

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

THE STATE OF TEXAS

§

COUNTY OF GRAY

§

KNOW ALL MEN BY THESE PRESENTS:

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WHEREAS, on, December 21, 2016 **Kimann Properties, LLC** ("Grantor") executed and delivered a Deed of Trust (the "Deed of Trust") conveying to **Greg Burgess**, as Trustee, the herein below described property to secure **Prosperity Bank**, the successor by merger with FirstCapital Bank of Texas, N.A., in the payment of all indebtedness (collectively the "Note" and/or Notes) therein described, the Deed of Trust being filed and recorded under Gray County Clerk's Instrument No. 0211318 in the Official Public Records of Real Property of Gray County, Texas, to which reference is hereby made for all purposes; and

WHEREAS, default has occurred in the payment of the Notes and the same are now wholly due, and **Prosperity Bank** (the "Beneficiary"), the owner and holder of the Note, has requested the undersigned to sell the Property to satisfy the Notes; and

WHEREAS, the above named Trustee and any previously appointed Substitute Trustee was removed under and in accordance with the Deed of Trust and the Beneficiary designated and appointed **L. David Smith, Susan Bowers, Jonathan Bowers, Glandeen Shenk, Jose A. Bazaldua and Antonio Bazaldua** any of whom may act independently as Substitute Trustee to enforce the Trust, and any of whom may conduct the sale of the Property and may be contacted as indicated on the signature block below.

NOW, THEREFORE, pursuant to the authority conferred upon me by the Deed of Trust, I, **L. David Smith**, hereby give notice that I or one of the other Substitute Trustees whose names and

addresses are set out below, will sell the Property at public auction to the highest bidder, for cash, on **Tuesday, September 2, 2025**. The earliest time at which the sale will occur shall be at **10:00 o'clock A.M.** and it may take place not later than three hours after said time, and the sale shall take place in the area which has been designated as the area for foreclosures to take place, being the South entrance to the Gray County Courthouse 205 N. Russell, Pampa, Texas, fair weather, outside the building inclement weather, inside the building or as designated by the County Commissioner's Office. This conveyance will be made subject to any exceptions referenced in the Deed of Trust to the extent the same are still in effect and shall not cover any part of the Property that has been released from the liens of the Deed of Trust. The Property that will be sold at the foreclosure sale includes the following described real property, together with all improvements and fixtures thereon and appurtenances thereto and all equipment and Goods (as defined in the Deed of Trust):

Tracts 1 thru 22 located in Gray County, Texas and being more particularly described in Exhibit A attached hereto and incorporated by reference herein.

THE SALE OF THE PROPERTY IS "AS-IS" AND "WHERE-IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. THE SUBSTITUTE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE COMPLIANCE WITH THE LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

SUBSTITUTE TRUSTEES

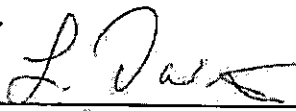
NOTICE IS HEREBY PROVIDED THAT ONE OF THE FOLLOWING NAMED SUBSTITUTE TRUSTEES WHOSE ADDRESS AND CONTACT INFORMATION FOR PURPOSES HEREOF IS AS FOLLOWS MAY CONDUCT THE SALE:

L. David Smith, Susan Bowers, Jonathan Bowers, Glandeen Shenk, Jose A. Bazaldua and Antonio Bazaldua

c/o L. David. Smith
2618 Kittansett Circle
Katy Texas 77450
telephone: 281-788-3666
Email: ldslaw7@gmail.com

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 9th day of August, 2025.

 Substitute trustee

L. David. Smith, Substitute Trustee
2618 Kittansett Circle
Katy, Texas 77450
Telephone 281-788-3666
Email: ldslaw7@gmail.com

EXHIBIT A

Tract 1 - 118-120 E. Browning

The North Twenty-five Feet (N/25') of Lot Seven (7), in Block Thirty-Three (33) in the ORIGINAL TOWN OF PAMPA, Gray County, Texas, according to the map or plat of said Original Town on file in the office of the County Clerk of Gray County, Texas.

