

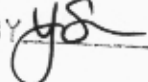
**NOTICE OF FORECLOSURE SALE**

September 6, 2024

FILED FOR RECORD

2024 SEP -9 AM 11:58

THERESA GARRASCO  
ATASCOSA COUNTY CLERK

BY  DEPUTY

**Deed of Trust ("Deed of Trust"):**

**Dated:** March 22, 2023

**Grantor:** Rafael Rocha Torres, Luis Osvaldo Rocha Lozolla, Daniel Alberto Rocha Lozollo and Angel Rafael Rocha Lozolla

**Trustee:** Liang Gao

**Lender:** Windsor Chase, LLC

**Recorded in:** Instrument No. 232857 of the real property records of Atascosa County, Texas

**Legal Description:** Tract 3 BEING a 14.109 acre tract situated in the Benjamin Kellogg Survey, Abstract Number 515, Atascosa County, Texas, being a portion of that certain called 35.016 acre tract of land described in instrument to Windsor Chase, LLC, recorded in Instrument Number 220796, of the Official Public Records of Atascosa County, Texas (O.P.R.A.C.T), said 14.190 acre tract being more particularly described by metes and bounds in the attached Exhibit.

**Secures:** Promissory Note ("Note") in the original principal amount of \$257,212.00, executed by Rafael Rocha Torres, Luis Osvaldo Rocha Lozolla, Daniel Alberto Rocha Lozollo and Angel Rafael Rocha Lozolla ("Borrower") and payable to the order of Lender

**Collateral Assignment:** The Note and the liens and security interests of the Deed of Trust were collaterally transferred and assigned to Quest Trust Company FBO Lien Eifert IRA 3078711, as to an undivided interest of 10%, Sup Blessed Business Consulting, LLC, a Texas limited liability company, as to an undivided interest of 50%, M7 Real Estate LLC, a Texas limited liability company, as to an undivided interest of 10%, and Thuy Tran, as to an undivided interest of 30% ("Secured Party") by an instrument dated March 22, 2023, recorded in Instrument No. 232859 of the real property records of Atascosa County, Texas

**Substitute Trustee:** Mark Cummings, Dick Veters, Jason West, Matthew Johnson, Nicole Correa or David Garvin

**Substitute Trustee's**

**Address:** c/o Foreclosure Services, LLC  
8101 Boat Club Rd., Suite 320  
Fort Worth, Texas, 76179

**Mortgage Servicer:** Texstar Escrow  
5809 Acacia Circler  
El Paso, Texas, 79912

**Foreclosure Sale:**

**Date:** Tuesday, October 1, 2024

**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. and not later than three hours thereafter.

**Place:** Atascosa County Courthouse located at 1 Courthouse Circle Dr., Jourdanton, Texas 78026, or any other place designated for real property foreclosures under Texas Property Code Section 51.002 or by the Commissioners Court of Atascosa County, Texas.

**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 Lender'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, Lender 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 Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender'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 Lender 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 Lender. 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.**

  
\_\_\_\_\_  
Margaret H. Banahan  
Veronica Almaguer  
R. Alex Weatherford  
Banahan Almaguer Weatherford, PLLC  
1400 Broadfield Blvd., Suite 105  
Houston, Texas 77084  
Telephone (281) 394-3122  
Telecopier (281) 940-2743  
Attorney for Lender

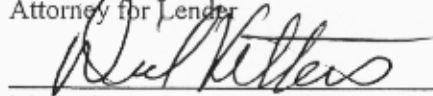
  
\_\_\_\_\_  
Mark Cummings, Dick Vettters, Jason West, Matthew Johnson, Nicole Correa or David Garvin  
c/o Foreclosure Services LLC  
8101 Boat Club Road, Suite 320  
Fort Worth, Texas 76179

Exhibit A

★ TA 23 3294E

**TEXAS PROFESSIONAL SURVEYING, LLC.**

3032 N. FRAZIER STREET, CONROE, TEXAS 77303  
(936)756-7447 FAX (936)756-7448  
FIRM REGISTRATION No. 100834-00

**FIELD NOTE DESCRIPTION  
TRACT 3  
14.190 ACRES  
IN THE BENJAMIN KELLOGG SURVEY, ABSTRACT NUMBER 515  
ATASCOSA COUNTY, TEXAS**

