

#39

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Notice is hereby given that a public sale at auction of the Property (as that term is defined and described below) will be held at the date, time and place specified in this notice.

DATE OF SALE: Tuesday, January 2, 2018.

TIME OF SALE: The earliest time at which the sale shall occur is 11:00 a.m. The sale shall begin at that time or not later than three hours after that time.

PLACE OF SALE: At the West door of the Gaines County Courthouse designated by the Commissioner's Court of Gaines County, Texas, where foreclosure sales are to take place.

INFORMATION REGARDING THE DEED OF TRUST LIEN THAT IS THE SUBJECT OF THIS SALE:

NAME OF DOCUMENT: Deed of Trust (the "Deed of Trust")

DATE: October 2, 2015

GRANTORS: Lucas James Padilla and Mary T. Padilla

BENEFICIARY: National Bank of Andrews

TRUSTEE: Russell Shannon

RECORDING INFORMATION: Document Number 2015-5464, in the Official Public Records of Gaines County, Texas

PROPERTY DESCRIPTION: A 9.24 acre tract of land out of the E/2 of that certain 80.43 acre tract of land described in deed from Veterans Land Board of Texas to Richard Padilla, dated February 18, 2011, recorded in Volume 2011, Page 3599, Official Public Records of Gaines County, Texas, and being situated in the S/2 of the SW/4 of Section 23, Block C-43, Public School Land, Gaines County, Texas; said tract being more particularly described on Exhibit "A", which is attached hereto and incorporated herein.

INDEBTEDNESS SECURED:

NAME OF DOCUMENT: Note

DATE: October 2, 2015

FACE AMOUNT: \$57,600.00

MAKER: Lucas James Padilla and Mary T. Padilla

PAYEE: National Bank of Andrews

SUBSTITUTION OF TRUSTEE:

NAME OF DOCUMENT: Appointment of Substitute Trustee

NAME OF SUBSTITUTE TRUSTEE: Lori M. Ruiz,
and/or Bryan Mackay
3800 East 42nd Street, Suite 500
Odessa, Texas 79762

FILED
12-10-17- 11:45A m
Vicki Phillips, County Clerk
Gaines County, Texas
Connie Curtis

Default has occurred in the payment of the indebtedness secured by the Deed of Trust and in the performance of the covenants, agreements and conditions set forth in the Deed of Trust. The maturity of the indebtedness secured by the Deed of Trust has been accelerated and such indebtedness is now wholly due and payable.

Therefore, at the date, time and place set forth above, the undersigned, as Trustee, will sell the Property to the highest bidder pursuant to the terms of the Deed of Trust.

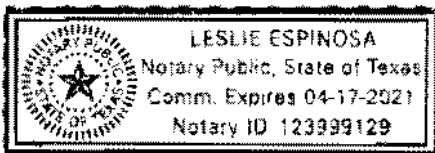
Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

IN WITNESS WHEREOF this Notice of Substitute Trustee's Sale has been executed on this the 11th day of December, 2017.

Lori M. Ruiz
Lori M. Ruiz, Substitute Trustee

STATE OF TEXAS §
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COUNTY OF ECTOR §

This instrument was acknowledged before me on the 11th day of December, 2017, by Lori M. Ruiz, Substitute Trustee, who acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.



Leslie A. Espinosa
Notary Public

EXHIBIT "A"

BEGINNING at a 1/2" iron rod with cap marked "NEWTON SURVEYING" set in the South line of said Section 23 for the Southwest corner of this tract, from which a 1" iron pipe found for the Southwest corner of said Section 23, bears N. 88°00'43"W. 1800.50 feet (bearings compared to the Texas Coordinate System of 1983, North Central Zone, distances are true at an averaged surface elevation);

THENCE N.01°59'17"E., at 40.00 feet pass a 1/2" iron rod with cap marked "NEWTON SURVEYING" set in the Northerly right-of-way line of Graded County Road 404 (Volume 562, Page 546, D.R.), in all 830.00 feet to a 1/2" iron rod with cap marked "NEWTON SURVEYING" set for the Northwest corner of this tract;

THENCE S.88°00'43"E. 485.00 feet to a 1/2" iron rod with cap marked "NEWTON SURVEYING" set for the Northeast corner of this tract;

THENCE S.01°59'17"W., at 790.00 feet pass a 1/2" iron rod with cap marked "NEWTON SURVEYING" set in said Northerly right-of-way line of Graded County Road 404, in all 830.00 feet to a 1/2" iron rod with cap marked "NEWTON SURVEYING" set in the South line of said Section 23 for the Southeast corner of this tract, from which a 1" iron pipe found for the Southeast corner of the SW/4 of said Section 23 bears S.88°00'43"E. 360.00 feet;

THENCE N.88°00'43"W., along the South line of said Section 23 and along said County Road 404, a distance of 485.00 feet to the place of beginning; SAVE AND EXCEPT all oil, gas and other minerals.