

**Notice of Trustee's Sale**

8 Filed For Record 21  
Day of Jan 20 21  
at 11:06 o'clock A.M.  
DIANE GONZALES  
County Clerk, Atascosa County  
By [Signature] Deputy

**Date:** January 7, 2021

**Trustee:** David Ricker

**Trustee's Address:** P. O. Box 1571  
Boerne, Texas 78006

**Mortgagee:** Texas Rural Capital Corporation by Transfer from Texas Mortgage Capital Corporation

**Mortgagee's Address:**

P. O. Box 592433  
San Antonio, Texas 78259

**Mortgage Servicer:** SecureNet Loan Services, LLC

**Mortgage Servicer's Address:** P. O. Box 15826  
San Antonio, Texas 78212

**Note:** Note dated July 14, 2017 in the amount of \$52,650.00

**Deed of Trust**

**Date:** July 14, 2017

**Grantor:** Gerardo Hernandez Alvarado

**Mortgagee:** Texas Mortgage Capital Corporation

**Recording information:** Document Number #180814, Official Public Records of Atascosa County, Texas.

**Property:**

See Exhibit "A" attached hereto and made a part hereof for all purposes as to two tracts of land.

**County:** Atascosa County, Texas.

**Date of Sale (first Tuesday of month):** February 2, 2021

**Time of Sale:** 10:00 a.m. - 1:00 p.m.

**Place of Sale:** Area of the Atascosa County Courthouse as designated by the Atascosa County Commissioners Court

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.

David Ricker is Trustee under the Deed of Trust. Mortgage Servicer has instructed Trustee to offer the Property for sale toward the satisfaction of the Note. This foreclosure is being administered by Mortgage Servicer. Mortgage Servicer is representing Mortgagee under a servicing agreement.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS". The sale will begin at the Time of Sale or not later than three hours thereafter. This sale will be conducted subject to the right of rescission contained in section 51.016 of the Texas Property Code.



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David Ricker  
P. O. Box 1571  
Boerne, Texas 78006

Exhibit A - Tract one

**MARTINEZ**  
**Surveying & Mapping Co.**  
**Firm # 101822-00**  
**8546 Broadway Suite 225**  
**San Antonio, Texas 78217**  
**(210) 829-4244**

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STATE OF TEXAS  
COUNTY OF ATASCOSA

3.00 ACRE TRACT

All that certain tract or parcel of land containing 3.00 acres in Atascosa County, Texas, out of the J.J. Malloy Survey No. 64, Abstract 1318, being the same tract called 3.00 acres described in conveyance to TOPAR Investments, of record in Document # 170374, Official Public Records of Atascosa County, Texas.

Said 3.00 acre tract being more particularly described by metes and bounds as follows:

COMMENCING: at a ½" iron pin found next to fence post located on the West line of F. M. Road No. 476 at the Southeast corner of Russell W. Smoot, 8.29 acre tract, of record in Volume 263, Page 612, Official Public Records of Atascosa County, Texas, at the Northeast corner of a 3.70 acre tract, surveyed this same day, being the same tract called 3.71 acres described in Document # 170574, Official Public Records of Atascosa County, Texas;

THENCE: South 00 deg. 13 min. 35 sec. East, 29.22 feet to a ½" iron pin set with cap at the Northwest corner of Mariana Ozuna and Ann George, 0.68 acre tract, of record in Volume 93, Page 48, Official Public Records of Atascosa County, Texas at the Southeast corner of said 3.70 acre tract, surveyed this same day;

THENCE: South 89 deg. 43 min. 18 sec. West, 135.06 feet to a ½" iron pin set with cap at the Northwest corner of said 0.68 acre tract, at an interior corner of said 3.70 acre tract, surveyed this same day;

THENCE: South 00 deg. 06 min. 36 sec. East, 169.43 feet to a ½" iron pin set with cap on the West line of said 0.68 acre tract, at the Southeast corner of said 3.70 acre tract, surveyed this same day, for the Northeast corner and Point of Beginning of this herein described tract;

THENCE: South 00 deg. 06 min. 36 sec. East, 48.57 feet to a ½" iron pin set with cap on the North line of Ann Marie Salas, 0.61 acre tract, of record in Document # 133896, Official Public Records of Atascosa County, Texas, at the Southwest corner of said 0.68 acre tract, for the East-Southeast corner of this herein described tract;

THENCE: South 89 deg. 43 min. 17 sec. West, 71.95 feet to a ½" iron pin found to a ½" iron pin found at the Northwest corner of said Salas, 0.61 acre tract, for an interior angle corner of this herein described tract;

THENCE: South 00 deg. 18 min. 00 sec. East, 128.14 feet to a ½" iron pin found on the North line of Willie D. & Penny L. Floyd, 5.00 acre tract, of record in Document # 105547, Official Public Records of Atascosa County, Texas, at the Southwest corner of Salas, 0.61 acre tract, for the Southeast corner of this herein described tract;

