

**Amended Notice of Foreclosure Sale**  
(Amended to include Exhibit "A")

FILED  
at 11:15 o'clock A.M.

January 14, 2022

JAN 14 2022

LEE H. CHAMBERS  
COUNTY CLERK, LIBERTY COUNTY, TEXAS  
BY Adrian Dovel DEPUTY

Deed of Trust ("Deed of Trust"):

Dated: February 27, 2009

Grantor: Jose Torres Nunez and Artemia Lagunas Nunez

Trustee: A.J. Hartel, III

Lender: First Liberty National Bank

Recorded in: 2009002688 of the real property records of Liberty County, Texas

Legal Description: All that certain tract or parcel of land being 9.42 acres, more or less, in the H&TC RR Co. Survey No. 131, A-258, and H&TC RR Co. Survey No. 132, A-487, Liberty County, Texas, more particularly described in "Exhibit A" attached hereto and made a part hereof for all purposes.

Secures: Promissory Note ("Note") in the original principal amount of \$100,000, executed by Jose Torres Nunez and Artemia Lagunas Nunez ("Borrower") and payable to the order of Lender

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Foreclosure Sale:

Date: Tuesday, March 1, 2022

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: South side steps of the courthouse located at 1923 Sam Houston Street, Liberty, Texas 77575

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 First Liberty National 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, The First Liberty National Bank, 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 First Liberty National 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 First Liberty National 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, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If The First Liberty National 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 First Liberty National 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, 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.**

STRATTON LAW FIRM



CHRISTINA VARELA CHRISCO

State Bar No. 24091390

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Attorney for Mortgagee

" EXHIBIT A "

FIELD NOTES OF A TRACT OF LAND CONTAINING 9.42 ACRES (CALLED 9.45 ACRES) SITUATED IN THE H. & T.C. RAILROAD SURVEY NO. 151, ABSTRACT 258, LIBERTY COUNTY, TEXAS AND OUT OF LOT 3, STILSON HILL SUBDIVISION, A SUBDIVISION IN LIBERTY COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 66 OF THE MAP RECORDS OF LIBERTY COUNTY, TEXAS SITUATED IN THE EDWARD FRIDT SURVEY NO. 132, ABSTRACT 487, LIBERTY COUNTY, TEXAS AND BEING THE SAME TRACT OF LAND CONVEYED TO JOSE NUNEZ AND ARTEMIA NUNEZ, RECORDED BY DEED IN LIBERTY COUNTY CLERK'S FILE NO.(S) 2066018040 OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS. SAID 9.42 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

NOTE: ALL CALLED BEARINGS ARE RECORD BEARINGS AND MEASURED BEARINGS ARE PER THE TEXAS PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE 1983 DATUM

BEGINNING at a 604 nail, found, in the right-of-way of County Road 682 (a.k.a. Valt Island Road, the northeast corner of a 11.53 acre tract of land conveyed to Jose Nunez and Renee F. Lopez recorded by deed in Volume 1957, Page 9 of the Official Public Records of said county and for the southwest corner of the herein described tract (X=6744590.28, Y=13939204.89);

THENCE, N 02°12'54" W, along the east line of said 11.53 acres, at 39.00 feet pass a 1/2" iron rod, found, in the north right-of-way line of said County Road 602, a distance of 1075.31 feet (called North - 1075.707') to a 1/2" capped iron rod marked RPLS 1685, found, being the northeast corner of said 11.53 acres and for an angle corner in the west line of the herein described tract;

THENCE, S 87°47'17" W, along the north line of said 11.53 acres, a distance of 902.98 feet (called S 89°57'52" W - 903.793') to a 1/2" capped iron rod marked RPLS 1685, found, in the east line of a 20.05 acre tract of land conveyed (in City Properties, Inc. recorded by deed in Liberty County Clerk's File No.(s) 20060004601 of the Official Public Records of said county, the northwest corner of said 11.53 acres and for an angle corner in the west line of the herein described tract;

THENCE, N 41°20'13" W, along the east line of said 20.05 acres, a distance of 714.05 feet (called N 89°57'52" W - 714.137') to a 1/2" capped iron rod marked RPLS 1685, found, being an angle corner in the east line of said 20.05 acres and for an angle corner in the west line of the herein described tract;

THENCE, N 02°16'15" W, along the east line of said 20.05 acres, a distance of 187.74 feet (called N 09°18'42" W - 187.85') to a ½" capped iron rod marked RPLS 1655, found, being an angle corner in the east line of said 20.05 acres and for the northwest corner of the herein described tract;

THENCE, N 87°48'15" E, along the east line of said 20.05 acres, a distance of 662.82 feet (called N 89°57'52" E - 663.39') to a ½" capped iron rod marked RPLS 1655, found, being the northwest corner of a 5.00 acre tract of land conveyed to Joel Perillo and Beatriz Perillo recorded by deed in Liberty County Clerk's File No.(s) 2006010839 of the Official Public Records of said county and for the northeast corner of the herein described tract;

THENCE, S 02°05'23" E, along the west line of said 5.00 acres, a distance of 717.70 feet (called South - 716.96') to a ½" capped iron rod marked RPLS 1655, found, being an angle corner in the west line of said 5.00 acres and for an angle corner in the east line of the herein described tract;

THENCE, N 87°42'13" E, along the west line of said 5.00 acres, a distance of 718.33 feet (called N 89°57'52" E - 716.57') to a ½" capped iron rod marked RPLS 1655, found, being an angle corner in the west line of said 5.00 acres and for an angle corner in the east line of the herein described tract;

THENCE, S 02°12'59" E, along the west line of said 5.00 acres, at 1060.76 feet pass a ½" capped iron rod marked RPLS 1655, found, in all a total distance of 1099.81 feet (called South - 1100.81') to a 60d nail, found, in the right-of-way of said County Road 602, the southwest corner of the 5.00 acres and for the southeast corner of the herein described tract;

THENCE, S 86°59'47" W, along the right-of-way of said County Road 602, a distance of 24.90 feet (called S 89°42'30" W - 25.00') to the "Point of Beginning" and containing 9.42 acres of land more or less.