

4:50 P  
SEP -8 2022  
Adrian D...  
LIBERTY COUNTY CLERK'S OFFICE

**NOTICE OF TRUSTEE'S SALE**

STATE OF TEXAS §  
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COUNTY OF LIBERTY §

Whereas pursuant to that one certain Deed of Trust dated June 27, 2020, executed by **LUIS MIGUEL DE LA CRUZ, CHRISTOFER ENMANUEL DIAZ and NOE ALEJANDRO DIAZ** "Mortgagor" and filed and recorded in the Official Public Real Property Records of LIBERTY County, Texas, under **Clerk's File Number 2020019933** of the Deed of Trust Records of LIBERTY County, Texas, Mortgagor conveyed to **ERIC R. HIRD**, the Trustee named in the Deed of Trust, all of Mortgagor's right, title, and interest in and to the real property situated in LIBERTY County, Texas, and described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN (collectively the "Property");**

together with all improvements thereon, and including all other property, if any, set forth in the Deed of Trust, to secure payment of that one certain Real Estate Lien Note or promissory note dated June 27, 2020, in the original principal amount of **\$59,000.00** executed by **LUIS MIGUEL DE LA CRUZ, CHRISTOFER ENMANUEL DIAZ and NOE ALEJANDRO DIAZ** and payable to the order of **HIRD 2013 INVESTMENT, LLC, a Texas limited liability company** ("Beneficiary"); and

Whereas the Deed of Trust was filed and recorded in the Official Public Real Property Records of LIBERTY County, Texas, under **Clerk's File Number 2020019933**; and,

Whereas the Note and Deed of Trust are in default and the entire unpaid balance of the Note is due and payable, and Beneficiary intends to enforce the power of sale set forth in the above-referenced Note and Deed of Trust; and,

Whereas the Beneficiary has directed the Trustee to enforce the power of sale under the Deed of Trust for the purpose of collecting the indebtedness secured under it, after giving at least 21 consecutive days' notice and recording the Notice in the LIBERTY County Clerk's Office giving the time, place, and terms of the sale, and a description of the property to be sold, pursuant to the Deed of Trust and the laws of the State of Texas;

Therefore, I, ERIC R. HIRD, Trustee, hereby give notice, after due publication as required by the Deed of Trust and/or security instruments and the Texas Property Code, that I will, after due posting, publication, and filing of this Notice, and after having given written notice of at least 21 consecutive days prior to the date of the sale by certified mail, return receipt requested, to each debtor obligated to pay the Note and indebtedness secured by the Deed of Trust, at the last known address of each such debtor, according to the records of Beneficiary, as required by the aforesaid Deed of Trust and the laws of the State of Texas, sell the Property at public auction between the hours of 10:00 a.m. and 4:00 p.m. on the first Tuesday in **October, 2022 (October 4, 2022)**, on the



Exhibit "A"

STATE OF TEXAS        §  
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COUNTY OF LIBERTY   §

TRACT 3

A TRACT OR PARCEL OF LAND CONTAINING 2.9092 ACRES (126,725 SQUARE FEET) OUT OF A CALLED 13.5489 ACRE TRACT CONVEYED TO JULIA WEISINGER, ET VIR, RECORDED IN VOLUME 1709, PAGE 39, OFFICIAL PUBLIC RECORDS LIBERTY COUNTY, TEXAS (O.P.R.L.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS ARE BASED IN VOL. 1709, PG. 39, O.P.R.L.C.T.)

BEGINNING at a 1/2 Inch iron rod with a "Precision Surveyors" cap set in the west right-of-way (ROW) line of FM 563 Road for the Northeast corner of herein described Tract from which the intersection of the west ROW line of said FM 563 Road and the south ROW line of Hylton Road Bears N06°56'04"W, 388.03';

THENCE S 06°56'04" E, 125.29', along the common East line of herein described Tract and the west ROW line of said FM 563 Road, to a 1/2 Inch iron rod with a "Precision Surveyors" cap set for the Southeast corner of herein described Tract;

THENCE S 75°38'12" W, 762.71', departing the west ROW line of said FM 563 Road, severing said 13.5489 acre tract and along the South line of herein described Tract, to a point in the east line of a tract conveyed to Kerry Lynn Fisher, recorded in County Clerk File No. (C.C.F. No.) 2012000159, O.P.R.L.C.T., for the Southwest corner of herein described Tract;

