

FILED
On: Sep 12, 2023 at 01:34P

Receipt# - 179346

Teresa Esther Chavez
County Clerk, Val Verde County, TX

NOTICE OF FORECLOSURE SALE

Deed of Trust ("Deed of Trust"):

Dated: June 30, 2022
Grantor: SHANE KAUTENBERGER and JUDITH S. KAUTENBERGER
Trustee: RICHARD F. GUTIERREZ
Lender: STEVEN W. BEAUDRY BARNES and MARCIA E. BEAUDRY
Recorded in: Document No. 00336180 of the real property records of Val Verde County, Texas

Legal Description: 0.485 acre tract of land lying and being situated on and southeast of Strickland Street; in the southwest part of the City of Del Rio, the County Seat, Val Verde County, Texas; all within Sur. No. 183, James Mitchell, Original Grantee, Abst. No. 1295. Said 0.485 acre tract of land being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

Secures: Promissory Note ("Note") in the original principal amount of \$225,000.00, executed by SHANE KAUTENBERGER and JUDITH S. KAUTENBERGER ("Borrower") and payable to the order of Lender

Substitute Trustee: EMILY KING
Substitute Trustee's Address: 304 E. Losoya ST., Del Rio, TX, 78840-5132

Foreclosure Sale:

Date: Tuesday, October 3, 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: Front steps of the Val Verde County Courthouse, at 400 Pecan St, Del Rio, TX 78840; or at such other locations as may be designated by the Commissioners' Court of said county.
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 STEVEN W. BEAUDRY BARNES and MARCIA E. BEAUDRY'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, STEVEN W. BEAUDRY BARNES and MARCIA E. BEAUDRY, 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 STEVEN W. BEAUDRY BARNES and MARCIA E. BEAUDRY's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with STEVEN W. BEAUDRY BARNES and MARCIA E. BEAUDRY'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 STEVEN W. BEAUDRY BARNES and MARCIA E. BEAUDRY 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.

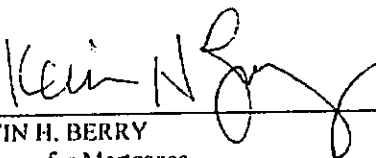
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 STEVEN W. BEAUDRY BARNES and MARCIA E. BEAUDRY. 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.



KEVIN H. BERRY
Attorney for Mortgagee



EMILY KING
304 E. Losoya ST.
Del Rio, TX 78840-5132
Telephone (830) 778-1515

Exhibit "A"

KOCH & KOCH LAND SURVEYORS, INC.
P.O. BOX 246 707 FM 1796 D'HANIS, TEXAS 78850
Office: 830-363-7331 Fax: 830-363-7441
E-Mail: kochkoch@swtexas.net

FOR DEED TO STEVEN W. BEAUDRY BARNES, ET. UX.
0.485 ACRE TRACT

THE STATE OF TEXAS)
COUNTY OF VAL VERDE)

Field Notes of a perimeter/boundary survey of a 0.485 tract of land,
made for the Federal National Mortgage Association and
Steven W. Beaudry Barnes, et. ux.

Said 0.485 acre (21,128.13 sq. ft.) tract of land lying and being situated on and southeast of Strickland Street; in the southwest part of the City of Del Rio, the County Seat, Val Verde County, Texas; all within Sur. No. 183, James Mitchell, Original Grantee, Abst. No. 1295. Said 0.485 acre tract being the West/Southwest 1/2 of Block 12 of the Price Addition to the City of Del Rio (Vol. 1, Page 79, Map Records), and being the same land as conveyed to the Federal National Mortgage Association, by Colonial Savings, F.A., by Special Warranty Deed dated January 15, 2010, and recorded in Document No. 00255859, of the Official Public Records of said Val Verde County. Said 0.485 acre tract being bounded on the southwest by the Manuel A. Navarro, et. ux. Property (Northeast Pt. of Block 11, of said Price Addition), as recorded in Vol. 862, Pages 903-916, of the Official Public Records of said County; on the northwest by the southeast R.O.W. line of said Strickland Street; on the northeast by the Sara Cardenas Property (East 1/2 of said Block 12 of said Price Addition); and on the southeast, from east to west, by Lots 4 and 3, Block C, of the Hunnicutt Addition to the City of Del Rio (Vol. 1, Page 124, Map Records). Said 0.485 acre tract containing numerous improvements, and being more fully described by metes and bounds, as follows:

