

NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public non-judicial foreclosure sale.

1. **Property to be Sold.** The property to be sold is described as follows:

All of that certain real property located in Gray County, Texas, more particularly described on Exhibit "A" attached hereto and incorporated herein.

2. **Deed of Trust.** The document entitled Deed of Trust ("Deed of Trust")

pursuant to which this sale will be conducted is described as follows:

Dated: March 6, 2020
Grantor: PAMPA TRUCK CENTER, INC.
Beneficiary: HAPPY STATE BANK
Recorded: March 9, 2020, under Clerk's Instrument No. 0221255, of the Official Public Records of Gray County, Texas

3. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:

Date: August 4, 2020
Time: The sale shall begin no earlier than 10:00 o'clock, A.M. or no later than three (3) hours thereafter. The sale shall be completed by no later than 4:00 P.M.
Place: South entrance of courthouse - 205 North Russell, Room 200, Pampa, Texas 79065.

The Deed of Trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refileing may be after the date originally scheduled for this sale.

4. **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The 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 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

5. **Type of Sale.** The sale is a non-judicial Deed of Trust Lien foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust.

6. **Obligations Secured.** The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "obligations") including but not limited to (1) Commercial Promissory Note in the original principal amount of \$503,193.09, executed by PAMPA TRUCK CENTER, INC., and payable to the order of HAPPY STATE BANK (the "Note"); (2) all renewals and extensions of the Note; and (3) any and all present and future indebtedness of PAMPA TRUCK CENTER, INC. to HAPPY STATE BANK. HAPPY STATE BANK is the current owner and holder of the obligations and is the Beneficiary under the Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the Beneficiary, HAPPY STATE BANK, 701 S. Taylor, LB 120, Amarillo, Texas 79101.

7. **Default and Request to Act.** Default has occurred under the Deed of Trust, and the Beneficiary has requested me, Samuel S. Karr or Dillon Dunn, as Substitute Trustee, to conduct this sale. Notice is given that before the sale the Beneficiary may appoint another person as Substitute Trustee to conduct the sale.

8. **Statutory Notice of Servicemember Rights.** 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.

DATED this the 14th day of July, 2020.

BURDETT, MORGAN, WILLIAMSON & BOYKIN, LLP
701 South Taylor, Suite 440
Amarillo, Texas 79101
Telephone: (806) 358-8116
Facsimile: (806) 350-7642

By: _____



Samuel S. Karr
State Bar No. 24007466

EXHIBIT "A"

Tract 1:

Being a 5.00 acre tract of land, which is a part of Tract 17, of the SMALZ SUBDIVISION of the East Half (E/2) of the Northwest Quarter (NW/4) of Section 127, Block 3, I&GN RR Co. Survey, Gray County, Texas, described as follows:

Beginning at an iron rod set in the West line of said East Half (E/2) of the Northwest Quarter (NW/4) of said Section 127, 1554.0 feet S 0°06' E. from the Northwest corner of said East Half (E/2) of the Northwest Quarter (NW/4) at the Northwest corner of a tract previously conveyed to Douglas Brothers Constructors, Inc. and recorded in Volume 396, page 667, of the Deed Records of Gray County, Texas;

Thence S 0°06' E along the West line of said Douglas Brothers Constructors, Inc. tract, 336.0 feet to the PLACE OF BEGINNING, being the Northwest corner of the tract herein described.

Thence N 89°17' E. 649.0 feet to a point in the East line of said Douglas Brothers Constructors, Inc. tract, said point being the Northwest corner of the tract herein described;

Thence S 0°06' E along the East line of said Douglas Brothers Constructors, Inc. tract, 336.0 feet to an iron rod, said rod being the Southeast corner of the tract herein described;

Thence S 89°17' W. 649.0 feet to an iron rod set in the West line of said East Half (E/2) of the Northwest Quarter (NW/4)

Thence N 0°06' W. along said West line 336.0 feet to the PLACE OF BEGINNING and containing 5.00 acres, more or less,

Tract 2:

All of Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8), in Block One (1), of the LAVENDER ADDITION to the City of Pampa, Gray County, Texas, according to the duly recorded map or plat of said Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 3:

All of Lot Thirty Eight (38) in Block One (1) of the LAVENDER ADDITION to the City of Pampa, Gray County, Texas, according to the duly recorded map or plat of said Addition on file in the office of the office of the County Clerk of Gray County, Teas, LESS AND EXCEPT that portion thereof conveyed by instrument dated October 22, 1934, and recorded in Vol.62, page 528, Deed Records of Gray County, Texas, to the State of Texas for highway purposes.

Exhibit "A"

STI Eagle 6.0 10mm #CM11389

US Ordnance 5.56 #00021R

Galil Arm 308 #MRO5544

Galil Arm 232 #MRO336

PKM #GL050

Bren #RA61

RPD #00083

1919 #00710 #A400701

FAL50.00 #2504398

FAL G Series #2500319

FAL50.42 #25007859

S2A1 #5024 #5034

AUG 9MM #902SA140

AUG SR #E204

SA1 M60 #G1078

HK94 #6219