

Said 1.356 acre tract is situated in the City of Aransas Pass on the south side, and is described by metes and bounds as follows:

Beginning at an 1/2" iron rod set in the south line of Highland Avenue (Fifth Street) and in the east line of said Lot 2, for the northeast corner of this tract; whence the northeast corner of said Lot 2, bears N 34° 27' 00" E, a distance of 20.00 feet;

Thence S 34° 27' 00" W along the east line of said Lot 2 and the east line of this tract, a distance of 304.82 feet to an 1/2" iron rod set in the west or northwest line of State Highway 361, for an angle corner of this tract;

Thence in a southwesterly direction with the west or northwest line of said State Highway 361 as follows:

S 64° 49' 10" W,	59.80 feet to an 1/2" iron rod;
S 68° 59' 38" W,	57.78 feet to an 1/2" iron rod;
S 69° 38' 29" W,	86.87 feet to an 1/2" iron rod

set for the southeast corner of this tract;

Thence N 55° 33' 00" W along the south line of this tract, a distance of 43.47 feet to an 1/2" iron rod set for the southwest corner of this tract; whence a 5/8" iron rod found at the northwest corner of Lot 1, Block 1 of the Kenwood Subdivision as shown on map recorded in Volume 6, Page 42 of the Map Records of San Patricio County, Texas, bears S 34° 27' 00" W, 165.00 feet, and N 55° 33' 00" W; 803.47 feet;

Thence N 37° 31' 04" E along the west line of this tract, a distance of 475.68 feet to a point in the south line of Highland Avenue, for the northwest corner of this tract;

Thence S 55° 33' 00" E along the south line of said Highland Avenue and the north line of this tract, at 1.07 feet set pass an 1/2" iron rod set for a reference point, in all a distance of 131.07 feet to the place of beginning, containing 1.356 acres, more or less.

I, Julius L. Petrus, Jr., Registered Professional Land Surveyor of Texas, do hereby certify that this is a true and correct description of an actual survey made on the ground, this the 17th day of October, 1995.

*J. L. Petrus Jr.*

Registered Professional Land Surveyor  
Texas Registration No. 1907

LAHMEYER:JP1



EXHIBIT A  
PAGE 1 OF 3



Field notes of a 0.355 acre tract of land, being comprised of a portion of the Rosa Teal Survey, Abstract 262, and part of Lot 1, Outlot 37 of the Burton and Danforth Subdivision as shown on map recorded in Volume 1, Page 62 of the Map Records of San Patricio County, Texas;

Said 0.355 acre tract is situated in the City of Aransas Pass on the south side, and is described by metes and bounds as follows:

Beginning at an 1/2" iron rod set in the south line of Highland Avenue (Fifth Street) and west line of said Lot 1, at the northeast corner of a tract of land conveyed from B. M. Basley, et al, to James A. Heard by General Warranty Deed dated August 5, 1977, and recorded in Volume 560, Page 187 of the Deed Records of San Patricio County, Texas, and being the northeast corner of an 1.356 acre tract just surveyed for John Lahmeyer, for the northwest corner of this tract; whence the northwest corner of said Lot 1, bears N 34° 27' 00" E, a distance of 20.00 feet;

Thence S 55° 33' 00" E along the north line of this tract and the south line of said Highland Avenue, a distance of 78.13 feet to a point in the west or northwest line of State Highway 361, for the northeast corner of this tract;

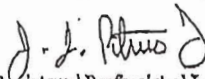
Thence in a southwesterly direction with the west or northwest line of said State Highway 361 as follows:

S 39° 56' 12" W,	93.67 feet to an 1/2" iron rod;
S 46° 05' 28" W,	75.53 feet to an 1/2" iron rod;
S 52° 32' 51" W,	75.37 feet to an 1/2" iron rod;
S 59° 16' 59" W,	72.68 feet to an 1/2" iron rod

set in the west line of said Lot 1, for an angle corner of said 1.356 acre tract just surveyed, and the south corner of this tract;

Thence N 34° 27' 00" E along the west line of said Lot 1, the east line of said 1.356 acre tract, and the west line of this tract, a distance of 304.82 feet to the place of beginning, containing 0.355 acres, more or less.

