

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 includes all such real property described in the below referenced Deeds of Trust and further described to include, but not to limit, 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. **Deeds of Trust.** The document entitled Deed of Trust ("Deed of Trust") pursuant to which this sale will be conducted are described as follows:

Dated: April 28, 2008
Grantor: MacKays Above All Storage, LLC, a Texas Limited Liability Company
Beneficiary: Centennial Bank, an Arkansas state bank, d/b/a Happy State Bank, successor-in-interest to Happy State Bank, a Texas banking association
Recorded: Recorded in Volume 0878, Page 0337, Instrument No. 0179047 in the Official Public Records of Real Estate 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: October 4, 2022
Time: The sale shall begin no earlier than 1:00 o'clock, P.M. or no later than three (3) hours thereafter. The sale shall be completed by no later than 4:00 P.M.
Place: On the South side entrance to the Courthouse, fair weather, outside the building – inclement weather, inside the building or as designated by the County Commissioner's Officer, located at 205 N. Russell St., 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 refiling 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 property to be sold shall include all real property secured by the Deed of Trust that has not been previously released.

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) Correction Real Estate Lien Note in the original principal amount of \$632,000.00, executed by MacKays Above All Storage, LLC, a Texas Limited Liability Company, and payable to the order of Happy State Bank, a Texas Banking Association (the "Real Estate Lien Note") (collectively the "Note"); (2) all renewals and extensions of the Note; and (4) any and all present and future indebtedness of MacKays Above All Storage, LLC, a Texas Limited Liability Company to Happy State Bank, a Texas Banking Association. Centennial Bank, an Arkansas state bank, d/b/a Happy State Bank, successor-in-interest to Happy State Bank, a Texas banking association 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, Bailey Hartman, Samuel S. Karr, or C. Jared Knight, 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 12 day of September, 2022.

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

By: Bailey Hartman
Bailey Hartman
State Bar No. 24125916

Exhibit "A"

Tract 1:

A parcel of land in the Northwest Quarter (NW/4) of Section 116, Block 3, I&GN R.R. Co. Survey, Gray County, Texas, herein more particularly described as follows:

BEGINNING at a point N 89°16'E, 50 feet and 50°08' E, 30 feet from the NW corner of Section 116, Block 3, I&GN RR Co. Survey, said point being the intersection of the South ROW line of West Twenty-Third Street and the East R.O.W. line of F.M. Highway 282;
THENCE, N 89°16' E, along the South ROW line of West Twenty-Third Street, a distance of 421.72 feet to an iron pipe for the NE corner of this tract;
THENCE, S 0°08' E, along a line parallel to and 421.72 feet East of the East R.O.W. line of F.M. Highway 282 (Price Road), a distance of 524.84 feet;
THENCE, S 89°16'20" W, a distance of 421.40 feet to the East R.O.W. line of F.M. Highway 282;
THENCE, N 0°08' W along the East line of F.M. Highway 282, a distance of 524.80 feet to the PLACE OF BEGINNING and containing 5.08 acres of land, more or less, being the same 5.08 acre tract of land known as Gods Plateau Addition as filed in Cabinet A, Slide 136 of the Plat Records of Gray County, Texas.

Tract 2:

A part of the Northwest Quarter (NW/4) of Section 116, Block 3, I&GN RR. Co. Survey, Gray County, Texas, and further described as follows:

BEGINNING at an iron rod set Thirty Feet (30') S 0°02' E and 471.72 feet N 89°16' E from the Northwest corner of said Section;
THENCE N 89°16' E 414.86 feet to an iron rod;
THENCE S 0°08'E, 524.88 feet to an iron rod;
THENCE S 89°16'20" W, 414.86 feet to an iron rod;
THENCE N 0°08' W, 524.84 feet to POINT OF BEGINNING and containing 5.0 acres, more or less.