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**Notice of Foreclosure Sale**

**Deed of Trust and Security Agreement ("Deed of Trust"):**

**Dated:** December 12, 2013

**Grantor:** Jose Briones and Tiffany Graves Briones

**Trustee:** Jeannie N. Marrow

**Lender:** Lynn Jones and Carol Jones

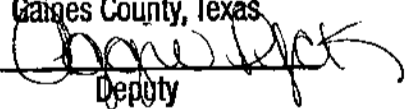
**Recorded in:** Instrument # 2013-6019 of the real property records of Gaines County, Texas

**Legal Description:** A TRACT OF LAND OUT OF SECTION 1, BLOCK A-21, PUBLIC SCHOOL LANDS IN GAINES COUNTY, TEXAS DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT: BEGINNING AT A 3/8" IRON ROD SET IN THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 385, FOR THE SOUTHEAST AND BEGINNING CORNER OF THIS TRACT, WHENCE THE SOUTHEAST CORNER OF SECTION 1, BLOCK A-21 BEARS SOUTH 0°37'25" EAST, 1390.92 FEET AND NORTH 74°23'40" EAST, 1586.5 FEET; THENCE SOUTH 89°44'25" WEST, A DISTANCE OF 1424.0 FEET TO A 3/8" IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS TRACT; THENCE NORTH 0°37'25" WEST, A DISTANCE OF 611.8 FEET TO A 3/8" IRON ROD SET FOR THE NORTHWEST CORNER OF THIS TRACT; THENCE NORTH 89°44'25" EAST, A DISTANCE OF 1424.0 FEET TO A 3/8" IRON ROD SET IN THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 385, FOR THE NORTHEAST CORNER OF THIS TRACT; THENCE SOUTH 0°37'25" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 385, A DISTANCE OF 611.8 FEET TO THE PLACE OF BEGINNING, SAVE & EXCEPT ALL OIL, GAS AND OTHER MINERALS.

**Secures:** Real Estate Lien Note ("Note") in the original principal amount of \$95,000.00, executed by Jose Briones and Tiffany Graves Briones ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

**Substitute Trustee:** Jimmy Hammons

**Substitute Trustee's Address:** 305-A. W. Broadway

**FILED**  
 3-16-21 10:52am  
 Terri Berry, County Clerk  
 Gaines County, Texas  
 BY   
 Deputy

Brownfield, Texas 79316

**Foreclosure Sale:**

**Date:** April 6, 2021

**Time:** The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time.

**Place:** Gaines County Courthouse, 101 S. Main St., Seminole, Texas 79316.

**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 Beneficiary'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, Beneficiary, 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 Beneficiary's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Beneficiary'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 Beneficiary 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 Beneficiary. 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.**



ALLEN J. HAMMONS, JR., Substitute Trustee  
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Brownfield, TX 79316  
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