

Accepted for Filing in:  
DUVAL COUNTY  
On: May 11, 2020 at 11:27A  
By:  
Maria Garcia

### Notice of Foreclosure Sale

Deed of Trust ("Deed of Trust"):

Dated: May 31, 2017

Grantor: Leslie C. Texas

Trustee: Ervin B. Flencher, Jr.

Lender: Citizens State Bank

Recorded in: Volume 648, Page 640, Official Records of Duval County, Texas.

Legal Description:

**All that certain 2.45 acres of land, being a tract of land out of the North one-half (N-1/2) of the Southwest quarter of the J. Poitevent Survey #46, A-2097 Duval County, Texas, being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes pertinent.**

**Being the same property described in Deed dated March 20, 1996, executed by G & R Operators, a partnership composed of Jimmy Guinn and Marvin T. Rich to South Texas Well Service Company, recorded in Volume 268, Page 1, Official Records of Duval County, Texas.**

Secures: Adjustable Rate Note ("Note") in the original principal amount of \$24,000.00, executed by Leslie C. Texas ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender.

Foreclosure Sale:

Date: Tuesday, June 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.

Place: Duval County Courthouse  
400 East Gravis Street  
San Diego, Texas 78384

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 Citizens State Bank'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, Citizens State Bank, the owner and holder of the Note, has requested Trustee to sell the Property.

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

If Citizens State Bank 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 Citizens State Bank. 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, 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 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.**



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Ervin B. Flencher, Jr.  
255 8th Street  
Somerville, Texas 77879

## EXHIBIT "A"

2.45 acres of land, more or less, being a tract of land out of the North one-half (N-1/2) of the Southwest quarter of the J. Poitevent Survey #46 A-2057 Duval County, Texas. Also being out of the same 80 acres of land conveyed from Ben Roy Bowles to Patrick H. Downing by Deed dated April 7, 1940, and of record in Volume 72, Page 317 et. seq., Deed Records of Duval County, Texas. Said 2.45 acres of land is situated in the city limits of Yreav, Duval County, Texas, and is further described by metes and bounds as follows:

BEGINNING on the East R.O.W. line of Texas State Highway 15 for the Southwest corner of this tract from whence the Southwest corner of Survey #6 bears South 1867.42 feet and West 50.00 feet;

THENCE East 415.0 feet to an iron rod set on the West R.O.W. of a drainage ditch for the Southeast corner of this tract;

THENCE North with West R.O.W. of said drainage ditch 255.4 feet to a fence post for the Southeast corner of a 4.0 acre tract for the Northeast corner of this tract;

THENCE West with south line of said 4.00 acre tract 415.00 feet to an iron rod set on the East R.O.W. line of said Highway 15 for the Southwest corner of said 4.00 acre tract for the Northwest corner of this tract;

THENCE south with East R.O.W. line of said Highway 15 for a distance of 255.4 feet to the PLACE OF BEGINNING and containing 2.45 acres of land, more or less.