

**AMENDED NOTICE OF FORECLOSURE SALE**

This AMENDED NOTICE OF FORECLOSURE SALE is intended to amend and replace that certain NOTICE OF FORECLOSURE SALE filed on December 12, 2024 under Document No. 24-000156 in the Official Records of Medina County, Texas to correct a clerical error in the Date of Sale.

**Date:** December 12, 2024

**Instrument to be Foreclosed:** Deed of Trust (the "*Deed of Trust*")

*Date:* May 1, 2024

*Grantor:* 1859 OPERATING, LLC, a Texas limited liability company

*Trustee:* FRANK GABRYSCH

*Lender:* PMR ENERGY, LLC, a Texas limited liability company

*Recording Information:* Recorded on September 16, 2024, under Document No. 2024008199, Official Records of Medina County, Texas

*Secures:* Promissory Note dated May 1, 2024, in the original principal amount of \$967,500.00, executed by Grantor and payable to the order of Lender

*Substitute Trustees:* STEVEN BROOK and/or DAVID GARD  
745 E. Mulberry Ave.  
Suite 700  
San Antonio, Texas 78212  
  
and/or  
  
ELIZABETH MARKER  
114 N. Panna Maria Ave.  
Karnes City, Texas 78118

**Property to be Sold:** That certain Oil and Gas Lease from Adam Keller 2016 Trust, as Lessor, to RPG Operating LLC, as Lessee, filed under Document No. 2018007005, Medina County, Texas, and refiled on July 30, 2020 under Document No. 202000661 to correct a defective exhibit, and covering 219.792 gross acres, more or less (the "*Keller Lease*"); and

100% of the leasehold working interest estate in the sixty-four (64) existing wells on the Keller Lease (the "*Keller Lease Wells*"), said Keller Lease Wells being those wells identified by the Railroad Commission of Texas as associated with Railroad Commission of Texas Lease No. 18317, District 1, and Lease No. 17413, District 1; and

100% of the fixtures, surface pumping equipment, casing, down hole equipment, storage tanks, tubing, rods, roadways, easements and electric meter loops on the Keller Lease Wells and Keller Lease (the "*Keller Lease Equipment*" and together with the Keller Lease and the Keller Lease Wells, the "*Property*")

**County:** MEDINA COUNTY, TEXAS

**Date of Sale:** TUESDAY, JANUARY 7, 2025

**Time of Sale:** The sale will be held between the hours of 10:00 AM and 4:00 PM, local time; the earliest time at which the Foreclosure Sale will begin is 10:00 AM and not later than three (3) hours thereafter.

**Place of Sale:** The sale (the "**Foreclosure Sale**") shall occur at the East side of the Medina County Courthouse Annex, 1300 Avenue M, Hondo TX 78861 near the front entrance, as designated in accordance with Section 51.002 of the Texas Property Code by the Commissioner's Court on January 13, 2022, as the place where foreclosure sales are to take place.

**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 described hereinabove.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of this default, Lender, the owner and holder of the Note, has requested that any one or more of the Substitute Trustees sell the Property.

The Deed of Trust may encumber both real and personal property. Notice is hereby given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender'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 the Date, Time, and Place for the Foreclosure Sale described above, the Substitutes Trustees, or any one or more of them, will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable 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, 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 ENCOURAGED 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 express 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 Trustees reserve 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 Trustees, or any one of them.

**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.

EXECUTED, this 12th day of December, 2024.


ATTORNEY for PMR ENERGY, LLC:

LANGLEY & BANACK, INC., a Texas professional corporation

By:  \_\_\_\_\_

DAVID GARD, for the firm.  
745 E. Mulberry Avenue  
Suite 700  
San Antonio, Texas 78212  
(210) 736-6600  
[dgard@langleybanack.com](mailto:dgard@langleybanack.com)

SUBSTITUTE TRUSTEE:

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DAVID GARD  
LANGLEY & BANACK, INC.  
745 E. Mulberry Avenue  
Suite 700  
San Antonio, Texas 78212  
(210) 736-6600  
[dgard@langleybanack.com](mailto:dgard@langleybanack.com)

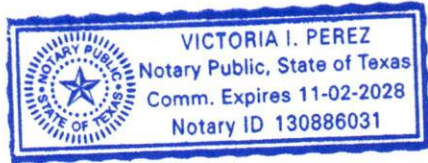
*[Acknowledgement Follows]*



STATE OF TEXAS §

COUNTY OF BEXAR §

This instrument was acknowledged before me on this 12<sup>th</sup> day of December, 2024, by DAVID GARD, as Substitute Trustee.



*Victoria I. Perez*

Notary Public, State of Texas

My Commission Expires: 11-02-2028



\*VG-42-2024-24-000158\*

**Medina County  
Gina Champion  
Medina County Clerk**

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**Instrument Number:** 24-000158

Foreclosure Posting

Recorded On: December 13, 2024 03:27 PM

Number of Pages: 5

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**" Examined and Charged as Follows: "**

Total Recording: \$2.00

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\*\*\*\*\* 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: 24-000158  
Receipt Number: 20241213000052  
Recorded Date/Time: December 13, 2024 03:27 PM  
User: Johnny P  
Station: ccscan1.medinacounty.local

**Record and Return To:**

GARD DAVID TR



**STATE OF TEXAS  
Medina 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 Medina County, Texas**

Gina Champion  
Medina County Clerk  
Medina County, TX