THENCE, N 57°27'26" E, , along the common West line of herein described Tract and the east line of said tract conveyed to Kerry Lynn Fisher, at 33.38' pass a found 5/8" iron rod for reference, in all a total distance of 99.38", to a point for a corner,

THENCE N 01°00'10" W, 192.56', along the common West line of herein described Tract and the east line of said tract conveyed to Kerry Lynn Fisher, to a 1/2 Inch iron rod with a "Precision Surveyors" cap set for the Northwest corner of herein described Tract;

THENCE N 78°35'00" E, 363.09', severing said 13.5489 acre tract and along the North line of herein described Tract to a 1/2 Inch iron rod with a "Precision Surveyors" cap set as a corner of the herein described Tract;

THENCE S 89°08'48" E, 287.46', severing said 13.5489 acre tract and along the North line of herein described Tract to the POINT OF BEGINNING containing 2.9092 acres (126,725 square feet) of land.

(See attached Drawing)



Terrance Mish  
Registered Professional Land Surveyor, No.  
4981  
February 13, 2017  
Job No. 17-01183-3  
Revised: February 20, 2017

4:50 P

SEP - 8 2022

Adrian Driver

**NOTICE OF TRUSTEE'S SALE**

STATE OF TEXAS §  
COUNTY OF LIBERTY §

Whereas pursuant to that one certain Deed of Trust dated April 1, 2021, executed by **LUIS MIGUEL DE LA CRUZ, CHRISTOFER ENMANUEL DIAZ and SANDRA S. RODRIGUEZ** "Mortgagor" and filed and recorded in the Official Public Real Property Records of LIBERTY County, Texas, under **Clerk's File Number 2021047251** of the Deed of Trust Records of LIBERTY County, Texas, Mortgagor conveyed to **ERIC R. HIRD**, the Trustee named in the Deed of Trust, all of Mortgagor's right, title, and interest in and to the real property situated in LIBERTY County, Texas, and described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN (collectively the "Property");**

together with all improvements thereon, and including all other property, if any, set forth in the Deed of Trust, to secure payment of that one certain Real Estate Lien Note or promissory note dated April 1, 2021, in the original principal amount of **\$77,000.00** executed by **LUIS MIGUEL DE LA CRUZ, CHRISTOFER ENMANUEL DIAZ and SANDRA S. RODRIGUEZ** and payable to the order of **BURKE FINANCE AND CAPITAL, LLC**, a Texas limited liability company ("Beneficiary"); and

Whereas the Deed of Trust was filed and recorded in the Official Public Real Property Records of LIBERTY County, Texas, under **Clerk's File Number 2021047251**; and,

Whereas the Note and Deed of Trust are in default and the entire unpaid balance of the Note is due and payable, and Beneficiary intends to enforce the power of sale set forth in the above-referenced Note and Deed of Trust; and,

Whereas the Beneficiary has directed the Trustee to enforce the power of sale under the Deed of Trust for the purpose of collecting the indebtedness secured under it, after giving at least 21 consecutive days' notice and recording the Notice in the LIBERTY County Clerk's Office giving the time, place, and terms of the sale, and a description of the property to be sold, pursuant to the Deed of Trust and the laws of the State of Texas;

Therefore, I, **ERIC R. HIRD**, Trustee, hereby give notice, after due publication as required by the Deed of Trust and/or security instruments and the Texas Property Code, that I will, after due posting, publication, and filing of this Notice, and after having given written notice of at least 21 consecutive days prior to the date of the sale by certified mail, return receipt requested, to each debtor obligated to pay the Note and indebtedness secured by the Deed of Trust, at the last known address of each such debtor, according to the records of Beneficiary, as required by the aforesaid Deed of Trust and the laws of the State of Texas, sell the Property at public auction between the hours of 10:00 a.m. and 4:00 p.m. on the first Tuesday in **October, 2022 (October 4, 2022)**, on the

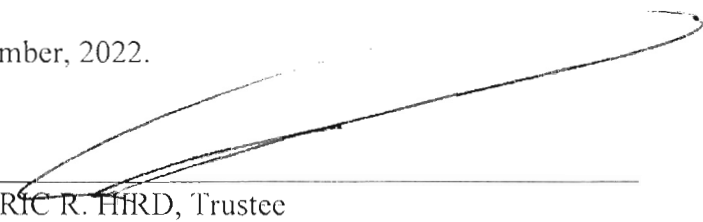
steps of the Liberty County Courthouse, at 11923 Sam Houston Street, Liberty, Texas 77575, or if the preceding area is no longer the designated area, at the area most recently designated by the Liberty County Commissioner's Court which has been designated as the general area where foreclosure sales are conducted pursuant to that certain order of the Commissioner's Court, to the highest bidder or bidders for cash.

