

NOTICE OF FORECLOSURE SALE

#6

Deed of Trust:

Dated: October 1, 2019
 Grantor: C-Concrete Construction, L.L.C, a Texas limited liability company
 Trustee: BNT of Texas, LLC
 Lender: Bradford N. Emmer, Trustee, EquityMax Inc. Pension Plan
 Recorded in: Instrument No. 2019-05649, recorded on October 8, 2019, in the real property records of Gaines County, Texas
 Legal Description: See Exhibit "A"
More commonly known as: 329 County Road 306, Seminole, Texas 79360.
 Secures: Promissory Note ("Note") in the original principal amount of \$50,000.00, executed by C-Concrete Construction, LLC, a Texas limited liability company ("Borrower") and payable to the order of Lender.

Foreclosure Sale:

Date: Tuesday, April 6, 2021
 Time: The sale of the Property will be held between the hours of 1:00 P.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 1:00 P.M. and not later than three hours thereafter.
 Place: In the area bounded by the west edge of the west porch of the Gaines County Courthouse and on the east by the middle landing of the inside stairs leading into the courthouse from the west door, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.
 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 Bradford N. Emmer, Trustee, EquityMax Inc. Pension Plan's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.
 Substitute Trustee: Bennett M. Wyse, or Ted Gambordella, or Shelley Nail, or Donna Trout.

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, Bradford N. Emmer, Trustee, EquityMax Inc. Pension Plan, 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 Bradford N. Emmer, Trustee, EquityMax Inc. Pension Plan's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Bradford N. Emmer, Trustee, EquityMax Inc. Pension Plan'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 Bradford N. Emmer, Trustee, EquityMax Inc. Pension Plan 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.

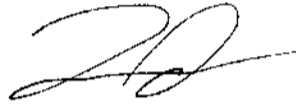


The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 Bradford N. Emmer, Trustee, EquityMax Inc. Pension Plan. 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.

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.



By: _____

Ted Gambordella, Substitute Trustee
5050 Quorum Drive, Suite 625
Dallas, Texas 75254
P: 214-473-5551
F: 214-540-9333
Tgambordella@txtnlaw.com
www.txtnlaw.com

Posted By
July 10
~~3-16-21~~ 3-16-21

EXHIBIT "A"

A 2.31 ACRE TRACT OF LAND LOCATED IN THE NE/4 OF SECTION 20, BLOCK C-44 PUBLIC SCHOOL LAND, GAINES COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF SAID SECTION 20, FOR THE NORTHWEST CORNER OF A 2.32 ACRE TRACT AND FOR THE NORTHEAST CORNER OF THIS TRACT, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 20 BEARS N. 89° 54'30"E. 1544.8 FEET;

THENCE S.0°01'45"W., AT 57.35 FEET PASS A 1/2" IRON ROD WITH CAP MARKED "RPLS 1690", IN ALL 495.37 FEET TO A W IRON ROD WITH CAP MARKED "RPLS 1690" FOR THE SOUTHWEST CORNER OF SAID 2.32 ACRE TRACT AND FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N.89°38'22"W. 203.80 FEET TO A W IRON ROD WITH CAP MARKED "RPLS 1690" FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N.0°01'45"E., AT 439.63 FEET PASS A W IRON ROD WITH CAP MARKED "RPLS 1690", IN ALL 493.76 FEET TO A POINT IN SAID NORTH LINE OF SECTION 20, FOR THE NORTHWEST CORNER OF THIS TRACT, BEARS S.89°54'30"W. 80.00 FEET;

THENCE N.89°54'30"E., ALONG SAID NORTH LINE OF SECTION 20, A DISTANCE OF 203.80 FEET TO THE PLACE OF BEGINNING; SAVE AND EXCEPT ALL OIL, GAS AND OTHER MINERALS.

#6

3-16-21 FILED 2:30 pm
Terri Berry, County Clerk
Gaines County, Texas
BY Carrie Dick
Deputy