

Notice of Foreclosure Sale

June 19, 2023

Oil and Gas Deed of Trust ("Deed of Trust):

Dated: March 1, 2017

Grantor: B.P. Productions, Inc.

Substitute Trustee: Von A. Jones

Lender: Sun Exploration, Inc.

Recorded in: Oil and Gas Deed of Trust dated March 1, 2017, recorded as Document 139672, Volume 449, Page 391 - 419, in the Official Records of Goliad County, Texas

Legal Description: See Exhibit A

Secures: Commercial Promissory Note dated March 1, 2017, in the original principal amount of Forty Six Thousand Seven Hundred Fifty and NO/100 Dollars (\$1,100,000.00) payable to Sun Exploration, Inc. executed by B.P. Production, Inc., as modified by Modification and Extension Agreement dated May 1, 2021, and Reinstatement Agreement and Extension of Real Estate Note and Lien

Modifications and Renewals: (as used herein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as so modified, renewed, and/or extended)

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Foreclosure Sale:

Date: Tuesday, August 1, 2023

Time: The sale of the Property will be held 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 am and not later than three hours thereafter.

CERTIFICATE OF POSTING
11:20 o'clock A M

JUN 29 2023

Mickie Quinn
County Clerk, Goliad County Texas

By: *[Signature]* 30/11

Place: At the Goliad County Courthouse at the area designated by the Commissioner's Court, if no area is designated by the Commissioner's Court the sale will be conducted in the area immediately adjacent (next) to the location where notices of foreclosure are posted at the Goliad County Courthouse, Goliad, Texas.

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 Sun Exploration, Inc.'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, Sun Exploration, Inc., 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 Sun Exploration, Inc.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Sun Exploration, Inc.'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 Sun Exploration, Inc. 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 Sun Exploration, Inc. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

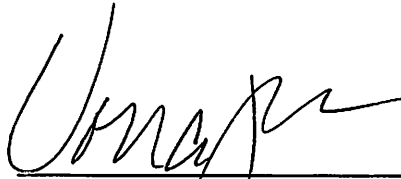
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical 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.



Von A. Jones, Substitute Trustee
1250 NE Loop 410, Suite 808
San Antonio, Texas 78209
Telephone (210) 824-8282
Telecopier (210) 824-8585

EXHIBIT "A"

Attached to and made a part of that certain Assignment and Bill of Sale and loan documents dated effective March 1, 2017, by and between Sun Exploration, Inc., as Assignor, and B.P. Productions, Inc., as Assignee

THE LEASES

| | <u>Lessor</u> | <u>Lessee</u> | <u>Dated</u> | <u>Recorded Vol. & Pg.</u> | |
|--|--|--------------------------|--------------|------------------------------------|-----|
| | Mary Lutenbacher, et al | J.E. Dannelley | 11/21/40 | 95 | 38 |
| | Jenelle Blackburn | J.E. Dannelley | 08/29/40 | 93 | 419 |
| | Viola Arnold, et al | J.E. Dannelley | 08/22/40 | 93 | 431 |
| | Etta Terrell, et al | J.E. Dannelley | 11/23/40 | 95 | 30 |
| | J.K. New, et al, as Independent Executrix of the Estate of Corrine Carlyle Wilkinson, Deceased | Southstar Corporation | 11/01/94 | 35 | 493 |
| | Joy Lynne W. Broom, et al | Sydney Investments, Ltd. | 05/04/06 | 264 | 538 |

THE WELLS

| <u>Lease/ Well Name</u> | <u>Working Interest</u> | <u>Net Revenue Interest</u> |
|------------------------------------|------------------------------------|--|
| ARNOLD | .989102 | .778430 |
| BLACKBURN | .989102 | .778430 |
| LUTENBACHER | .989102 | .778430 |
| TERRELL | .989102 | .778430 |
| MOORE 1 | .807687 | .750000 |
| MOORE TERRELL | .807687 | .767499 |
| MOORE A | .634568 | .750000 |
| WILKINSON | .990000 | .742500 |



Goliad County
Vickie Quinn
Goliad County Clerk

Instrument Number: 10

Foreclosure Posting

Recorded On: June 29, 2023 11:23 AM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$3.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 10
Receipt Number: 20230629000002
Recorded Date/Time: June 29, 2023 11:23 AM
User: Annie B
Station: clerk01

Record and Return To:

Holland & Holland
1250 NE Loop 410, Ste 808

SAN ANTONIO TX 78209



STATE OF TEXAS

Goliad County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Goliad County, Texas

Vickie Quinn
Goliad County Clerk
Goliad County, TX

Vickie Quinn 30/6