Tract 2 - 2308 Alcock

All of Lots One (1) and Two (2) and the South Forty feet (S/40') of Lot Three (3) and all of Lots Fifteen (15) and Sixteen (16) in Block Forty Nine (49) of the TALLEY ADDITION to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 3 - 915 Christine

All of Lots Four (4) and Five (5) in Block Eleven (11) of the COOK-ADAMS ADDITION to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 4 - 1125 Sandlewood

All of Lot Seventeen (17) in Block Twenty-Seven (27) NORTH CREST SECTION III, an Addition to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 5 - 1600 Faulkner

All of Lot Twenty Seven (27) in Block One (1) of the TERRA ALTA ADDITION to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 6 - 2105 Hamilton

All of Lot Two (2), in Block Forty Two (42), FRASER ANNEX, An Addition to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 7 - 2107 Duncan

The South Sixty Five Feet (S/65') of Lot No. Two (2) in Block Forty Eight (48) of FRASER ANNEX, an Addition to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 8 - 1912-1914 Beach

The South Thirty Two Feet (S/32') of Lot Five (5) and the North Thirty Six Feet (N/36') of Lot Six (6), in Block Sixteen (16), EAST FRASER ADDITION NO. 2, to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

EXHIBIT A

Tract 9 - 1916-1918 Beech

The North Sixty Eight Feet (N/68') of Lot Five (5) in Block Sixteen (16), EAST FRASER ADDITION NO. 2, to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 10: - 501-503 E. 19th

The South Fourteen Feet (S/14') of Lot Seven (7) and all of Lot Eight (8), in Block Sixteen (16), EAST FRASER ADDITION No. 2, to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 11: - 1207 Alcock

All of Lots Eight (8) and Nine (9) in Block One (1) of the Crow Addition, to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 12: - 2620 Comanche

The North Twenty-nine Feet (N/29') of Lot Six (6) and the South Fifty-one (S/51') of Lot Seven (7), in Block Four (4), MESILLA PARK UNIT I, to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 13: - 2411 Christine

The North Twenty Five Feet (N/25') of Lot Three (3) and the South Fifty Feet (S/50') of Lot Four (4), in Block Sixty One (61) FRASER ANNEX NO. 2, an Addition to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 14: - 1104 Russell

All of Lot Eight (8), in Block Five (5) of the COOK-ADAMS ADDITION to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 15: - 1501 Faulkner

All of Lot One (1), in Block Two (2), of the TERRA ALTA ADDITION to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 16: - 165 E. 27th

The East Twenty Feet (E/20') of Lot Ten (10) and the West Fifty Feet (W/50') of Lot Eleven (11) in Block Seventy One (71) of FRASER ANNEX NO. 3, an Addition to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

EXHIBIT A

Tract 17: - 1835 N. Hobart

The N. 18.7 feet of Lot Eight (8), and all of Lots Nine (9) and Ten (10) in Block Three (3), J&K VISION ADDITION to the City of Pampa, Gray County, Texas, according to the map or plat of Addition on file in the office of the County Clerk of Gray County, Texas.

Tract 18: - 2600 Milliron Road

The West 50 feet of Lot Seven (7) and all of Lot Eight (8) in Block One (1) of an Industrial Tract known as Milliron Tract No. 1, out of the Southeast Quarter (SE/4) of Section No. 126, in Block 3, of the I&GN Ry. Co. Survey, Gray County, Texas, according to the plat thereof recorded in Volume 130, page 410, Deed Records of Gray County, Texas, AND that portion of "Milliron Road" immediately South of and contiguous to and within the extension of the East/West boundary lines of the W/50 feet of Lot No. 7 and all of Lot 8, in the centerline of said Milliron Road (being a tract 30 feet by 150 feet)

Tract 19: - 1333 N. Price Road

All of Lots Two (2) and Three (3) in Block One (1) of PRICE ROAD PLAZA, being a Subdivision of a part of the Southeast Quarter (SE/4) of Section 123, Block 3, of the I&GN RR Co. Survey, in Gray County, Texas, according to the plat of said Subdivision filed in Cabinet A, Slide 154, of the Plat Records of Gray County, Texas.

