

## NOTICE OF FORECLOSURE SALE

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

LOT NINE (9) IN BLOCK NINE OF THE REVISED PLAT OF BLOCK NINE (9) IN THE GILLHAM-POWELL ADDITION TO THE CITY OF BROWNFIELD, TERRY COUNTY, TEXAS, AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN VOLUME 240, PAGE 391 OF THE DEED RECORDS OF TERRY COUNTY, TEXAS, LESS ALL OF THE OIL, GAS AND OTHER MINERALS IN AND UNDER AND THAT MAY BE PRODUCED FROM SAID LAND.

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 03/18/2009 and recorded in Book 772 Page 0503 Document 241893 real property records of Terry County, Texas.

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

Date: 04/01/2014

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 LAW ENFORCEMENT CENTER, 1311 TAHOKA RD., BROWNFIELD, TEXAS, IN LOBBY AREA (THE 2 ENTRANCE DOORS FACE EAST AND WEST)(FRONT OF BUILDING FACES SOUTH) 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 ROGELIO HOLGUIN AND PRISCILLA ANN HOLGUIN, provides that it secures the payment of the indebtedness in the original principal amount of \$94,729.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. BANK OF AMERICA, N.A. is the current mortgagee of the note and deed of trust.

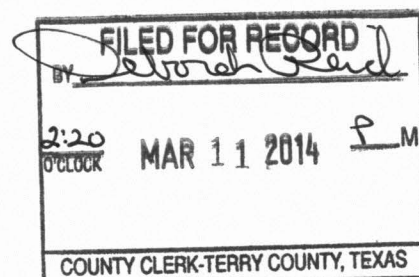
6. **Default and Request to Act.** Default has occurred under the deed of trust, and the mortgagee has requested a Substitute Trustee conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.



SHELLY HENDERSON, CHELSEA BROOKS, STACY  
RAPIER  
c/o AVT Title Services, LLC  
13770 Noel Road #801529  
Dallas, TX 75380-1529

12-003269-570  
1609 EAST BUCKLEY STREET  
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.**



FILED FOR RECORD  
COUNTY CLERK - FERRY COUNTY, TEXAS  
MAY 11 2011  
CLERK