

**Notice of Foreclosure Sale**

November 9, 2023

Filed this 14<sup>th</sup> day of NOV. 2023  
2:53 P M

TERESA RODRIGUEZ  
COUNTY CLERK, CALDWELL COUNTY, TEXAS

By Yolanda Hernandez Deputy  
Yolanda Hernandez

Deed of Trust:

Dated: February 15, 2004

Grantor: Clyde S. Arms and Tina M. McFerrin

Trustee: J. David Dickson

Lender: Frazier Land & Cattle Co., Ltd.

Recorded in: Document No. 041093, Volume 370, Page 848 of the real property records of Caldwell County, Texas

Legal Description: Tract 41, containing 5.594 acres of land, more or less, in the William Steffey Survey, A-272, Caldwell County, Texas, more fully described on attached Exhibit "A".

Secures: Real Estate Lien Note in the original principal amount of \$42,000.00, executed by Clyde S. Arms and Tina M. McFerrin ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Substitute Trustee: Renata Castro or Michel Miranda

Substitute Trustee's Address: 1301 South Capital of Texas Highway, Suite A234, Austin, Texas 78746

Mortgage Servicer: Lone Star Land Company

Mortgage Servicer's Address: P.O. Box 4688, Horseshoe Bay, Texas 78657

Foreclosure Sale:

Date: December 5, 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 12:00 p.m. and not later than three hours thereafter.**

Place: Front courthouse door of the Caldwell County Courthouse located at 1703 S. Colorado Street, Lockhart, Texas 78644

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.

Mortgage Servicer is representing Lender in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Lender. The address of Mortgage Servicer is set forth above.

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.

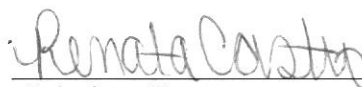
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain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



Substitute Trustee

**DALE L. OLSON**

Registered Professional Land Surveyor

711 Water Street

Bastrop, TX 78602

Phone (512) 321-5476 \* Fax (512) 303-5476

FIELD NOTES FOR TRACT NO. ~~41~~ A 5.594 ACRE TRACT IN THE WILLIAM STEFFEY SURVEY, CALDWELL COUNTY, TEXAS.

BEING a 5.594 acre tract or parcel of land out of and being a part of the William Steffey Survey, A-272, in Caldwell County, Texas, and being a part of that certain 57.528 acre tract in the John H. Folley, A-107, and said William Steffey Survey as described as Second Tract in a deed from Ruth Howard, et al, to Frazier Land and Cattle Company, L.L.C., dated June 10, 1998, recorded in Volume 187, Page 774, Caldwell County Official Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a fence corner post found in the west line of County Road No. 109B, the southeast corner of that certain 340.5 acre tract described in a deed from G.N. Martindale, et ux, to H.D. Martindale, recorded in Volume 156, Page 20, Caldwell County Deed Records, the northeast corner of the said 57.528 acre tract.

THENCE with the west line of said county road, the east line of the 57.528 acre tract, S 23 deg. 00 min. 13 sec. E, 792.81 feet to a 5/8 inch iron rod set for the POINT OF BEGINNING, the northeast corner of this tract.

THENCE continuing with the west line of said county road and east line of the 57.528 acre tract, S 23 deg. 00 min. 13 sec. E, 33.22 feet to a 5/8 inch iron rod set for an angle corner of this tract.

THENCE S 41 deg. 33 min. 12 sec. W, 600.00 feet to a 5/8 inch iron rod set for an interior corner of this tract.

THENCE S 82 deg. 46 min. 44 sec. E, 284.50 feet to a 5/8 inch iron rod set; S 27 deg. 56 min. 48 sec. E, 160.00 feet to a 5/8 inch iron rod set for the southeast corner of this tract.

THENCE S 62 deg. 03 min. 12 sec. W, at 476.22 feet pass a 5/8 inch iron rod set for reference, in all, 1184.45 feet to a point in the lower west line of the said 57.528 acre tract and east line of that certain 601.869 acre tract described in a deed from Allan Coleman Ashcraft III, et al, to John T. Wade, et al, recorded in Volume 144, Page 594, Caldwell County Official Records, for the southwest corner of this tract. Said point being in the Plum Creek Conservation Lake.

THENCE N 41 deg. 33 min. 12 sec. E, at 683.37 feet pass a 5/8 inch iron rod set for reference, in all, 1619.29 feet to the POINT OF BEGINNING, containing 5.594 acres of land.

*I, Dale L. Olson, a Registered Professional Land Surveyor in the State of Texas, Reg. No. 1753, do hereby declare that the above is a complete and accurate description of the herein described tract of land made from a survey on the ground by me in May 1999.*



Dale L. Olson  
RPLS 1753



Order #125499-8