I, Julius L. Petrus, Jr., Registered Professional Land Surveyor of Texas, do hereby certify that this is a true and correct description of an actual survey made on the ground, this the 17th day of October, 1995.

  
Registered Professional Land Surveyor  
Texas Registration No. 1907

LAHMEY:JP1



EXHIBIT A  
PAGE 2 OF 3

Field notes of a 0.345 acre tract of land, being comprised of a portion of the Rosa Teal Survey, Abstract 262, and part of Lot 2, Outlot 37 of the Burton and Danforth Subdivision as shown on map recorded in Volume 1, Page 62 of the Map Records of San Patricio County, Texas;

Said 0.345 acre tract is situated in the City of Aransas Pass on the south side, and is described by notes and bounds as follows:

Beginning at a point in the south line of Highland Avenue (Fifth Street), at the northwest corner of an 1.356 acre tract just surveyed for John Lahmeyer, and in the west line of a 0.1508 acre tract described in Tract 2 of Deed from B. M. Basloy, et al, to James A. Heard, dated August 5, 1977, and recorded in Volume 560, Page 187 of the Deed Records of San Patricio County, Texas, for the northeast corner of this tract; whence the northeast corner of said Lot 2, bears S 55° 33' 00" E, a distance of 131.07 feet; and N 34° 27' 00" E, a distance of 20.00 feet;

Thence S 37° 31' 04" W along the west line of said 0.1508 acre tract and the east line of this tract, a distance of 475.68 feet to an 1/2" iron rod set for the southwest corner of said 0.1508 acre tract, the southwest corner of said 1.356 acre tract, and the southeast corner of this tract;

Thence N 25° 55' 03" W along the south line of this tract, a distance of 5.64 feet to a 5/8" iron rod found at an angle corner of a tract of land conveyed to Hal M. Parks by Deed recorded in Clerk's File No. 176831 of the Deed Records of San Patricio County, Texas; for an interior corner of this tract;

Thence N 55° 27' 40" W continuing along the south line of this tract and a north line of said Parks tract, a distance of 26.58 feet to a 5/8" iron rod found at an interior corner of said Parks tract, for the southwest corner of this tract;

Thence N 37° 28' 56" E along the upper east line of said Park's tract and the west line of this tract, a distance of 472.83 feet to a point in the south line of said Highland Avenue, for the northwest corner of this tract;

Thence S 55° 33' 00" E along the south line of said Highland Avenue and the north line of this tract, a distance of 31.92 feet to the place of beginning, containing 0.345 acres, more or less.

I, Julius L. Petrus, Jr., Registered Professional Land Surveyor of Texas, do hereby certify that this is a true and correct description of an actual survey made on the ground, this the 17th day of October, 1995.

*J. L. Petrus Jr.*  
Registered Professional Land Surveyor,  
Texas Registration No. 1907



LAHMBY1:JP1

EXHIBIT A  
PAGE 3 OF 3



**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S 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.**

**DEED OF TRUST INFORMATION:**

Date: **June 22, 2012**  
Grantor(s): **Joe Anthony Alvarado, an unmarried man**  
Original Mortgagee: **The United States of America acting through the Rural Housing Service or Successor agency, United States Department of Agriculture**  
Original Principal: **\$98,000.00**  
Recording Information: **Instrument Number 618766and Re-recorded at Instrument Number 619210**  
Property County: **San Patricio**  
Property: **The real property described as follows: Lot Three (3), Block One (1), TAYLOR ADDITION, an addition to the town of Sinton in San Patricio County, Texas, as shown by map or plat of same of record in Volume 6, Page 22, Map Records of San Patricio County, Texas, otherwise known as 610 Taylor, Sinton, Texas 78387.**  
Property Address: **610 Taylor Street  
Sinton, TX 78387**

**MORTGAGE SERVICING INFORMATION:**

**The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.**

Current Mortgagee: **United States Department of Agriculture, Rural Housing Service**  
Mortgage Servicer: **USDA Rural Development**  
Mortgage Servicer Address: **4300 Goodfellow Blvd  
Bldg. 105F, FC 215  
St. Louis, MO 63120**

