

At 1:29 FILED o'clock P M
Date Jan 10, 2025

NOTICE OF FORECLOSURE SALE

SARAH VASQUEZ
County Clerk, Brewster County, TX
By Shelley Uzie Deputy

DATE OF SALE: February 4, 2025

Deed of Trust (Modification Renewal and Extension) ("Deed of Trust"):

Dated: June 23, 2020
Grantor: Jason Anderson and Lacey Anderson
Trustee: Zach Dean
Lender: MAVERICK BANK (f/k/a Fort Davis State Bank, by name change in March, 2024)
Recorded in: Document # 110491, Book 388, Page 1 of the real property records of Brewster County, Texas, being in renewal and extension of Deed of Trust recorded as Document #108836, in Volume 375, Page 720 of the real property records of Brewster County, Texas

Legal Description: A 3.963 acre tract of land, more or less, being out of a 5.00 acre tract of land, more or less, out of Section Forty-four (44), Block Nine (9), G.H. & S.A. Ry. Co. Survey, said 5.00 acre tract described in Volume 124, Page 541, Official Public Records of Brewster County, Texas. Said 3.963 acre tract more particularly described in a Metes and Bounds Description attached hereto as Exhibit "A" and Plat of the survey attached hereto as Exhibit "B", dated July 28, 2019, prepared by Kevin Mueller, R.P.L.S. No. 5911 , which Exhibits are made a part of this document by reference and incorporated herein for all purposes.

Secures: Promissory Note ("Note") in the original principal amount of \$199,500.00, executed by Jason Anderson and Lacey Anderson ("Borrower") and payable to the order of Lender

Substitute Trustee's Address: Jeff R. Lashaway and Chandler Patterson: 920 Ave. Q, Lubbock, TX, 79401, Ph: Telephone (806) 763-0044; Arvel R. "Rod" Ponton III: 2301 N State Highway 118, Alpine, Texas 79830-2034, Brewster County, Texas; Phone: 432-837-0990

Foreclosure Sale:

Date: Tuesday, February 4, 2025

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 1:00 p.m. and not later than three hours thereafter.

Place: 201 W. Ave. E., Alpine, Brewster County, Texas: THE EAST DOOR OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE 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 MAVERICK BANK (f/k/a Fort Davis State Bank, by name change in March, 2024)'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, MAVERICK BANK (f/k/a Fort Davis State Bank, by name change in March, 2024), 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 MAVERICK BANK (f/k/a Fort Davis State Bank, by name change in March, 2024)'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with MAVERICK BANK (f/k/a Fort Davis State Bank, by name change in March, 2024)'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 MAVERICK BANK (f/k/a Fort Davis State Bank, by name change in March, 2024) 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 MAVERICK BANK (f/k/a Fort Davis State Bank, by name change in March, 2024). 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.

Executed on the 10 day of January, 2025.


Arvel R. "Rod" Ponton III
Attorney for Mortgagee


Arvel R. "Rod" Ponton III, 2301 N State Highway
118, Alpine, Texas 79830-2034, Texas; Phone: 432-
837-0990

Or

Jeff R. Lashaway or Chandler Patterson
P. O. Box 1738
LUBBOCK, TX 79408
Telephone (806) 763-0044
Telecopier (806) 763-2084

EXHIBIT A

SAW TOOTH SURVEY
FIRM NO. 10194432

SECTION 44, BLOCK 9, G.H. & S.A. RY. CO.
BREWSTER COUNTY, TEXAS

19-0140

3.963 ACRES

FIELD NOTE DESCRIPTION OF 3.963 ACRES OF LAND OUT OF SECTION 44, BLOCK 9, G.H. & S.A. RY. CO. SURVEYS, BREWSTER COUNTY, TEXAS, BEING THE REMAINDER OF THAT CERTAIN 5.0 ACRE TRACT DESCRIBED IN BOOK 124, PAGE 541, OFFICIAL RECORDS OF BREWSTER COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN 3.97 ACRE TRACT CONVEYED BY WARRANTY DEED RECORDED IN BOOK 305, PAGE 638, OFFICIAL RECORDS OF BREWSTER COUNTY, TEXAS, SAID 3.963 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the east line of Tom Lackey Lane for the northwest corner of said 5.0 acre tract and POINT OF BEGINNING of the herein described tract;

THENCE with the north line of said 5.0 acre tract, N 62°04'18" E, a distance of 865.81 feet to an iron rod found for the northeast corner of said 5.0 acre tract and northeast corner of the herein described tract;

THENCE with the east line of said 5.0 acre tract, S 27°16'47" E, a distance of 251.62 feet to an iron rod found for the southeast corner of said 5.0 acre tract and southeast corner of the herein described tract;

THENCE with the south line of said 5.0 acre tract, S 62°05'27" W, a distance of 643.07 feet to a capped iron rod [WALKER] found for the southeast corner of the certain 1.03 acre tract described in Book 358, Page 495, Official Records of Brewster County, Texas;

THENCE with the east line of said 1.03 acre tract, N 30°58'18" W, a distance of 208.89 feet to the northeast corner of said 5.0 acre tract and re-entrant corner of the herein described tract;

THENCE with the north line of said 5.0 acre tract, S 62°05'08" W, a distance of 208.65 feet to a capped iron rod [WALKER] found in the east line of said Tom Lackey Lane;

THENCE with the east line of said Tom Lackey Lane, N 28°08'43" W, a distance of 42.74 feet to the POINT OF BEGINNING, containing 3.963 ACRES of land, more or less.

