

NOTICE OF FORECLOSURE SALE

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.

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Property To Be Sold. The property to be sold is described as follows:

A 10.00 ACRE, MORE OR LESS, TRACT OF LAND OUT OF THE SOUTHWEST QUARTER SW/4 OF SECTION 437, BLOCK D, JOHN H. GIBSON SURVEY, YOAKUM COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE W/LINE OF SAID SECTION 437 FOR THE SOUTHWEST CORNER OF THIS TRACT, FROM WHICH A ½" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE SW CORNER OF SAID SECTION 437, BEARS S 0° 05' 34" W, 1065.4 FEET; THENCE N 0° 05' 34" E ALONG THE W/LINE OF SAID SECTION 437, A DISTANCE OF 500.00 FEET TO THE NW CORNER OF THIS TRACT; THENCE S 89° 54' 26" E, AT 33.23 FEET PASS THE CENTERLINE OF STATE FARM ROAD 435, AT 83.23 FEET PASS A ½" IR WITH CAP MARKED "NEWTON SURVEYING" SET 50 FEET EASTERLY OF THE CENTERLINE OF SAID FARM ROAD, IN ALL 871.2 FEET TO A ½" IR WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE NE CORNER OF THIS TRACT; THENCE S 0° 05' 34" W, 500 FEET TO A ½" IR WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE SE CORNER OF THIS TRACT; THENCE N 89° 54' 26" W, AT 786.09 FEET PASS A ½" IR WITH CAP MARKED "NEWTON SURVEYING" SET 50 FEET EASTERLY OF SAID CENTERLINE OF FARM ROAD, AT 836.09 FEET PASS THE CENTERLINE OF SAID FARM ROAD, IN ALL 871.2 FEET TO THE PLACE OF BEGINNING.

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

Date: FEBRUARY 4, 2020

Time: The sale shall begin no earlier than 10:00 A.M. or no later than three hours thereafter. The sale shall be completed by no later than 4:00 P.M.

Place: YOAKUM County Courthouse in PLAINS, Texas, at the following location: The West door of the YOAKUM County Courthouse.

The deed of trust permits the beneficiaries to postpone, withdraw, or reschedule the sale

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SUMMER LOVELACE, COUNTY CLERK, YOAKUM COUNTY, TX
BY Valerie Valdez DEPUTY

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 rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiled may be after the date originally scheduled for this sale.

3. 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 beneficiaries thereunder to have the bid credited to the note up to the 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 cash on the day the property is sold.

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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. Type of Sale. The sale is a nonjudicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by TIMOTHY JAY HILL. The deed of trust is dated MARCH 1, 2018, and is recorded in the office of the County Clerk of YOAKUM County, Texas, in Instrument # 2018-0863, of the OFFICIAL PUBLIC RECORDS of YOAKUM County, Texas.


5. Obligations Secured. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (1) the promissory note in the original principal amount of \$100,000.00, executed by TIMOTHY JAY HILL, and payable to the order of MAJOR B. HOWARD; and (2) all renewals and extensions of the note. MAJOR B. HOWARD is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

As of JANUARY 14, 2020, there is owed \$83,342.60 on the note, being principal and interest in the following amounts: \$82,920.07 of principal and \$422.53 of interest. The note is bearing interest at the rate of \$13.63 per day thereafter.

Questions concerning the sale may be directed to the undersigned.

6. Default and Request To Act. Default has occurred under the deed of trust, and the beneficiaries have requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale the beneficiaries may appoint another person substitute trustee to conduct the sale.

DATED January 14, 2020.



JIMMY HAMMONS, Substitute Trustee

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