

POSTED

A.M. 3:15 P.M.

SEP 10 2021

**Notice of Foreclosure Sale**

GWINDA JONES, COUNTY CLERK  
ERATH COUNTY, TEXAS

By CW Deputy

September 10, 2021

Deed of Trust, Real Estate Lien Note and Warranty Deed with Vendor's Lien ("Deed of Trust"):

Dated: March 24, 2014

Grantor: Pío Vargas and Julia Vargas

Trustee: William H. Oxford

Lender: L.H. Jones

Recorded in: Document No. 2014-01699 of the real property records of Erath County, Texas

Legal Description: see Attached Exhibit "A"

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$49,500.00, executed by Pío Vargas and Julia Vargas ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, October 5, 2021

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: Erath County Courthouse, 100 W. Washington, Stephenville, Texas 76401, the courthouse steps

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 L.H. Jones'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, L.H. Jones, 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 L.H. Jones's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with L.H. Jones'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 L.H. Jones 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.

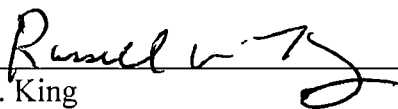
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 L.H. Jones. 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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Russell W. King  
Attorney for Mortgagee  
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Dublin, TX 76446  
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Exhibit "A"

TRACT ONE:

All that certain 2.50 acres tract of land, being the North part of Tract 37 of La Sombra Estates, a subdivision of Erath County, as shown by a plat thereof recorded in the Volume 1, Page 97 of the Plat Records of Erath County, Texas and describes as follows:

BEGINNING at the NW corner of Tract 37 and the NE corner of Tract 38 of La Sombra Estates, for the NW corner of this tract;

THENCE N 58 deg. 46' E, 268.04' to the NE corner of Tract 37 and the NW corner of Tract 36, for the NE corner of this Tract;

THENCE S 29 deg. 28' E, along the East line of Tract 37, 406.46' to the SE corner of this Tract;

THENCE S 58 deg. 46' W, 268.04' to the West line of Tract 37, for the SW corner of this Tract;

THENCE N 29 deg. 28' W, along the West line of Tract 37, 406.46' to the place of beginning and containing 2.50 acres of land.

TRACT TWO:

All that certain 2.50 acre tract of land, being the North part of Tract 38 of La Sombra Estates, a subdivision of Erath County, as shown by a plat thereof recorded in Volume 1, Page 97 of the Plat Records of Erath County, Texas and described as follows:

Beginning at the NW corner of Tract 38 and the NE corner of Tract 39 of La Sombra Estates, for the NW corner of this Tract;

THENCE N 58 deg. 46'E, 268.04' to the NE corner of Tract 38 and the NW corner of Tract 37, for the NE corner of this Tract;

THENCE S 29 deg. 28' E along the East line of Tract 38, 406.46' to the SE corner of this Tract;

THENCE S 58 deg. 46' W 268.04' to the West line of Tract 38, for the SW corner of this Tract;

THENCE N 29 deg. 28' W, along the West line of Tract 38, 406.46' to the place of beginning and containing 2.50 acres of land.

TRACT THREE:

All that certain lot, tract or parcel of land, being the North 40 feet of Tract No. 36 of La Sombra Estates, a subdivision of Erath County, Texas as shown by a Plat thereof recorded in the Volume 1, Page 97 of the Plat Records of Erath County, Texas and described as follows:

BEGINNING at an iron rod set in the West line of a 50 foot wide road, being the NE corner of Tract No. 36 and the SE corner of tract No. 35 of La Sombra Estates for the NE corner to this Tract;

THENCE S 30 deg. 27' E along the West line of said 50 foot wide road and the East line of Tract No.36, 40.0' to an iron rod set for the SE corner of this Tract;

THENCE S 58 deg. 46' W parallel to and 40 feet Southerly at right angles from the North line of Tract No. 36, 321.96' to an iron rod set in the West line of said Tract no. 36 for the SW corner of this Tract;

THENCE N 29 deg. 28' W, 40.0' to an iron rod set at the NW corner of Tract No. 36 for the NW corner of this Tract;

THENCE N 58 deg. 46'E, 321.97' to the place of beginning and containing 0.295 acres.