

Notice of Foreclosure Sale

March 26, 2025

Deed of Trust ("Deed of Trust"):

Dated: September 24, 2020

Grantor: Kasey Frazier and Valesha Frazier

Trustee: Larry R. Johnson

Lender: First Bank and Trust of Childress, Texas

Recorded in: Volume 217, Page 619 of the real property records of Cottle County, Texas

Legal Description:

Being a 3.957 acre tract out of a 181.3 acre tract owned by George H. Moore recorded in Volume 156 , Page 295, Abstract 821 of the Deed Records of Cottle County, Texas. Said 3.957 acres is located in the North East Quarter of Section 3, Block 4 of the T.A. Thomson Survey in Cottle County, Texas, described by metes and bounds as follows, to-wit:

BEGINNING at a point, being a ½ inch iron rod set in the North line of said Section 3 being 1794.0 feet North 88°54'20" West from the North East corner of said Section No. 3;

THENCE South 01°05'40" West at 16 feet pass the SBL of Cottle County Road 306, on the east side of a row of trees a total distance of 289.2 feet to a ½ inch iron rod, set for a corner;

THENCE North 87°52'10" West, 733.3 feet at 165.2 feet intersect a fence and continue 568.0 feet with said fence to a ½ inch iron rod set at a fence corner and in the East ROW line of FM Highway 2876 a total distance of 733.3 feet;

THENCE along Highway ROW with a fence line and its projection, North 43°32'35" East, to the North line of Section No. 3 a total distance of 374.0 feet. Said point being 27 feet in Cottle County Road 306;

THENCE with the North Section Line of Section No. 3 remaining in county road, South 88°54'20" East to the Place of Beginning at 480.8 feet.

Containing 3.957 acres of which 0.237 acres lies within Cottle County Road 306, leaving a net of 3.72 acres.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$52,000.00, executed by Kasey Frazier and Valesha Frazier ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, May 6, 2025

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: The area designated for the occurrence of foreclosure sales near the entrance to the Cottle County Courthouse at 811 9th Street, Paducah, Texas

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 First United Bank fka First Bank and Trust of Childress, Texas'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, First United Bank, fka First Bank and Trust of Childress, Texas, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of First United Bank, fka First Bank and Trust of Childress, Texas's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with First United Bank, fka First Bank and Trust of Childress, Texas'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, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If First United Bank, fka First Bank and Trust of Childress, Texas 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 First United Bank, fka First Bank and Trust of Childress, Texas. 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, Substitute 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 Substitute 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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



Jared Melton or Taylor Thornton
700 W. 7th, P O Box 328
PLAINVIEW, TX 79072
Telephone (806) 296-6304
Telecopier (806) 296-6829

Filed at 11:00 o'clock AM on this
7th day of April, 2025, A.D.

VICKEY WEDERSKI
County District Clerk, Cottle County, Texas
By Vickey Wederski
Deputy