

#8

NOTICE OF FORECLOSURE SALE

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

That real property described in Exhibit A hereto.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded May 2, 2008, in Vol. 760 Page 0307, Terry County, Texas, recorded April 23, 2008, in County Clerk File No. 2008-1759, Gaines County, Texas, and re-recorded April 18, 2008, in County Clerk File No. 2008-797 in Yoakum County, Texas

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

Date: June 7, 2016

Time: The sale will begin no earlier than 1:00 p.m. or no later than three hours thereafter. The sale will be completed by no later than 4:00 p.m.

Place: Terry County Courthouse in Brownfield, Texas, at the following location:

Terry County Courthouse
500 West Main Street
In the Foyer at the North Door
Brownfield, TX 79316

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale 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. The reposting or re-filing may be after the date originally scheduled for this sale.

4. *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 beneficiary 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 their bid immediately in cash if their bid is accepted.

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. The sale shall not cover any part of the property that has been released of public record from the lien of 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.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (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 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Mark & Beth Jones.

Notice of Foreclosure Sale
Hlead Enterprises - Jones, Mark & Beth
//04-13-16//ks//

#8
— FILED —
4-18-16 - 9:20 AM
Vicki Phillips, County Clerk
Gaines County, Texas
Jackie Smith

The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

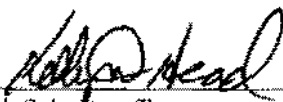
6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note executed by Mark & Beth Jones, and payable to the order of Norman Head Enterprises, Inc. and K & N Partnership. Norman Head Enterprises, Inc. and K & N Partnership are the current owners and holders of the Obligations and are the beneficiaries under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Norman Head Enterprises, Inc. at P. O. Box 2783, Albany, Texas 76430.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

8. **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.

Dated: 4/13, 2016.



Kelly Head, Substitute Trustee
P. O. Box 2783
Albany, TX 76430
Telephone (325) 725-5185

EXHIBIT A

TRACT ONE: All of Lot 7, Block 91, Original Town of Plains, Yoakum County, Texas, as described in Plat recorded in Volume 1, Page 481, Deed Records of Yoakum County, Texas, to which reference is here made.

TRACT TWO: A tract of land 150 feet by 206 feet out of Section 112, Block T, D.&W. Ry. Co. Survey, Terry County, Texas and being described by metes and bounds as follows:

BEGINNING at a ½ inch steel rod set in the West right-of-way of U. S. Hwy. 62 and 82, for the NE corner of this tract, that bears West 50 feet and South 1787.10 feet from the NE corner of Section 112;

THENCE South along said right-of-way 150 feet to a ½ inch steel rod set for the SE corner of this tract;

THENCE West 206 feet to a ½ inch steel rod set for the SW corner of this tract;

THENCE North 150 feet to a ½ inch steel rod set for the NW corner of this tract;

THENCE East 206 feet to the place of beginning.

TRACT THREE: Lots 9 and 10 and the East 4 feet of Lot 8, Block 24, Original Town of Seagraves, Gaines County, Texas.