BEGINNING at a 1/2" Steel Pin found on the southwest edge of a concrete driveway; in the southeast R.O.W. line of said Strickland Street; at the North corner of said Block 11, the West corner of said Block 12, both of said Price Addition; for the North corner of said Navarro Property, the West corner of said Federal National Mortgage Association Property, and the West corner of this tract;

THENCE with the southeast R.O.W. line of said Strickland Street; along the northwest side of said Block 12, the northwest side of said Federal National Mortgage Association Property, and the northwest side of this tract, N 46° 37' 51" E, unfenced, along the southeast

Cont. Page 3 of 3, Steven Barnes 0.485 Acre Tract.

and thence re-crossing said underground natural gas pipeline; total 285.13 ft. to the place of BEGINNING:

NOTE: Bearings noted herein are true geodetic bearings based on Global Navigation Satellite System (GNSS) observations.

Surveyed: July 29, 2010.

Field Crew Personnel: Spencer J. Burrell
Michael J. Koch

THE STATE OF TEXAS)
COUNTY OF MEDINA)

I, Hilmar A. Koch, a Registered Professional Land Surveyor of the State of Texas, do hereby state that the foregoing Field Notes description and accompanying plat correctly represent an actual survey made under my supervision, on the ground, on the date given.



Hilmar A. Koch
Registered Professional
Land Surveyor No. 2082

Cont. Page 2 of 3, Steven Barnes 0.485 Acre Tract.

side of a concrete walk, 71.58 ft. to a 1/2" Steel Pin found at a chain-link fence post, at the north terminal of said fence; at the West corner of said Cardenas Property; for the North corner of said Federal National Mortgage Association Property, and the North corner of this tract;

THENCE leaving the southeast R.O.W. line of said Strickland Street and the northwest side of said Block 12; and with chain-link fence; along the southwest side of said Cardenas Property, the northeast side of said Federal National Mortgage Association Property, and the northeast side of this tract, S 43° 43' 50" E, at approximately 2 ft. cross an underground natural gas pipeline; at 309.6 ft. pass the center of a pipe fence post; total 312.00 ft. to a 5/8" Steel Pin set in fence, 0.5 ft. northwest of a 3-way fence corner; in the northwest side of said Lot 4 of said Hunnicutt Addition, the southeast side of said Block 12 of said Price Addition; for the South corner of said Cardenas Property, the East corner of said Federal National Mortgage Association Property, and the East corner of this tract;

THENCE with the northwest side of said Lots 4 and 3, respectively, of said Hunnicutt Addition, and the southeast side of said Block 12 of said Price Addition; along the southeast side of said Federal National Mortgage Association Property, and the southeast side of this tract; in most part along the northwest side of a wooden privacy fence, S 68° 18' 37" W 35.78 ft. to a 3/4" Steel Pipe found at a 2-way fence corner post, for corner, and S 66° 51' 46" W 39.49 ft. to a 1/2" Steel Pipe found at a chain-link fence post, 0.65 ft. northwest of a 3-way fence corner; in the northwest side of said Lot 3; at the East corner of said Block 11, the South corner of said Block 12; for the East corner of said Navarro Property, the South corner of said Federal National Mortgage Association Property, and the South corner of this tract;

THENCE leaving the northwest side said Lot 3 of said Hunnicutt Addition and the southeast side of said Price Addition; and with the northeast line of said Block 11, the southwest line of said Block 12; along the northeast side of said Navarro Property, the southwest side of said Federal National Mortgage Association Property, and the southwest side of this tract, N 44° 01' 18" N, with chain-link fence; at approximately 110.5 ft. pass the end of said fence, and thence unfenced along (but not with) the southwest wall of a guest house, passing under a protruding roof line of said house; at approximately 136.9 ft. leaving said roof line and continuing mostly unfenced; passing along the southwest side of a covered carport; passing under overhead utility lines bearing southeast into this described tract,