

This 13th day of Nov. 2018
at 4:31 A.M.

Notice of Foreclosure Sale

November 13, 2018

Deed of Trust ("Deed of Trust"):

Dated: June 30, 2016

Grantor: John Riggins and Melissa Tarin

Trustee: James Bryan Johnston

Substitute Trustee: Elizabeth Odle

Lender: Simmons Investments, LLC and Abel A. Leal

Recorded in: Clerk File No. 16-1266 of the real property records of Deaf Smith County, Texas.

Legal Description: The South 56 feet of Lot No. 7, First Christian Church Subdivision of a part of Block 19, Evants Addition to the town of Hereford, Deaf Smith County, Texas, as shown by the plat thereof of record in Volume 54, Page 567, Deed Record of Deaf Smith County, Texas.

Secures: Promissory Note ("Note") in the original principal amount of \$64,500.00, executed by John Riggins and Melissa Tarin ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, December 4, 2018

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: The front second floor entrance to the Deaf Smith County Courthouse, 235 E. Third Street, Hereford, TX 79045.

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 Simmons Investments, LLC and Abel A. Leal'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, Simmons Investments, LLC and Abel A. Leal, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Simmons Investments, LLC and Abel A. Leal's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Simmons Investments, LLC and Abel A. Leal'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, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

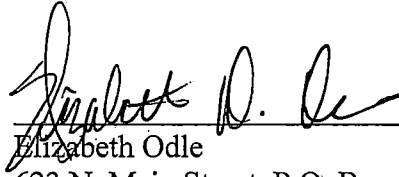
If Simmons Investments, LLC and Abel A. Leal passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 Simmons Investments, LLC and Abel A. Leal. 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, 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 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.



Elizabeth Odle

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