

This 29th day of July, 2024
at 10:25 AM Posted

NOTICE OF SUBSTITUTE TRUSTEE'S SALE.

DATE: July 25, 2024

DEED OF TRUST:

Date: April 16, 2024
Grantor: Luis Miguel Rivera Rodriguez
Beneficiary: Viva Farms, LLC
Trustee: Mark Pigg

COUNTY WHERE PROPERTY IS LOCATED: Deaf Smith County, Texas

ANY ONE OF THE FOLLOWING NAMED PERSONS TO ACT AS SUBSTITUTE TRUSTEE:

TYSCOTT HAMM / HAYDEN HATCH / JACEY DUBOIS

SUBSTITUTE TRUSTEE'S MAILING ADDRESS:

9816 Slide Road, Suite 201; Lubbock, Lubbock County, Texas, 79424

Recording Information: Deed of Trust recorded at Document No. 24-0844 of the Official Public Records of Deaf Smith County, Texas.

Property: See Exhibit A attached hereto.

NOTE:

Date: April 16, 2024
Amount: \$194,026.00
Debtor: Luis Miguel Rivera Rodriguez
Holder: Viva Farms, LLC
Maturity Date: April 16, 2029

Date of Sale of Property (First Tuesday of the Month): Tuesday, September 3, 2024

Earliest Time of Sale of Property (Between 10:00 a.m. and 4:00 p.m.): 10:00 a.m.

Place of Sale of Property: On the front steps of the Deaf Smith County Courthouse, 235 E. 3rd Street, Hereford, Texas 79045, or as designated by the County Commissioners.

The Deed of Trust may encumber both real and personal property. Notice is hereby given of Holder's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with the Holder's rights and remedies under the Deed of Trust and Section 9.604 of the Texas Business and Commerce Code.


Because of default in performance of the obligations of the deed of trust, the above-named person as Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified to satisfy the debt secured by the Deed of Trust. The sale will begin at the earliest time stated above or within three (3) hours after that time.

No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Assert and protect your rights as a member of the armed forces of the United States. If you 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 notice is an attempt to collect a debt, and any information obtained will be used for that purpose.

Executed this 25th day of July, 2024.

A handwritten signature in black ink, appearing to read "TyScott Hamm", is written over a horizontal line. The signature is stylized and somewhat cursive.

TyScott Hamm, Substitute Trustee

EXHIBIT A

Tract 3

FIELD NOTES for a 10.01 acre tract of land out of the northwest quarter of Section 28, Block 8, B. S. & F. Survey, Deaf Smith County, Texas, and more particularly described as follows:

BEGINNING in the north line of said Section 28 in County Road 29 which bears S. 89° 13' 11" E. a distance of 689.37 feet from a 1/2" iron rod found in the intersection of County Road AA and said County Road 29 at the northwest corner of said Section 28 for the northwest corner of this tract.

THENCE S. 89° 13' 11" E., along said north line and said County Road 29, a distance of 314.68 feet to the northeast corner of this tract.

THENCE S. 00° 46' 49" W., at 30.0 feet pass a 1/2" iron rod set with a yellow cap inscribed "RPLS 4263" (hereafter referred to as an OJD cap) in the south margin of said County Road 29, a total distance of 1385.90 feet to an OJD cap set for the southeast corner of this tract.

THENCE N. 89° 13' 11" W. a distance of 314.68 feet to an OJD cap set for the southwest corner of this tract.

THENCE N. 00° 46' 49" E., at 1355.90 feet pass an OJD cap set in said south margin of said County Road 29, a total distance of 1385.90 feet to the place of BEGINNING and containing 10.01 acres of land.

Tract 4

FIELD NOTES for a 10.01 acre tract of land out of the northwest quarter of Section 28, Block 8, B. S. & F. Survey, Deaf Smith County, Texas, and more particularly described as follows:

BEGINNING in the north line of said Section 28 in County Road 29 which bears S. 89° 13' 11" E. a distance of 1004.05 feet from a 1/2" iron rod found in the intersection of County Road AA and said County Road 29 at the northwest corner of said Section 28 for the northwest corner of this tract.

THENCE S. 89° 13' 11" E., along said north line and said County Road 29, a distance of 314.68 feet to the northeast corner of this tract.

THENCE S. 00° 46' 49" W., at 30.0 feet pass a 1/2" iron rod set with a yellow cap inscribed "RPLS 4263" (hereafter referred to as an OJD cap) in the south margin of said County Road 29, a total distance of 1385.90 feet to an OJD cap set for the southeast corner of this tract.

THENCE N. 89° 13' 11" W. a distance of 314.68 feet to an OJD cap set for the southwest corner of this tract.

THENCE N. 00° 46' 49" E., at 1355.90 feet pass an OJD cap set in said south margin of said County Road 29, a total distance of 1385.90 feet to the place of BEGINNING and containing 10.01 acres of land.

Tract 5

FIELD NOTES for a 10.01 acre tract of land out of the northwest quarter of Section 28, Block 8, B. S. & F. Survey, Deaf Smith County, Texas, and more particularly described as follows:

BEGINNING in the north line of said Section 28 in County Road 29 which bears S. 89° 13' 11" E. a distance of 1318.73 feet from a 1/2" iron rod found in the intersection of County Road AA and said County Road 29 at the northwest corner of said Section 28 for the northwest corner of this tract.

THENCE S. 89° 13' 11" E., along said north line and said County Road 29, a distance of 314.68 feet to the northeast corner of this tract.

THENCE S. 00° 46' 49" W., at 30.0 feet pass a 1/2" iron rod set with a yellow cap inscribed "RPLS 4263" (hereafter referred to as an OJD cap) in the south margin of said County Road 29, a total distance of 1385.90 feet to an OJD cap set for the southeast corner of this tract.

THENCE N. 89° 13' 11" W. a distance of 314.68 feet to an OJD cap set for the southwest corner of this tract.

THENCE N. 00° 46' 49" E., at 1355.90 feet pass an OJD cap set in said south margin of said County Road 29, a total distance of 1385.90 feet to the place of BEGINNING and containing 10.01 acres of land.

Tract 6

FIELD NOTES for a 10.01 acre tract of land out of the northwest quarter of Section 28, Block 8, B. S. & F. Survey, Deaf Smith County, Texas, and more particularly described as follows:

BEGINNING in the north line of said Section 28 in County Road 29 which bears S. 89° 13' 11" E. a distance of 1633.42 feet from a 1/2" iron rod found in the intersection of County Road AA and said County Road 29 at the northwest corner of said Section 28 for the northwest corner of this tract.

THENCE S. 89° 13' 11" E., along said north line and said County Road 29, a distance of 314.68 feet to the northeast corner of this tract.

THENCE S. 00° 46' 49" W., at 30.0 feet pass a 1/2" iron rod set with a yellow cap inscribed "RPLS 4263" (hereafter referred to as an OJD cap) in the south margin of said County Road 29, a total distance of 1385.90 feet to an OJD cap set for the southeast corner of this tract.

THENCE N. 89° 13' 11" W. a distance of 314.68 feet to an OJD cap set for the southwest corner of this tract.

THENCE N. 00° 46' 49" E., at 1355.90 feet pass an OJD cap set in said south margin of said County Road 29, a total distance of 1385.90 feet to the place of BEGINNING and containing 10.01 acres of land.