FILED FOR RECORD - GRAY COUNTY TX
JEANNE HORTON - COUNTY CLERK
Sep 07, 2023 at 12:12:00 PM
By:DEE DEE LARAMORE, DEPUTY

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Date:	September 7, 2023
Promissory Note ("Note")	
Date:	February 22, 2021
Original Principal Amount:	$52,947.20
Borrowers:	Latham James Daughtry and Jennifer Nicole Daughtry
Lender & Payee:	Dustin Larkin and Tanya Larkin
Owner/Holder:	Dustin Larkin and Tanya Larkin
Pre-Maturity Initial Interest Rate:	As provided in the Note
Pre-Maturity Current Interest Rate:	As provided in the Note
Post Maturity Interest Rate:	18% per annum (1.50% per month)
Deed of Trust ("Deed of Trust")	
Dated:	February 22, 2021
Grantors:	Latham James Daughtry and Jennifer Nicole Daughtry, 1429 Williston St., Pampa, Texas 79065
Trustee:	Leland W. Waters
Substitute Trustee:	Mike Smiley
Substitute Trustee's Physical Address:	500 S. Taylor, Ste. 1200, Amarillo, Texas 79101
Substitute Trustee's Mailing Address:	P.O. Box 9158, Amarillo, Texas 79105-9158
Successor Substitute Trustee:	Lindsey Rusler, Samantha Espino, or Bryan Guymon
Successor Substitute Trustee's Mailing Address (Rusler & Espino):	P.O. Box 9158, Amarillo, Texas 79105-9158
Substitute Trustee's Successor Substitute Trustee's Physical Address (Rusler & Espino):	500 S. Taylor, Ste. 1200, Amarillo, Texas 79101
Successor Substitute Trustee's Mailing Address (Guymon):	P.O. Box 662, Pampa, Texas 79066-0662
Successor Substitute Trustee's Physical Address (Guymon):	120 W. Kingsmill, Ste. 505, Pampa, Texas 79065
Lender/Beneficiary:	Dustin Larkin and Tanya Larkin
Lender/Beneficiary Physical Address:	1801 N. Russell, Pampa, Texas 79065
Lender/Beneficiary Mailing Address:	1801 N. Russell, Pampa, Texas 79065

Recorded in:	Clerk's Instrument No. 0223996, Official Public Records of Gray County, Texas

Property Securing Note under Deed of Trust ("Property" [1]):

All of that real property located in Gray County, Texas, more particularly described as follows:

The South Fifty Feet (S/50') of Lot No. Twelve (12) and the North Twenty Feet (N/20') of Lot No. Thirteen (13), in Block No. One (1) of HIGHLAND PLACE, an Addition to the City of Pampa, Gray County, Texas, according to the recorded plat filed of record in Volume 130, Page 308 of the Deed Records of Gray County, Texas.

Property Address:	1429 Williston St., Pampa, Texas 79065
County of Sale:	Gray County, Texas
Date of Sale:	October 3, 2023
Earliest Time of Sale of Property:	10:00 a.m. (Central Time)
Place of Sale of Property:	At the south entrance to the Gray County Courthouse in Pampa, Gray County, Texas, as designated by the Gray County Commissioners Court pursuant to Order duly recorded in the Deed Records of Gray County, Texas or at such place as may be designated by order of the County Commissioner.
Secured Obligation:	Collectively, the Note and all obligations described in or secured by the Deed of Trust.

The Lender is the owner and holder of the right to receive payments due under the Secured Obligation including the Note. The Lender is the owner and beneficiary of the liens and security interests granted under or contained within the Deed of Trust and any related loan documents.

[1] In the event of a conflict between this instrument and the Deed of Trust concerning the description of the Property, the description contained in the Deed of Trust will control.

Because of default in performance of the Secured Obligation by the Borrowers and/or the Grantors under the Deed of Trust, Substitute Trustee (or any of the Successor Substitute Trustees) will sell the Property by public auction to the highest bidder on the Date of Sale of Property at the Place of Sale of Property to satisfy the debt secured by the Deed of Trust. The sale will begin at the Earliest Time of Sale of Property (see above) or within three (3) hours thereafter.

To the extent allowed by the Deed of Trust or applicable law, the Substitute Trustee may, in his or her sole discretion, or as directed by the Lender, sell the Property in one lot or by separate lots or parcels. The Lender (or its designee, assignee, or agent, as applicable), who is the beneficiary under the Deed of Trust, will be permitted to "credit bid" against the Secured Obligation; other bidders will need to demonstrate the ability to pay cash on the Date of Sale. Additional conditions for the conduct of the sale may be announced by the Substitute Trustee before the bidding is opened for the first sale of the day to be conducted by the Substitute Trustee.[2]

The Deed of Trust may encumber both real and personal property. Formal notice is given of the Lender'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 Lender's rights and remedies under the Deed of Trust and Section 9.604 of the Texas Business and Commerce Code.

Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold AS IS, WHERE IS, IN ITS PRESENT PHYSICAL CONDITION, subject to ad valorem tax liens, if any, against the Property. *ANY PROSPECTIVE PURCHASER IS ENCOURAGED TO CONDUCT ITS OWN INDEPENDENT INVESTIGATION OF THE PROPERTY, RECORD TITLE TO THE PROPERTY, TAX LIENS, IF ANY, AGAINST THE PROPERTY, AND THE PHYSICAL CONDITION OF THE PROPERTY PRIOR TO THE SALE.*

If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the amount paid. The purchaser shall have no further recourse against the Grantors or Borrowers, the Lender, the Substitute Trustee, Successor Substitute Trustee or the attorney for the Substitute Trustee, Successor Substitute Trustee, or the Lender.

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[2] *See* Tex. Prop. Code § 51.0075.

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 MILITARY DUTY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

Signed and Posted September 7th, 2023.

Mike Smiley, Substitute Trustee[3]

ACKNOWLEDGMENT

STATE OF TEXAS §
§
COUNTY OF POTTER §

This instrument was acknowledged before me this 7th day of September, 2023, by Mike Smiley, Substitute Trustee.

Notary Public, State of Texas

AFTER POSTING, RETURN TO:
Mike Smiley
Underwood Law Firm, PC
P.O. Box 9158
Amarillo, TX 79105-9158

ADDRESS OF THE LENDER
Dustin & Tanya Larkin
1801 N. Russell
Pampa, TX 79065

TALYSSA GREEN
Notary Public State of Texas
Notary ID #13435083-3
My Commission Expires 05-10-2027

[3] See page 1 for name and street address of Substitute Trustee and any Successor Substitute Trustees.