

# NOTICE OF FORECLOSURE SALE

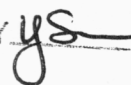
March 1, 2023

FILED FOR RECORD

2023 MAR -8 PM 12: 24

Deed of Trust ("Deed of Trust"):

Dated: January 14, 2022  
Grantor: Michael Steven Cortez and Mary T. Cortez  
Trustee: SHANNON L. STEPHEN  
Lender: Moat Management, LLC  
Recorded in: Document No. 221398  
of the real property records of Atascosa County, Texas

THERESA CARRASCO  
ATASCOSA COUNTY CLERK  
BY  DEPUTY

Legal Description:

Texas, County of Atascosa

21-2431-10.11 Acres,

Field notes for a tract of land containing 10.11 acres, called Tract 5, lying in the B.S. and F. Survey No. 1, Abstract No. 997, Atascosa County, Texas, and the L.B. Taliaferro Survey No. 64 1/2, Abstract No. 1383, Atascosa County, Texas, as shown on the accompanying Plat of Survey, prepared for Mike Powell, dated July 15, 2021.

Field notes for a tract of land containing 10.11 acres, called Tract 5, lying in the B.S. and F. Survey No. 1, Abstract No. 997, and the L.B. Taliaferro Survey No. 64 1/2, Abstract No. 1383, Atascosa County, Texas, and being out of a 160.08 acre tract of land described in an instrument, recorded in Clerk's File No. 76308 of the Official Public Records of Atascosa County, Texas, said tract of land being more particularly described by metes and bounds as follows:

Beginning at a 5/8 inch steel rod monument, with a cap stamped Rakowitz Engineering and Surveying, set on the East line of said 160.08 acre tract of land, being the West line of a 1221.77 acre tract of land, Property Identification No. 14856, A.C.A.D., for the Southeast corner of a 10.05 acre tract of land, called Tract 3, surveyed this same day, which bears South 00° 17' 35" East, 804.99 feet, from a point marked by a fence corner post, found for the Northeast corner of said 160.08 acre tract of land, being the Southeast corner of a 183.00 acre tract of land, described in an instrument, recorded in Book 124, Page 168 of the Official Public Records of Atascosa County, Texas, and lying on the West line of said 1221.77 acre tract of land, said point of beginning being the Northeast corner of this tract of land;

Thence South 00° 17' 35" East, 472.45 feet. along the East line of said 160.08 acre tract of land, being the West line of said 1221.77 acre tract of land, to a

point marked by a 5/8 inch steel rod monument with a cap stamped Rakowitz Engineering and Surveying, set for the Northeast corner of a 10.03 acre tract of land, called Tract 7, surveyed this same day, said point being the Southeast corner of this tract of land;

Thence across said 160.08 acre tract of land the following bearings and distances;

South  $89^{\circ} 32' 11''$  West, 837.71 feet, along the North line of said Tract 7, to a point marked by a 5/8 inch steel rod monument with a cap stamped Rakowitz Engineering and Surveying, set for the Northwest corner of said Tract 7, the Northeast corner of a 10.11 acre tract of land, called Tract 6, surveyed this same day, and the Southeast corner of a 10.03 acre tract of land, called Tract 4, surveyed this same day, said point being the Southwest corner of this tract of land;

North  $07^{\circ} 27' 06$  degree West, 445.76 feet, along the East line of said Tract 4, to a point marked by a 5/8 inch steel rod monument with a cap stamped Rakowitz Engineering and Surveying, set for the Northeast corner of said Tract 4, said point being a reentrant corner of this tract of land;

South  $89^{\circ} 32' 11''$  West, 1020.16 feet, along the North line of said Tract 4, to a point marked by a 5/8 inch steel rod monument with a cap stamped Rakowitz Engineering and Surveying, set on the East right-of-way line of Farm to Market Highway No. 1333, being the West line of said 160.08 acre tract of land, for the Northwest corner of said Tract 4, said point being the lower Northwest corner of this tract of land;

Thence North  $15^{\circ} 38' 22''$  West, 31.08 feet, along the East right-of-way line of Farm to Market Highway No. 1333, being the West line of said 160.08 acre tract of land, to a point marked by a 5/8 inch steel rod monument with a cap stamped Rakowitz Engineering and Surveying, set for the lower Southwest corner of said Tract 3, said point being the Northwest corner of this tract of land;

Thence North  $89^{\circ} 32' 11''$  East, 1921.65 feet, across said 160.08 acre tract of land, being the South line of said Tract 3, to the point of beginning;

The basis of bearing for this survey is Grid North, Texas State Plane Coordinate System, NAO 83 (2011), South Central Zone.

Street Address: Fm 1333 Lot 5, Charlotte, Texas 78011  
Recording Information for Deed of Trust: Doc# 221398

Street Address: 615 Brunswick Blvd., San Antonio, Texas 78214

Recording Information for Deed of Trust: Doc# 20190205766

Commonly known as FM 1333 Lot 5 , Charlotte, Texas 78011

Secures: Real Estate Note ("Note") in the original principal amount of \$117,000, executed by Michael Steven Cortez and Mary T. Cortez ("Borrower") and payable to the order of Lender

Substitute Trustee: Celeste A. Brown  
Substitute Trustee's Address: 1602 N. I-35 Frontage Road, Ste 116, San Antonio, Texas 78208

Foreclosure Sale:

Date: Tuesday, April 4, 2023

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 o'clock a.m. and not later than three hours thereafter.

Place: The West Porch of the Bexar County Courthouse, San Antonio, Texas; or at such other location as may be designated by the Commissioners' Court for such sales

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 SHANNON L. STEPHEN, Trustee for MOAT Management, LLC bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. **THOSE DESIRING TO BID AND PURCHASE THE PROPERTY WILL NEED TO DEMONSTRATE THEIR ABILITY TO PAY THEIR BID IMMEDIATELY BY CASHIER'S CHECK MADE PAYABLE TO THE ORDER OF THE UNDERSIGNED TRUSTEE. NO THIRD-PARTY CASHIER'S CHECKS WILL BE ACCEPTED.**

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, SHANNON L. STEPHEN, Trustee for MOAT Management, LLC 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 SHANNON L. STEPHEN, Trustee for MOAT Management, LLC election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with SHANNON L. STEPHEN, Trustee for MOAT Management, LLC 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 SHANNON L. STEPHEN, Trustee for MOAT Management, LLC 's 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 SHANNON L. STEPHEN, Trustee for MOAT Management, LLC 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.

**QUESTIONS CONCERNING THE SALE MAY BE DIRECTED TO**

**MARILYN GONZALEZ**  
1602 N. I-35 Frontage Road  
San Antonio, Texas 78208  
210-599-4179

**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.**

**Default and Request to Act: Default has under the Deed of Trust, and the mortgage has requested me, as Trustee, to conduct this sale. Notice is given that before the sale. Notice is given that before the sale the mortgage may appoint another person substitute trustee to conduct the sale.**

**The following are Substitute Trustees authorized to conduct the sale:**

**Robert Valdespino, Brenda Rolon, Olivia Valdespino, Hollerbach and Associates, Michael Powell.**

**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.**



Celeste A. Brown, PLLC  
Attorney and Substitute Trustee for Mortgagee  
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