I, Kevin Mueller, do hereby certify that this description was prepared from a survey performed under my supervision during July 2019, and is true and correct to the best of my knowledge.

 7-28-19

KEVIN MUELLER
SAW TOOTH SURVEY
P.O. Box 1751
ALPINE, TX 79831

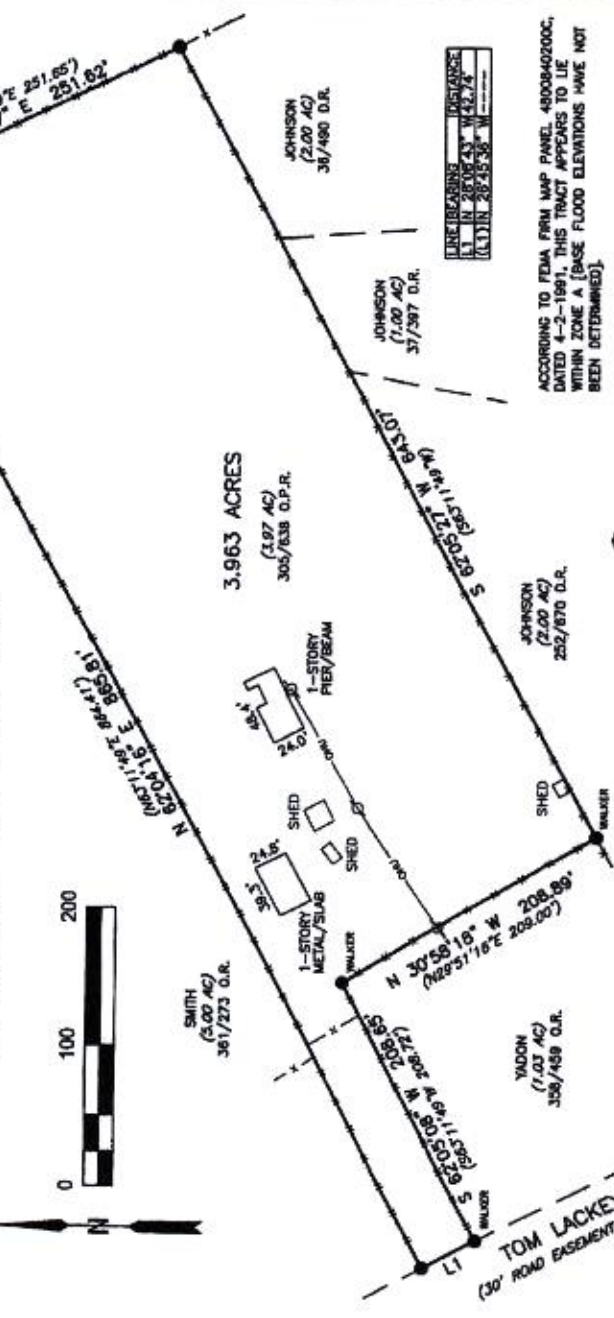


SURVEY PLAT

3.963 ACRES OUT OF SECTION 44, BLOCK 9, G.H. & S.A. RY. CO. SURVEYS, BREWSTER COUNTY, TEXAS
BEING THE REMAINDER OF THAT CERTAIN 5.0 ACRE TRACT DESCRIBED IN BOOK 124, PAGE 541
OFFICIAL RECORDS OF BREWSTER COUNTY, TEXAS

AND BEING ALL OF THAT CERTAIN 3.97 ACRE TRACT CONVEYED BY WARRANTY DEED
RECORDED IN BOOK 305, PAGE 638, OFFICIAL RECORDS OF BREWSTER COUNTY, TEXAS

202 TOM LACKEY LANE ALPINE, TEXAS



LINE BEARING	DISTANCE
N 28°08'43\"/>	

ACCORDING TO FEMA FIRM MAP PANEL 4800840200C,
DATED 4-2-1991, THIS TRACT APPEARS TO LIE
WITHIN ZONE A (BASE FLOOD ELEVATIONS HAVE NOT
BEEN DETERMINED).

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN
ACTUAL ON THE GROUND SURVEY AND THAT THE LINES
AND CORNERS ARE TRUE AND CORRECT TO THE BEST
OF MY KNOWLEDGE AND BELIEF.



A COMPLETE SEARCH OF THE PUBLIC RECORD HAS
NOT BEEN CONDUCTED. EASEMENTS NOT SHOWN
HEREON MAY AFFECT THIS TRACT.

LEGEND

- IRON ROD FOUND (CAPPED AS NOTED)
- UTILITY POLE
- OVERHEAD UTILITY
- x - x - WIRE FENCE
- () RECORD INFORMATION

BEARING BASIS: WGS 84

KEVIN MUELLER
108 N. COCKRELL ST.
(512) 482-4502
ALPINE, TX 79831
KEVIN.MUELLER@SAWTOOTHSURVEY.COM