

File for Record
at 10:47 o'clock A. M.
FEB 29 2024
Elvaray B. Silvas
County Clerk, Brooks County, Texas
By: *Jelena DeHann*, Deputy

Notice of Foreclosure Sale

Date: February 27, 2024

Lease:

Dated: December 1, 2017

Lessor: Juan Escamilla

Lessee: Bluefin Resources Propco, LLC, a Texas limited liability company

Leased Premises: Property: commercial space consisting of 300' x 300' out of the Northern most corner of 10.33 acres tract of land, more or less, being a portion of Lot 7, Block 18 of the Falfurrias Farm and Garden Tracts, located in Falfurrias, Brooks County, Texas.

Trustee: Noe Guerra

Description of Personal Property subject to lien being Foreclosed upon:

Modular Office Building on Leased Premises described as 60X56 Modular Office Building, including decks, chairs, ramp and stairs and canopies, appliances, desks, tables, chairs and phones, and kitchen cabinets.

Secures: Lien arising from Lease for default on payment of rent and other amounts owed under the Lease by Lessee in the amount of \$27,130.00, against the Personal Property located on and within the Leased Premises, plus attorney's fees in the amount of \$3,500.00.

Foreclosure Sale:

Date: Tuesday, April 2, 2024

Time: The sale of the Personal Property ("Foreclosure Sale") will take place between the hours of 10:00 a.m. and 1:00 p.m. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three (3) hours after that time on **Tuesday, April 2, 2024.**

Place: The east side steps of the Brooks County Courthouse, 408 W. Travis St., Falfurrias, TX 78355, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction of the Personal Property which will be sold to the highest bidder for cash,

except that Lessor's bid may be credited against the indebtedness secured by the lien of the Lease.

Default has occurred in the payment of the Lease and in the performance of the obligations of the Lease. Because of that default, Lessor, the owner, and holder of the Leased Premises and the lien, has requested Trustee to sell the Personal Property located within and abandoned within the Leased Premises.

The Lease encumbered Personal Property with the lien being foreclosed upon. Formal notice is hereby given of Lessor's election to proceed against and sell of the Personal Property abandoned on and within the Leased Premises under the Lessor's rights under the Lease and under 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, Trustee will sell the Property in accordance with the Terms of Sale described above, described in the Lease, and under applicable Texas law.

If Lessor 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 Lease and the Texas Business and Commerce Code.

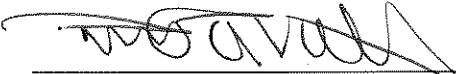
The Foreclosure Sale will be made expressly subject to all title matters and liens that are existing and are valid and that would not be abrogated by the Foreclosure Sale, and prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Personal Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Lease and the lien arising from the Lease. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Personal Property that has been released of public record from the lien and/or security interest arising from the Lease. Prospective bidders are strongly urged to examine the applicable property records and records of the Secretary of State and County Tax Assessor to determine the nature and extent of such matters, if any.

Pursuant to the Texas Property Code, and the Texas Business and Commerce Code the Personal Property will be sold **"AS IS," without any expressed or implied warranties.** Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Personal Property located at 823 S. Hwy 281, Falfurrias, TX 78355 by appointment by calling Juan Escamilla at (361) 231-1934 from the hours of 10:00 a.m. to noon and from 2:00 p.m. to 4:00 p.m., Monday through Friday.

Pursuant to the Texas Property Code and the Texas Business and Commerce Code, 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 Trustee.

Having reserved his right to proceed to foreclose his lien pursuant to the prior Notice of Default, the Lessor has elected to foreclose his lien pursuant to a public foreclosure sale instead through a private sale.

THIS INSTRUMENT APPOINTS THE TRUSTEE IDENTIFIED HEREIN TO SELL THE PERSONAL PROPERTY IDENTIFIED IN THIS NOTICE OF FORECLOSURE SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE LESSOR.

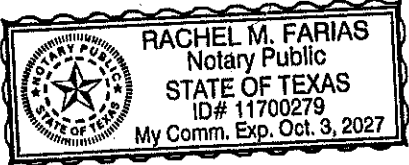


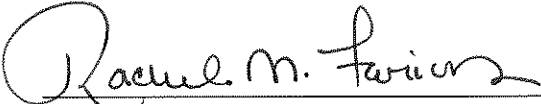
Kenneth A. Valls, Attorney for and Authorized Agent for Juan Escamilla, Lessor

STATE OF TEXAS §
 §
COUNTY OF WEBB §

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, on this day personally appeared Kenneth A. Valls, Authorized Agent for Juan Escamilla, Lessor, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on 27th day of February, 2024.





Notary Public in and for the State of Texas