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**JAN - 7 2021**

*11:26 AM*  
**GRACIE ALANIZ-GONZALES  
COUNTY CLERK**

**SALE INFORMATION:**

Date of Sale: **February 2, 2021**  
Time of Sale: **1:00 pm or within three hours thereafter.**  
Place of Sale: **The first floor of the Courthouse at the south entrance between the glass doors in the vestibule or, if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.**  
Substitute Trustee: **Arnold Mendoza, Jo Woolsey, Bob Frisch, Sandra Mendoza, Jodi Steen, Susan Arnold Mendoza, Susan Sandoval, Jo Woolsey, Bob Frisch, Sandra Mendoza, Jodi Steen, Leslye Evans, Janice Stoner, Mary Goldston or Alexis Mendoza, or Cheyenne Zokaie, any to act**  
Substitute Trustee Address: **5501 East LBJ Frwy, Ste. 925  
Dallas, TX 75240**

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared, such default was reported to not have been cured, and all sums secured by such Deed of Trust are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Arnold Mendoza, Susan Sandoval, Jo Woolsey, Bob Frisch, Sandra Mendoza, Jodi Steen, Leslye Evans, Janice Stoner, Mary Goldston or Alexis Mendoza or Cheyenne Zokaie, any to act, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
2. Arnold Mendoza, Susan Sandoval, Jo Woolsey, Bob Frisch, Sandra Mendoza, Jodi Steen, Leslye Evans, Janice Stoner, Mary Goldston or Alexis Mendoza or Cheyenne Zokaie, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien imposed by the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be sold "AS-IS", purchaser's will buy the property "at the purchaser's own risk" and "at his peril" and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interest of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.
5. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.

Padgett Law Group  
6267 Old Water Oak Road  
Suite 203  
Tallahassee, FL 33213  
(850) 422-2520

RECEIVED

DEC 22 2020  
10:16 AM  
GRACIE ALANIZ-GONZALES  
COUNTY CLERK

**Notice of Foreclosure Sale**

December 21, 2020

Deed of Trust ("Deed of Trust"):

Dated: April 19, 2013

Grantor: Tracey Blankenship

Trustee: New Wave Properties, Inc.

Lender: First Capital Properties, Ltd.

Recorded in: Document No. 659869 of the real property records of San Patricio County, Texas

Legal Description: Lot Six (6), Block Six (6), PORTLAND - WALKER NIX #2, an Addition to the City of PORTLAND in San Patricio County, Texas, as shown by map or plat or same of record in the Map Records of San Patricio County, Texas. Also known as 135 Dell, Portland, TX 78374

Secures: Warranty Deed with Vendor's Lien ("Note") in the original principal amount of \$109,900.00, executed by Tracey Blankenship ("Borrower") and payable to the order of Lender

Substitute Trustee: Gray P. Scoggins

Substitute Trustee's Address: 71 N. Wright St., Alice, Texas, 78332

Foreclosure Sale:

Date: Tuesday, February 2, 2020

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: At the County Courthouse in San Patricio County, Texas, on the first floor of the courthouse, at the South entrance facing Main St., between the glass doors in the vestibule unless the location of the sale has been otherwise designated to a specific location by the Commission's Court of San Patricio.



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 First Capital Properties, Ltd.'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, First Capital Properties, Ltd., the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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

If First Capital Properties, Ltd. 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 First Capital Properties, Ltd.. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

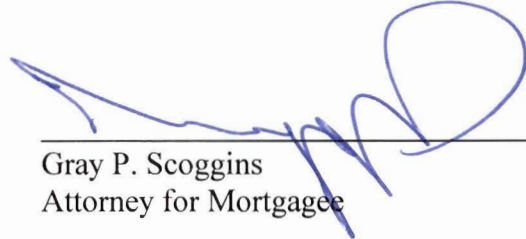
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical 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**

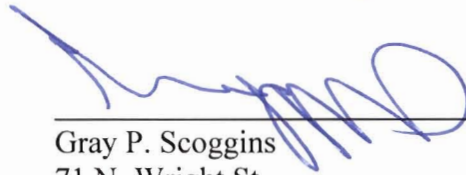
member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

**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.**



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Gray P. Scoggins  
Attorney for Mortgagee



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Gray P. Scoggins  
71 N. Wright St.  
Alice, Texas 78332  
Telephone (361) 668-3536  
Telecopier (361) 668-3576