

NOTICE OF SUBSTITUTE TRUSTEE'S 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.

WHEREAS, Jose Adan Villegas and Daniela Gonzalez executed a Deed of Trust ("the Deed of Trust") dated December 27, 2012, conveying to Warren New, Trustee, the property described therein to secure Miguel Romo and wife, Aida L. Portillo in the payment of the indebtedness described therein; and

WHEREAS, the Deed of Trust is recorded at Clerk's File Number 2012-4960 of the Official Public Records of Yoakum County, Texas;

WHEREAS, the property subject to the Deed of Trust includes the real property located at 1512 Cole Avenue, Denver City, Texas 79323, and legally described as:

Lot 13 in Block E of the Northside Addition, also known as the Humble Addition, to the City of Denver City, Yoakum County, Texas (1512 Cole Ave)

WHEREAS, Zachary X. Martin, individually and as his sole property (hereinafter "Zachary Martin") is the present owner and holder of the Note and indebtedness described in the Deed of Trust and the liens securing its payment; and

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of such original Trustee upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, the indebtedness secured by the Real Estate Lien Note ("the Note") dated December 27, 2012, executed by Jose Adan Villegas and wife, Daniela Gonzalez payable to Miguel Romo and wife, Aida Portillo in the original principal amount of \$159,000.00; and

WHEREAS, defaults have occurred under the Note and the Deed of Trust and the Note is now due and payable in full as provided therein; and

WHEREAS, I have been requested to sell the property pursuant to the Deed of Trust;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, May 2, 2023, between 10:00 a.m. and 4:00 p.m., Kerry L. Haliburton, Jim Mills, Susan Mills, Ed Henderson, Judy Mutschler, Todd Paxton, Perry Hunt, Judy Matlock, Dallas Blackmon, Judy Gorby, Gwenda Jean Wright and Andrew Mills-Middlebrook, Substitute Trustee, will sell the property by public sale at auction to the highest bidder for cash. The sale will take place at the front steps on the south side of the Yoakum County Courthouse located at Cowboy Way and Ave. G in Plains, Texas 79355 or as designated by the Commissioner's Court pursuant to Section 51.002 of

FILED 4-3 2023 AT 3 O'CLOCK P -M.
SUMMER LOVELACE, COUNTY CLERK, YOAKUM COUNTY, TX
BY Marissa Valdez DEPUTY

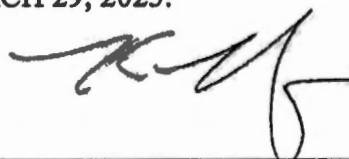
the Texas Property Code. The earliest time at which the sale will occur will be 10:00 a.m. Pursuant to Section 51.002 of the Texas Property Code, the sale shall begin at that time or not later than three hours after that time. The Deed of Trust permits the Beneficiary to postpone or withdraw, or reschedule the sale for another day. In such case, the Trustee or Substitute Trustee under the Deed of Trust need not appear at that date, time and place of a scheduled sale to announce a 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 refileing may be after the date originally scheduled for sale.

The sale will be made subject to any exceptions referenced in the Deed of Trust to the extent the same are still in effect and shall not cover any property that has been released from the liens of the Deed of Trust.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day of sale for the property being sold.

THE PURCHASER AT THE FORECLOSURE SALE WILL RECEIVE THE TITLE TO THE PROPERTY OWNED BY JOSE ADAN VILLEGAS AND WIFE, DANIELA GONZALEZ AND WILL NOT RECEIVE ANY REPRESENTATION OR WARRANTY OF ANY KIND, ORAL, WRITTEN, EXPRESS, OR IMPLIED, FROM ZACHARY MARTIN CONCERNING THE PROPERTY AND ZACHARY MARTIN HAS NOT MADE, AND DOES NOT MAKE, ANY SUCH REPRESENTATIONS OR WARRANTIES. THE SUBSTITUTE TRUSTEE DOES NOT, AND WILL NOT, MAKE ANY REPRESENTATIONS OR WARRANTIES, INCLUDING, WITHOUT LIMITATION, ANY WARRANTY OF TITLE TO THE PROPERTY. THE PROPERTY WILL BE SOLD AS IS, WHERE IS, AND WITH ALL FAULTS. THE PURCHASER AT THE FORECLOSURE SALE WILL RELY SOLELY ON PURCHASER'S OWN INSPECTIONS OR INVESTIGATIONS OF THE PROPERTY AND THE CONDITION THEREOF IN MAKING A DECISION TO PURCHASE THE PROPERTY. ALL OF THESE PROVISIONS SHALL EXPRESSLY SURVIVE THE TRANSFER OF THE PROPERTY TO PURCHASER.

EFFECTIVE DATE OF NOTICE IS MARCH 29, 2023.



Kerry L. Haliburton, Substitute Trustee
Naman, Howell, Smith & Lee, PLLC
400 Austin Avenue, Suite 800 (76701)
P.O. Box 1470
Waco, Texas 76703-1470
254-755-4100
FAX 254-754-6331
E-Mail: haliburton@namanhowell.com