

THE STATE OF TEXAS
COUNTY OF HOWARD

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, On the 1st day of May, 2019, **JASON PARTLOW AGUILAR** executed a Deed of Trust conveying to **JIMMY PEACOCK**, Trustee, the real estate hereinafter described to secure **FOXWEST PROPERTIES, LTD.**, in the payment of a debt therein described, said Deed of Trust being recorded in Volume 1825, Page 19, and also being Instrument Number 2019-00005526, of the Official Public Records of Howard County, Texas; and

WHEREAS, The undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust; and

WHEREAS, Default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder of said debt has requested the undersigned to sell said property to satisfy said indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN That on Tuesday, the 3rd day of August, 2021, I will sell said real estate at the front door of the County Court House (or such other place that has been designated as the official place for foreclosure sales) in Howard County, Texas, to the highest bidder for cash. The earliest time that the sale will take place is **10:00 A. M.**

This Sale is subject to outstanding taxes, restrictions, and all other items of record.

Said real estate is described as follows:

That certain 0.29 acre tract of land out of Tract 17 in the SE/4 of Section 5, Block 32, T-1-S, T & P RR. Co. Survey, Howard County, Texas, and being described by metes and bounds on Exhibit "A" which is attached hereto; EXCEPT all oil, gas and other minerals as heretofore reserved by prior grantors.

"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."

WITNESS MY HAND this 9 day of July, 2021.



MATTHEW L. TUMBUSCH, Substitute Trustee
2607 Golder Ave.
Odessa, Texas 79761
(432) 272-0048

FILED at 10:25 A.M. o'clock 7-13-2021

BRENT ZITTEKOPF, County Clerk, Howard County, Texas

By Nancy Porter Deputy

APPOINTMENT OF SUBSTITUTE TRUSTEE

THE STATE OF TEXAS
COUNTY OF HOWARD

WHEREAS, on May 1, 2019, **JASON PARTLOW AGUILAR** executed a Deed of Trust conveying to **JIMMY W. PEACOCK**, as Trustee, for the benefit of **FOXWEST PROPERTIES, LTD**, the real property described therein, which said Deed of Trust appears of record in Volume 1825, Page 19, and also being Document Number 2019-00005526, Official Public Records of Howard County, Texas, to which reference is here made for all particulars; and


WHEREAS, default has been made in the payment of the indebtedness evidenced by said Note and Deed of Trust; and

WHEREAS, said Deed of Trust authorizes the appointment of a Substitute Trustee by the holder of the Note secured thereby; and

WHEREAS, **FOXWEST PROPERTIES, LTD**, the legal owner and holder of said Note (hereafter "Lienholder"), desires to exercise the option contained in said Deed of Trust to a new Trustee.


NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That the Lienholder does by these presents affirm the appointment of said previously appointed Trustee and does by these presents name, constitute and appoint **MATTHEW L. TUMBUSCH**, 2607 Golder, Odessa, Ector County, Texas, 79761, as Substitute Trustee to act under and by virtue of said Deed of Trust.

WITNESS my hand this 6th day of July, 2021.

FOXWEST PROPERTIES, LTD

MATTHEW L. TUMBUSCH, President
of **FOXWEST RESOURCES, INC.**, its
General Partner

THE STATE OF TEXAS
COUNTY OF ECTOR

This instrument was acknowledged before me on the 9 day of July, 2021, by Matthew L. Tumbusch, the President of **FOXWEST RESOURCES, INC.**, the General Partner of **FOXWEST PROPERTIES, LTD.**, on behalf of said limited partnership.


NOTARY PUBLIC, STATE OF TEXAS

(SEAL)

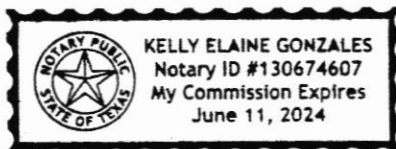


EXHIBIT "A"

Bradshaw and Associates, Inc.

Surveying/Engineering

805 East 3rd Street, Big Spring, Texas, 79720
432-263-1098 Fax 432-263-1294

September 4, 2007

0.29 ACRE TRACT

BEING an 0.29 acre tract out of Tract 17 in the SE/4 of Section 5, Block 32, T-1-S, T. & P. RR. Co. Survey, Howard County, Texas, described by metes and bounds as follows:

BEGINNING at a 1/2" I.R. with cap set in the East right-of-way line of Donley Street (68' right-of-way) out of Tract 17 in the SE/4 of Section 5, Block 32, T-1-S, T. & P. RR. Co. Survey, Howard County, Texas for the SW corner of a 0.063 acre tract (40' x 86'), filed in volume 1011, page 122, Howard county Deed Records, out of Tract 17 and the NW corner of this tract, from whence the SE corner of Block 20, Cole and Strayhorn Addition, to the City of Big Spring, Howard County, Texas bears N. 13° 00' W. 276.0' and S. 77° 00' W. 280.0'

THENCE N. 77° 00' E. along the South line of said 0.063 acre tract, 86.0' to a 1/2" I.R. with cap set for the SE corner of said 0.063 acre tract and an interior corner of this tract

THENCE S. 13° 00' E. along the East line of said 0.063 acre tract, 40.0' to a 1/2" I.R. with cap set for a NW corner of this tract

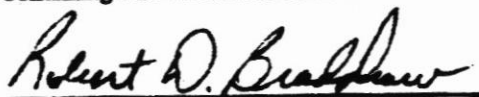
THENCE N. 77° 00' E. along the North line of said Tract 17, 76.0' to a 1/2" I.R. with cap set in the West right-of-way line of Jennings Street (50' right-of-way) and the NE corner of this tract

THENCE S. 13° 00' E. along the West right-of-way line of said Jennings Street, 100.0' to a 1/2" I.R. with cap set for the SE corner of this tract

THENCE S. 77° 00' W. along the North line of Tract 16 and the South line of said Tract 17, 162.0' to a 5/8" I.R. found for the NW corner of said Tract 16, the SW corner of said Tract 17 and the SW corner of this tract

THENCE N. 13° 00' W. along the West right-of-way line of said Donley Street, 60.0' to the PLACE OF BEGINNING

Containing 0.29 of an Acre of Land



Robert D. Bradshaw
Registered Professional Land Surveyor
No. 5507



07080325