

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

STATE OF TEXAS           §  
  §           KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF PECOS       §

1.       **Property to be sold.** The property to be sold is described as follows: All of that certain parcel of land located in the County of Pecos, State of Texas, and legally described, to wit:

**S/2 OF NE/4 OF SECTION 41, BLOCK 10, CERTIFICATE 2/362, ABS 489,  
H&GN RWY CO. SURVEY, PECOS COUNTY, TEXAS;**

**SAVE AND EXCEPT A 30-FOOT ACCESS AND UTILITY EASEMENT  
LYING ALONG THE EAST LINE OF THE ABOVE SAID PROPERTY.**

2.       **Instrument to be foreclosed.** The instrument to be foreclosed is a Wrap Deed of Trust (“Deed of Trust”) dated April 30, 2020, executed by Jose Menchaca, as Grantor, to Jon Jasniak, as Trustee, in favor of Jaz Land, LLC, as Beneficiary, and recorded on June 1, 2020, as Instrument No. 2020-170732 in the official real property records of the Pecos County Clerk’s office, Pecos County, Texas, reference to said Deed of Trust being made herein for all purposes.

3.       **Date, Time and Place of Sale.** The sale is scheduled to be held at the following date, time and place:

Date:    June 1, 2021

Time:    The sale will begin no earlier than 1:00 p.m. or no later than three hours thereafter.  
          The sale will be completed by no later than 4:00 p.m.

Place:   The outside area of the east side doors of the Pecos County Courthouse located at 103 West Callaghan, Fort Stockton, Texas, 79735, as designated by the Pecos County Commissioner’s Court, or at the area most recently designated by the Pecos County Commissioners Court located in Fort Stockton, Texas.

The Deed of Trust permits the beneficiary to postpone, withdraw, or re-schedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal or re-scheduling. Notice of the date and time of any re-scheduled foreclosure sale will be re-posted and re-filed in accordance with the posting and filing requirements of the Texas Property Code. The reposting or re-filing may be after the date originally scheduled for this sale.

4.       **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the full amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

**FILED**  
MAY 11 2021

LIZ CHAPMAN  
CLERK COUNTY COURT, PECOS CO., TEXAS  
By MG 8:28 Deputy

The 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 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. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Deed of Trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or sell all or only part of the property.

Pursuant to TEXAS PROPERTY CODE §51.009, the property will be sold in an "AS IS" and "WHERE IS" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for in the deed of trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to TEXAS PROPERTY CODE §51.0075, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

5. **Type of Sale.** The sale is a non-judicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale expressly granted in the Deed of Trust executed by Jose Menchaca, as Grantor.

6. **Obligations secured.** The Deed of Trust provides that it secures the payment of the underlying indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to payment of that one certain Promissory Note in the original principal amount of \$44,008.54, executed by Jose Menchaca, as Borrower, LLC, and payable to the order of Jaz Land, LLC, who is the current owner and holder of the Obligations and beneficiary of the Deed of Trust. All questions concerning the sale may be directed to the undersigned.

7. **Default and Request to Act.** Default has occurred under the Deed of Trust, and the beneficiary has requested that I/we, as Substitute Trustee(s), conduct the sale as described herein. Notice is given that before the sale the beneficiary may appoint another person as substitute trustee to conduct the sale.

8. **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.

WITNESS my hand on this 10 day of May, 2021.



JOHN G. HELSTOWSKI or ANTHONY FLORES  
any to act as Substitute Trustee(s)  
c/o J. GANNON HELSTOWSKI LAW FIRM  
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Colleyville, Texas 76034  
(817) 382-3125 – Telephone  
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