THENCE: South 89 deg. 25 min. 40 sec. West, 737.52 feet along with the North line of said Floyd, 5.00 acre tract to a fence post found on the East line of Russell W. Smoot, 4.80 acre tract, of record in Volume 296, Page 733, Official Public Records of Atascosa County, Texas, for the Southwest corner of this herein described tract;

THENCE: North 02 deg. 05 min. 27 sec. East, 171.02 feet to a ½" iron pin set with cap (RPLS 5482) at the Southwest corner of said 3.70 acre tract, surveyed this same day, for the Northwest corner of this herein described tract;

THENCE: North 89 deg. 02 min. 06 sec. East, 802.54 feet to the POINT OF BEGINNING.

Bearing Basis — North 89 deg. 02 min. 06 sec. East — the North line of said 3.70 acre tract, surveyed this same day, obtained from GPS observation using (WGS84 NAVD 88).



*Reynaldo Martinez Jr.*

REYNALDO MARTINEZ JR.  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 5482  
W. O. # 17-12-8  
March 8, 2017  
(SEE ATTACHED SURVEY PLAT)

Exhibit A - Tract Two

**MARTINEZ**  
**Surveying & Mapping Co.**  
**Firm # 101822-00**  
**8546 Broadway Suite 225**  
**San Antonio, Texas 78217**  
**(210) 829-4244**

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STATE OF TEXAS  
COUNTY OF ATASCOSA

INGRESS/EGRESS  
ROAD EASEMENT  
0.24 ACRE TRACT

All that certain tract or parcel of land containing 0.24 of an acre in Atascosa County, Texas, out of the J.J. Malloy Survey No. 64, Abstract 1318, being out of a 3.00 acre tract, surveyed this same day, being the the same tract called 3.71 acres described in conveyance to TOPAR Investments, of record in Document # 170374, Official Public Records of Atascosa County, Texas.

Said 0.24 acre tract being more particularly described by metes and bounds as follows:

BEGINNING: at a ½" iron pin found next to fence post located on the West line of F. M. Road No. 476 at the Southeast corner of Russell W. Smoot, 8.29 acre tract, of record in Volume 263, Page 612, Official Public Records of Atascosa County, Texas, for the Northeast corner of this herein described tract;

THENCE: South 00 deg. 13 min. 35 sec. East, 29.22 feet to a ½" iron pin set with cap at the Northwest corner of Mariana Ozuna and Ann George, 0.68 acre tract, of record in Volume 93, Page 48, Official Public Records of Atascosa County, Texas, for the East-Southeast corner of this herein described tract;

THENCE: South 89 deg. 43 min. 18 sec. West, 135.06 feet to a ½" iron pin set with cap at the Northwest corner of said 0.68 acre tract, for an interior corner of this herein described tract;

THENCE: South 00 deg. 06 min. 36 sec. East, 169.43 feet to a ½" iron pin set with cap on the West line of said 0.68 acre tract, at the Northeast corner of a 3.00 acre tract, surveyed this same day, being the same 3.00 acre tract described in Document # 170374, Official Public Records of Atascosa County, Texas, for the Southeast corner of this herein described tract;

THENCE: South 89 deg. 02 min. 06 sec. West, 60.00 feet to a ½" iron pin set with cap on the common line between said 3.70 acre tract, surveyed this same day and said 3.00 acre tract, surveyed this same day, for the Southwest corner of this herein described tract;

THENCE:

across said 3.00 acre tract, the following courses and distances:

North 00 deg. 06 min. 36 sec. West, 30.00 feet to a 1/2" iron pin set with cap;

North 89 deg. 02 min. 06 sec. East, 30.00 feet to a 1/2" iron pin set with cap;

North 00 deg. 06 min. 36 sec. West, 167.03 feet to a 1/2" iron pin set with cap on the common line between said 3.70 acre tract, surveyed this same day and said Smoot, 8.29 acre tract, for the Northwest corner of this herein described tract;

THENCE:

North 89 deg. 02 min. 06 sec. East, 165.02 feet to the POINT OF BEGINNING.

Bearing Basis – North 89 deg. 02 min. 06 sec. East – the North line of this herein described tract, surveyed this same day, obtained from GPS observation using (WGS84 NAVD 88).



*Reynaldo Martinez Jr.*

REYNALDO MARTINEZ JR.  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 5482  
W. O. # 17-12-8ES  
March 8, 2017  
(SEE ATTACHED SURVEY PLAT)

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Diane Gonzales*

Diane Gonzales, County Clerk  
Atascosa County, Texas

July 18, 2017 11:07:20 AM

FEE: \$85.00 KPONTON  
DT

180815