

Notice of Trustee's Sale

FILED
ANNA GOODMAN, COUNTY CLERK
CALHOUN COUNTY, TEXAS
4:33 PM
MAR 11 2020

Date: March 11, 2020

Trustee: Stephen A. Beal

BY: Catherine Bremio
DEPUTY

Street Address for Trustee: 8226 Douglas, Suite 748, Dallas, Texas 75225

Current Owner and Holder of the Note and Deed of Trust: BP-Residential, L.L.C.

Obligation: Real Estate Lien Note dated January 19, 2009, from Maker, Mr. Alejandro Cruz and Ms. Ninfa Cruz, as husband and wife to Payee, BP-Residential, L.L.C., in the original principal amount of \$36,500.00

Deed of Trust

Date: January 19, 2009

Recording Information: Filed on January 22, 2009, and recorded under document number 115148 Official Public Records of CALHOUN County, Texas

Grantor: Mr. Alejandro Cruz and Ms. Ninfa Cruz, as husband and wife

Trustee: Stephen A. Beal

Beneficiary: BP-Residential, L.L.C.

Property: Being a tract or parcel of land containing 0.999 acre, more or less, and being situated in and a part of the Maximo Sanchez Survey, A-35, Calhoun County, Texas, and being more fully described by metes and bounds description on Exhibit "A" attached.

Date of Sale (first Tuesday of month): April 7, 2020

Time of Sale: The sale will begin no earlier than 10:00 AM, and no later than three hours thereafter.

Place of Sale: Calhoun County Courthouse

Default has occurred under the Deed of Trust. The current owner and holder of the Real Estate Lien Note and the Deed of Trust has instructed the Trustee to offer the Property for sale toward the satisfaction of the Real Estate Lien Note, by a nonjudicial foreclosure sale in accordance with the power of sale granted by the Deed of Trust.

Notice is given that on the Date of Sale, the Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS", without any express or implied warranties, except warranties of title.

Terms of Sale. The sale will be conducted as a public auction to the highest bidder. If the highest bidder is someone other than the Lender, the purchase price will be payable in cash or its equivalent, at the discretion of the Trustee, and will be payable immediately on acceptance of the bid by the Trustee. If the Lender is the highest bidder, payment will be by a credit on the Obligation, as permitted by the Deed of Trust.

Those persons and entities desiring to purchase the Property at the public auction, other than the Lender, will need to demonstrate their ability to pay cash on acceptance of the bid by the Trustee.

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. The sale shall not cover any part of the Property that has been released from the lien of the Deed of Trust, as shown in the public records of the county where the Property is located. Prospective bidders are strongly urged to examine the applicable public records to determine the nature and extent of such matters, if any.

The Trustee may sell the Property in one or more parcels and/or sell all or only part of the Property.

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.

"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 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."


STEPHEN A. BEAL, TRUSTEE