

Notice of Foreclosure Sale

March 7, 2023

Deed of Trust ("Deed of Trust"):

Dated: June 27, 2018

Grantor: Kenneth Lee Bails and Laura Lynn Bails

Trustee: Jeff Actkinson

Lender: Scott Johnson and Patrice Johnson

Recorded in: Document number 60171, Volume 148, Page 477 of the real property records of Parmer County, Texas

Legal Description: A tract of land in the Northeast Quarter (NE/4) of Section 24, Township 10 South, Range 2 East, Capitol Syndicate Subdivision, Parmer County, Texas. being described as follows:
BEGINNING at the Northeast corner of said Section 24;
THENCE S, 0° 11' 24" W along the East line of said Section 24, a distance of 464.0 feet;
THENCE S, 89° 11' 15" W, a distance of 252.0 feet;
THENCE N, 0° 11' 24" E, a distance of 464.0 feet to a point on the North line of and Section 24;
THENCE N, 89° 11' 15" E, along the North line of said Section 24, a distance of 252.0 feet to the point and PLACE OF BEGINNING.
Said tract contains 2.684 acres of land

Secures: Promissory Note ("Note") in the original principal amount of \$32,000.00, executed by Kenneth Lee Bails and Laura Lynn Bails ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Foreclosure Sale:

Date: Tuesday, April 4, 2023

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 am and not later than three hours thereafter.

Place: Parmer County Courthouse steps

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Scott Johnson and Patrice Johnson's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Scott Johnson and Patrice Johnson, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Scott Johnson and Patrice Johnson's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Scott Johnson and Patrice Johnson's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Scott Johnson and Patrice Johnson passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Scott Johnson and Patrice Johnson. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee.

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.

FILED 7th DAY OF March
20 23 AT 3:50 P.M.
COUNTY CLERK
PARMER COUNTY, TEXAS
BY Maura Chacey
COUNTY CLERK DEPUTY

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