Tract 20: - 1334 N. Price Road

All that certain tract or parcel of land being a portion of Tracts One (1), Two (2) and Three (3), described in Volume 859, page 221, Official Public Records of Gray County, Texas, in Section 116, Block 3, I&GN RR Co. Survey, Gray County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with Cap set in the East Right of Way line of F.M. Highway 282, (Price Road) for the Southwest corner of this tract or parcel from whence a PK-Nail set for the Southwest corner of Section 116 bears N 89°56'23" W, a distance of 50.30 feet and S 00°03'37" W a distance of 357.71 feet;

THENCE N 00°04'44" E, along said East Right of way a distance of 306.82 feet to a 1" iron rod found for the Northwest corner of this tract or parcel;

THENCE N 89°27'00" E, a distance of 300.0 feet to a 5/8" iron rod with cap set for the Northeast corner of this tract or parcel;

THENCE S 00°04'46" W, along the East line of said Tract 1 a distance of 306.63 feet to a 5/8" iron rod with Cap set for the Southeast corner of this tract or parcel;

THENCE S 89°24'49" W, across Tract 1 and 2 and a portion of tract 3, a distance of 300.00 feet to the POINT OF BEGINNING and containing 2.1 acres.

EXHIBIT A

Tract 21: -300 N. Hobart

All that certain tract or parcel being a portion of Lot Eleven (11), Block One (1), PURVIANCE ADDITION, to the City of Pampa, Gray County, Texas, as recorded in the Deed records of Gray County, Texas, and being more particularly described as follows:

BEGINNING at a X in concrete set for the Southwest corner of Lot Eleven (11);

THENCE N 58°38' W a distance of 8.0 feet to a X in concrete set a corner of this tract or parcel;

THENCE N 00°01' E, along the West line of said Lot Eleven (11), a distance of 160.00 feet to a PK-NAIL set for the Northwest corner of this tract or parcel;

THENCE N 33°32' E a distance of 83.00 feet to a PK-NAIL set for the Northeast corner of this tract or parcel;

THENCE S 26°56' E a distance of 127.00 feet to a PK-NAIL set in the South line of said Lot Eleven (11) for the Southeast corner of this tract or parcel;

THENCE S 49°23' W along the South line of said Lot Eleven (11) a distance of 154.00 feet to the POINT OF BEGINNING, and containing 0.359 acres.

Tract 22: 12475 Hwy. 60

The South 7.48 acres of a 16.48 acre tract which is a portion of Lots 1, 2, and a portion of Lot 3, Block 1, of the REVISED Plat of PAMPA INDUSTRIAL PARK EAST described by metes and bounds in a Correction Warranty Deed recorded in Volume 964, page 518, of the Official Public Records of Gray County, Texas.

RETURN TO:

GRAY COUNTY TITLE COMPANY, INC.
720 W. FRANCIS AVENUE
PAMPA, TEXAS 79065

FILED FOR RECORD - GRAY COUNTY, TX
SUSAN WINBORNE - COUNTY CLERK

Inst. No. 0211378

on Dec 27, 2016 at 11:31:00 AM

AFFIDAVIT

THE STATE OF TEXAS

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COUNTY OF GRAY

BEFORE ME, the undersigned authority, on this day personally appeared, SUSAN BOWERS, known to me to be a credible person, who, being by me first duly sworn, upon oath did depose and say as follows:

"My name is SUSAN BOWERS and I am above the age of eighteen (18) years.

"On August 12, 2025, I posted a Notice of Substitute Trustee's Sale for a foreclosure sale to be held on **Tuesday, September 2, 2025**, in the usual place of posting of such notice of trustee's sales or notices of substitute trustee's sales at the Gray County Courthouse.

"On the same date, I filed a copy of the Notice of Substitute Trustee's Sale in the appropriate records with the Gray County Clerk's Office for the filing of such notices.

"A true and correct copy of the Notice of Substitute Trustee's Sale which I filed and posted is attached to this Affidavit as Exhibit "A" and incorporated herein by reference for all purposes."

Susan Bowers
_____, AFFIANT

SUBSCRIBED and SWORN TO BEFORE ME on this the 12th day of August, 2025,
by the said Susan Sherk Powers

Sarah Tyler

NOTARY PUBLIC, STATE OF TEXAS

