

## NOTICE OF FORECLOSURE 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.**

Notice is hereby given of a public nonjudicial foreclosure sale.

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

A 120' x 125' tract out of the Northwest One-Fourth of the Northeast One-Fourth (NW/4 of NE/4) of Section 87, Block T, D & W Ry. Co. Survey in Terry County, Texas, described by metes and bounds as follows, to-wit:

BEGINNING at a found 1" pipe for the Northeast corner of the tract described in Volume 330, Page 223, Deed Records, Terry County, Texas, that bears South 50.0' and N 89° 57' W 1500.0' from the Northeast corner of Section 87, Block T;

THENCE South along the above described tract, a distance of 170.8' to a 1/2" rod set for the Northeast corner of this tract;

THENCE South along the East line of the above described tract, a distance of 120.0' to a 1/2" rod set for the Southeast corner of this tract;

THENCE N 89°57' W a distance of 125.0' to a 1/2" rod set in the East ROW line of Jill Street as described in Volume 323, Page 771, Deed Records, Terry County, Texas, for the Southwest corner of this tract;

THENCE North along the East ROW line of Jill Street, a distance of 120.0' to a 1/2" rod set for the Northwest corner of this tract;

THENCE S 89°57' E a distance of 125.0' to the place of beginning

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

Date: APRIL 1, 2014

Time: The sale shall begin no earlier than 10:00 A.M. or no later than three hours thereafter. The sale shall be completed by no later than 4:00 P.M.

Place: 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 507, Page 741, Deed Records, Terry County, Texas.

The deed of trust permits the beneficiaries 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. Such reposting or refileing may be after the date originally scheduled for this sale.

3. 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 beneficiaries 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 cash on the day the property is sold.

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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.


4. Type of Sale. The sale is a nonjudicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by MARIA C. FRANCO, MIGUEL P. MENDOZA and wife, RESUGIA MENDOZA, and MIGUEL MENDOZA, JR, and wife, MEGAN LOPEZ. The deed of trust is dated APRIL 19, 2010, and is recorded in the office of the County Clerk of County, Texas, in Volume 786, Page 428, of the OFFICIAL PUBLIC RECORDS of TERRY County, Texas.


5. Obligations Secured. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (1) the promissory note in the original principal amount of \$28,500.00, executed by MARIA C. FRANCO, MIGUEL P. MENDOZA, and MIGUEL MENDOZA, JR., and payable to the order of MIKE KUMPE and WANDA KUMPE. MIKE KUMPE and WANDA KUMPE 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.

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

DATED FEBRUARY 27, 2014

  
J. A. TREY DIDWAY, Trustee  
305 A West Broadway  
Brownfield, TX 79316  
Telephone: (806) 637-7568  
FAX: (806) 637-7560

FILED FOR RECORD	
BY	
3:50 O'CLOCK	FEB 27 2014 P M
COUNTY CLERK-TERRY COUNTY, TEXAS	