

## NOTICE OF FORECLOSURE SALE

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

SEE EXHIBIT "A"

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 05/17/2010 and recorded in Book 787 Page 742 real property records of Terry County, Texas.

**3. Date, Time, and Place of Sale.**

Date: 02/03/2015

Time: The sale will begin no earlier than 10:00 AM or no later than three hours thereafter.

Place: Terry County Courthouse, Texas, at the following location: TERRY County Courthouse in BROWNFIELD, Texas, at the following location: The North door of the Terry County Courthouse, the place designated by the Terry County Commissioner's Court by instrument recorded in Volume 850, Page 58, Official Public Records, Terry County, Texas OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

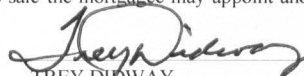
**4. Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

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.

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. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

**5. Obligations Secured.** The Deed of Trust executed by WILLIAM L. MCELROY, provides that it secures the payment of the indebtedness in the original principal amount of \$48,795.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. PLANET HOME LENDING, LLC FKA GREEN PLANET SERVICING, LLC is the current mortgagee of the note and deed of trust and PLANET HOME LENDING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is PLANET HOME LENDING, LLC FKA GREEN PLANET SERVICING, LLC c/o PLANET HOME LENDING, LLC, 321 Research Parkway, Suite 303, Meriden, CT 06450 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

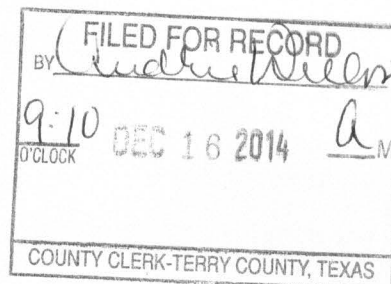
**6. Default and Request to Act.** Default has occurred under the deed of trust, and the mortgagee has requested a Substitute Trustee conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.



TREY DIDWAY  
c/o AVT Title Services, LLC  
13770 Noel Road #801529  
Dallas, TX 75380-1529

14-000005-680  
1941 COUNTY RD 620  
BROWNFIELD, TX 79316

**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.**



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EXHIBIT "A"

LEGAL DESCRIPTION

A 3.15 acre tract of land out of Section 95, Block T, D.&W. Railway Company Survey, Terry County, Texas described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod with cap set in the North right-of-way line of County Road 620 as described in Volume 4, Page 47 of the County Commissioners Records of Terry County, Texas for the Southeast corner of this tract, the Southeast corner of Section 95 bears South a distance of 24.00 feet and East a distance of 2892.12 feet;

THEN West along said right-of-way line a distance of 330.00 feet to a 1/2 inch steel rod with cap set for the Southwest corner of this tract;

THEN North a distance of 415.80 feet to a 1/2 inch steel rod with cap set for the Northwest corner of this tract;

THEN East a distance of 330 feet to a 1/2 inch steel rod with cap set for the Northeast corner of this tract;

THEN South a distance of 415.80 feet to the POINT OF BEGINNING.

FILED FOR RECORD	
BY	<i>Audrey Wells</i>
9:11 O'CLOCK	DEC 16 2014 <i>a</i> M
COUNTY CLERK-TERRY COUNTY, TEXAS	