**Pursuant to § 51.002 of the Texas Property Code, the foreclosure sale will begin no earlier than 12:00 P.M. and no later than three hours after that time.**

The sale conducted pursuant to this Notice will be made subject to any valid and existing liens or any other title encumbrances affecting title to the property described above or to any part of the property which are proved superior to the liens and other rights of Beneficiary under the security instrument or other recorded instruments.

Notice is further given that prior to the sale, Beneficiary may appoint another person as a Trustee to conduct the sale.

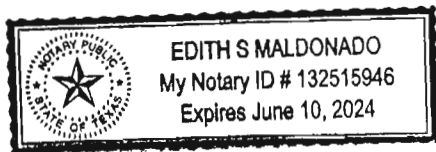
Witness my hand this 6 day of September, 2022.



ERIC R. HIRD, Trustee  
1725 Hughes Landing Blvd., Suite 860  
The Woodlands, Texas 77380

STATE OF TEXAS                   §  
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COUNTY OF MONTGOMERY       §

This instrument was acknowledged before me on this 6 day of September, 2022 by ERIC R. HIRD.



  
Notary Public for the State of Texas

Exhibit "A"

STATE OF TEXAS §  
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COUNTY OF LIBERTY §

TRACT 4

A TRACT OR PARCEL OF LAND CONTAINING 6.2207 ACRES (270,974 SQUARE FEET) OUT OF A CALLED 13.5489 ACRE TRACT CONVEYED TO JULIA WEISINGER, ET VIR, RECORDED IN VOLUME 1709, PAGE 39, OFFICIAL PUBLIC RECORDS LIBERTY COUNTY, TEXAS (O.P.R.L.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS ARE BASED IN VOL. 1709, PG. 39, O.P.R.L.C.T.)

BEGINNING at a 1/2 Inch iron rod with a "Precision Surveyors" cap set in the west right-of-way (ROW) line of FM 563 Road for the Northeast corner of herein described Tract from which the intersection of the west ROW line of said FM 563 Road and the south ROW line of Hylton Road Bears N06°56'04"W, 513.32';

THENCE S 06°56'04" E, 361.30', along the common East line of herein described Tract and the west ROW line of said FM 563 Road, to a 1/2 Inch iron rod with a "Precision Surveyors" cap set on the southerly high bank of Pignuts Gully (Shilo Creek) for the Southeast corner of herein described Tract;

THENCE along the common Southerly line of herein described Tract and said southerly high bank the following Courses and Distances:

- S 80°01'00" W, 41.17', to a point for a corner,
- N 82°54'56" W, 91.68', to a point for a corner,
- N 39°14'10" W, 66.47', to a point for a corner,
- N 71°16'11" W, 17.46', to a point for a corner,
- S 59°19'27" W, 42.08', to a point for a corner,
- S 28°45'03" E, 44.27', to a point for a corner,
- S 13°21'28" W, 45.37', to a point for a corner,
- S 49°27'43" W, 68.09', to a point for a corner,
- S 57°27'13" W, 125.47', to a point for a corner,
- S 04°49'10" E, 40.52', to a point for a corner,
- S 87°59'18" W, 329.07', to a point in the centerline of said Pignuts Gully (Shilo Creek) for the Southwest corner of herein described Tract;

THENCE along the common centerline of said Pignuts Gully (Shilo Creek) and the West line of herein described Tract the following Courses and Distances:

- N 23°14'29" E, 73.11', to a point for a corner,
- N 26°48'14" W, 66.01', to a point for a corner,
- N 01°23'48" E, 115.61', to a point for a corner,
- N 32°32'34" W, 159.72', to a point for a corner,

THENCE N 75°38'12" E, 762.71', severing said 13.5489 acre tract and along the North line of herein described Tract to the POINT OF BEGINNING containing 6.2207 acres (316,733 square feet) of land.

(See attached Drawing)



Terrance Mish  
Registered Professional Land Surveyor, No.  
4981  
February 13, 2017  
Job No. 17-01183-4  
February 20, 2017