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J. Perez, Jr., Clk. Jim Wells Co., Texas
By Mary Selva Deputy

Notice of Foreclosure Sale

Deed of Trust

Dated: June 4th, 2013

Grantors: Claudie Berry and Rhonda Berry (Husband and Wife)

Substitute Trustee: David O. Gonzalez

Lender: Ricardo Leon

Recorded in: Volume 1192, Pages 319-325 of the Official Records of Jim Wells County, Texas

Legal Description: (Including all improvements thereon)

Being 49.06 acres of land, more or less, out of the West portion of a 56 acre tract, situated 12 miles North of Alice, Jim Wells County, Texas, said 56 acres tract being that land described in a Deed from Jack Modesett, Jr. to Fidencio G. Hinojosa et ux, Teodora recorded in Volume 311, Pages 98-100 of the Deed Records of Jim Wells County, Texas and being out of the ROSS M. BRIDGES SURVEY 14, Abstract 54, and also being out of the mid-Eastern portion of Tract No. 2 and Tract No. 3 in a partition of the W.T. Wright 2,874.06 acre tract, as shown by a partition Plat dated February 14, 1951, and recorded in Volume 4, Page 47, of the Map Records of Jim Wells County, Texas, said 49.06 acres of land being more particularly described by metes and bounds as follows:

COMMENCING At a 3/4" iron rod found at a "T" fence corner on the lower East line of a 260.28 acre tract of land (Parcel 3) described in Volume 694, Page 319-325, Official Records of Jim Wells County, Texas, for the Northwest corner of a 77.444 acre tract of land described in Volume 968, Page 889-898, Official Records of Jim Wells County, Texas, for the Southwest corner of said 56 acre tract for the POINT OF BEGINNING, the Southwest corner of this 49.06 acre tract of land;

THENCE N 00° 21' 32", with the lower East line of said 260.28 acres and with the West line of said 56 acre tract, generally with a wire fence, a distance of 797.17 feet to a 3/4" iron rod found beside a "T" fence corner for the Northwest corner of said 56 acre tract and the Northwest corner of this 49.06 acre tract of land;

THENCE EAST, with the upper South line of said 260.28 acres and with the North line of said 56 acres, generally with a wire fence, a distance of 2565.64 feet to a 5/8" iron rod found beside a fence corner post on the Westerly right of way line of U.S. Highway 281 for the Northeast corner of this 49.06 acre tract of land;

THENCE S 15° 48' 26" E, with the Westerly right of way line of U.S. Highway No. 281, generally with a wire fence, a distance of 828.48 feet to a 5/8" iron rod set beside a fence corner post for the Northeast corner of said 77.444 acre tract of land for the Southeast corner of this 49.06 acre tract of land;

THENCE WEST, with the North line of said 77.444 acre tract and with the South line of said 56 acres, generally with a wire fence, a distance of 2796.31 feet to the POINT OF BEGINNING,

containing 49.06 acre of land, more or less.

Secures: Promissory Note in the original principal amount of \$215,000.00, executed by Claudie Berry and Rhonda Berry and payable to the order of Lender and all other indebtedness of Borrower to Lender

Foreclosure Sale:

Date: Tuesday, January 3rd, 2017

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three hours thereafter.

Place: South Door of the Jim Wells County Courthouse, 200 N. Almond Alice, Texas

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Ricardo Leon's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Ricardo Leon, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Ricardo Leon's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Ricardo Leon's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Ricardo Leon passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

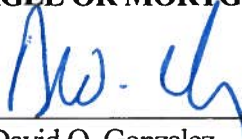
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Ricardo Leon. 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 "AS IS," without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



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