BEING a 14.190 acre tract situated in the Benjamin Kellogg Survey, Abstract Number 515, Atascosa County, Texas, being a portion of that certain called 35.016 acre tract of land described in instrument to Windsor Chase, LLC, recorded in Instrument Number 220796, of the Official Public Records of Atascosa County, Texas (O.P.R.A.C.T.), said 14.190 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "TPS 100834-00" set in the northerly line of said 35.016 acre tract, common to the southerly line of that certain called 101.74 acre tract, described in instrument to James Chance English, recorded in Volume 261, Page 185, O.P.R.A.C.T., being the northeasterly corner of the herein described 14.190 acre tract, from which a 5/8 inch iron rod found for reference, bears North 34°42'42" East, 2297.44 feet;

THENCE South 22°12'17" East, 790.01 feet, severing, said 35.016 acre tract, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set in the northerly margin of Leal Road, being the southeasterly corner of the herein described 14.190 acre tract;

THENCE South 89°15'14" West, 1023.08 feet, with the northerly margin of said Leal Road, the southerly line of said 35.016 acre tract, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the common southerly corner of said 35.016 acre tract and that certain called 5.000 acre tract, described in instrument to Wendell Napier, recorded under Clerk's File No. 192198, O.P.R.A.C.T., being the southwesterly corner of the herein described 14.190 acre tract;

THENCE North 05°08'02" East, 739.14 feet, with the common line between said 35.016 acre tract and said 5.000 acre tract, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the common northerly corner of said 35.016 acre tract and said 5.000 acre tract, the southerly line of said 101.74 acre tract, being the northwesterly corner of the herein described 14.190 acre tract;

THENCE North 89°15'14" East, 658.35 feet, with the common line between said 35.016 acre tract and said 101.74 acre tract, to the POINT OF BEGINNING;

CONTAINING a computed area of 14.190 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground on November 10, 2021, by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number B543-24\_TR3

Bearings recited hereon are based on GPS observations and are reference to the North American Datum 1983 (NAD83), Texas State Plane Coordinate System, South Central Zone (4204).

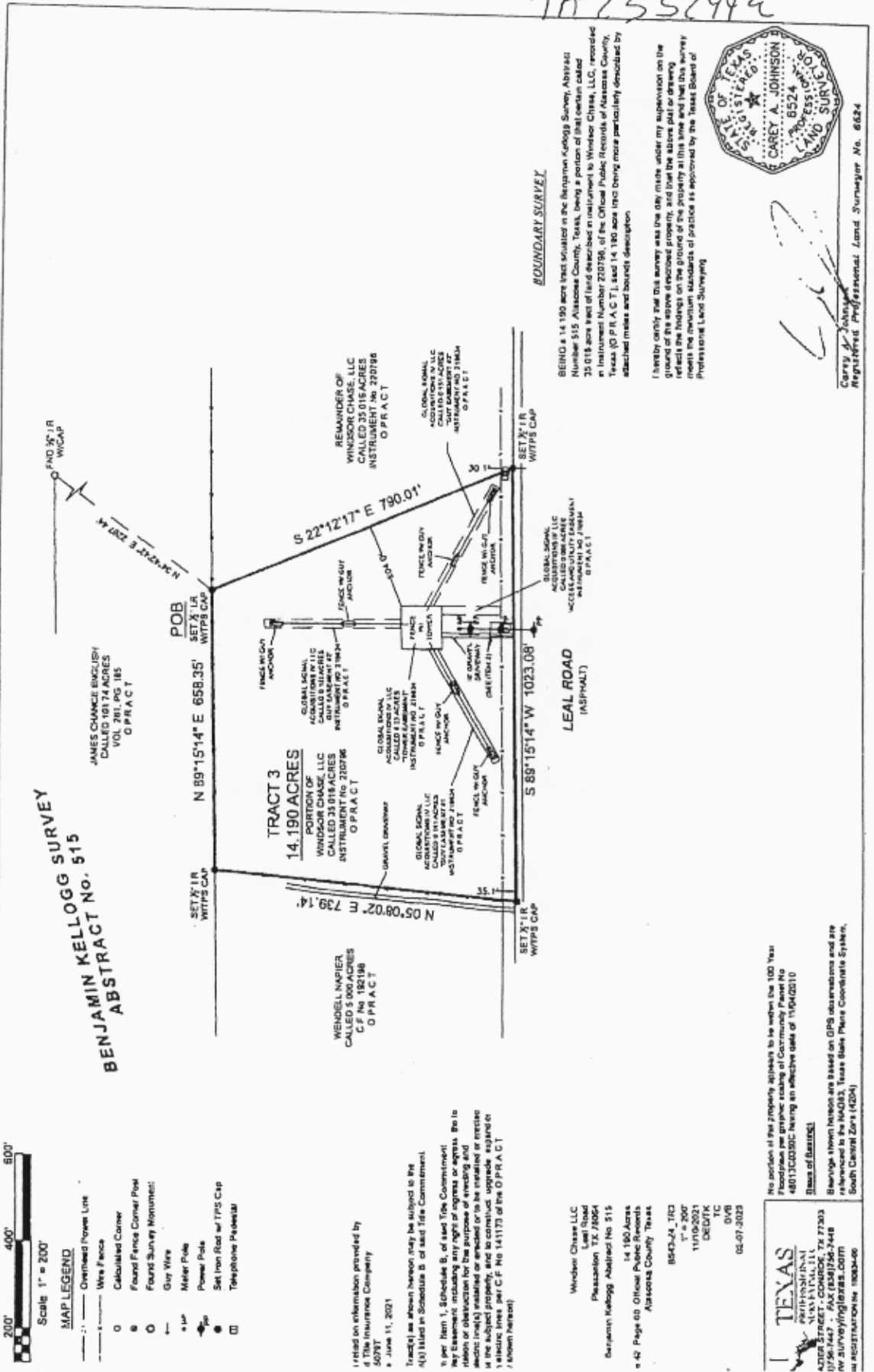
Revised, February 7, 2023

February 7, 2023  
Date



*Carey A. Johnson*  
Carey A. Johnson  
R.P.L.S. No. 6524

1A733249



Scale 1" = 200'

**MAP LEGEND**

- Overhead Power Line
- Wire Fence
- Calculated Corner
- Found Fence Corner Post
- Found Survey Monument
- Guy Wire
- Meter Pole
- Power Pole
- Set Iron Rod w/ TIPS Cap
- Telephone Pole/Post

I relied on information provided by  
 d. Title Insurance Company  
 50737  
 • June 11, 2021

Tract(s) as shown hereon may be subject to the  
 A(1) listed in Schedule B of said Title Commitment.  
 1 per Item 1, Schedule B, of said Title Commitment  
 to my rights or interest therein. Be it  
 understood that the surveyor is not responsible  
 for or observation for the accuracy of any  
 and/or electric lines per C.F. No. 141173 of the O.P.R.A.C.T.  
 (shown hereon)

Windsor Chase LLC  
 Leal Road  
 Pecos, TX 79064  
 Benjamin Kellogg Abstract No. 515  
 14.190 Acres  
 Official Public Record  
 Abstract No. 515  
 Pecos, Texas

0543-24, 1103  
 T-2-2007  
 11/10/2021  
 DEDT/K  
 TC  
 DVB  
 05-07-2023

No portion of this property appears to be within the 100 Year  
 Floodplain per graphic shading of Community Flood No.  
 48013CD039C having an effective date of 1/10/0210

**State of Texas**  
 Surveyor General  
 A27067428  
 07567427 - FAX (817)266-7448  
 www.surveying.texas.gov  
 REGISTRATION NO. 10034-00

Wendell Napier  
 Called 5.000 Acres  
 C.F. No. 182198  
 O.P.R.A.C.T.

James Chance English  
 Called 101.74 Acres  
 Vol. 281, Pg. 185  
 O.P.R.A.C.T.

Remainder of  
 Windsor Chase, LLC  
 Called 35.016 Acres  
 Instrument No. 220798  
 O.P.R.A.C.T.

Global Signal  
 Callisto Survey LLC  
 Called 133 Acres  
 Instrument No. 210218  
 O.P.R.A.C.T.

Global Signal  
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 Called 133 Acres  
 Instrument No. 210218  
 O.P.R.A.C.T.

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Global Signal  
 Callisto Survey LLC  
 Called 133 Acres  
 Instrument No. 210218  
 O.P.R.A.C.T.

**BOUNDARY SURVEY**

BEING 14.190 acre tract situated in the Benjamin Kellogg Survey, Abstract  
 Number 515, Pecos County, Texas, being a portion of that certain called  
 25.018 acre tract of land described in instrument to Windsor Chase, LLC, recorded  
 in Instrument Number 220798, of the Official Public Records of Pecos County,  
 Texas (O.P.R.A.C.T.), and 14.190 acre tract being more particularly described by  
 attached index and bound description.

I hereby certify that this survey was the day inside under my supervision on the  
 ground of the above described property, and that the above plat or drawing  
 reflects the findings on the ground of the property at this time and that this survey  
 meets the minimum standards of practice as approved by the Texas Board of  
 Professional Land Surveying



Carey A. Johnson  
 Registered Professional Land Surveyor No. 8524