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APPOINTMENT OF SUBSTITUTE TRUSTEE AND NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Notice is hereby given that a public sale at auction of Property (as identified below) will be held at the date, time, and place specified in this notice.

DATE OF SALE: Tuesday, January 7, 2025

TIME OF SALE: The earliest time at which the sale shall occur is 1:00 p.m. The sale shall begin at that time or not later than three hours after that time.

PLACE OF SALE: Gaines County Courthouse, an area by the west edge of the west porch of the courthouse and on the east by the middle landing of the inside stairs leading to the courthouse from the west door or as designated by the County Commissioner's office.

INFORMATION REGARDING THE DEED OF TRUST THAT IS THE SUBJECT OF THIS SALE:

DATE: April 10, 2025

GRANTOR: Korr Building Co., LLC

TRUSTEE: Paul B. Baxter

BENEFICIARY: George H. Harms and Justina K. Harms

LENDER: George H. Harms and Justina K. Harms

BORROWER: Korr Building Co., LLC

RECORDING INFO.: Real Property Records, #2015-2160, of Gaines County, Texas

PROPERTY DESC.: **THE NORTH ONE-HALF OF THE SOUTH ONE-HALF (N/2 OF S/2) OF SECTION 390, BLOCK G, CCSD & RGNG, RY. CO. SURVEY, GAINES COUNTY, TEXAS INCLUDING ALL OF SOUTHERN SKIES SUBDIVISION, A SUBDIVISION OF 56.04 ACRES; AND**

— FILED —
12/16/24 1:02 m
Terri Berry, County Clerk
Gaines County, Texas
BY [illegible]
Deputy

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BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN.

TOGETHER WILL ALL IMPROVEMENTS, EASEMENTS, PERSONAL PROPERTY, INTANGIBLES, RENTS, REVENUES, CONTRACTS, AND RIGHTS APPURTENANT TO THE REAL PROPERY AS DESCRIBED IN THE DEED OF TRUST.

SAVE AN EXCEPT THE FOLLOWING LOTS WHICH HAVE ALREADY BEEN SOLD AND DEEDED: 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 17, 20, 21, 22, 25, 29, 30, 31, 32, 33, 39, 41, 43, 44, 45, 47.

INFORMATION REGARDING THE PROMISSORY NOTE RELATED THE PROPERTY AND DEED OF TRUST WHICH IS THE SUBJECT OF THIS SALE:

DATE: April 10, 2015

MAKER: Paul B. Baxter

PAYEE: George H. Harms and Justina K. Harms

ORIG. AMOUNT: $184,000.00

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) INDENTIFIED BELOW TO SELL THE PROPERTY DESCRIBED IN THIS NOTICE OF SALE.

SUBSTITUTE TRUSTEE(S): Shelley Nail and/or Donna Trout and/or Zane Trout and/or Zia Nail and/or Zoey Fernandez

Address for Tex. Prop. Code § 51.0075(e) is:

THE MOSTER LAW FIRM, PC
4920 S. Loop 289, Suite 103A
Lubbock, TX 79414
Telephone: 806-778-6486
Fax: 866-302-7046

Default has occurred in the payment of the indebtedness secured by the Promissory Note and Deed of Trust and in the performance of the covenants, agreements, and conditions set forth in the Deed of Trust. The indebtedness secured by the Deed of Trust and Promissory Note are wholly due and payable.

Therefore, notice is given that on the date, time, and place of the Substitute Trustee's sale of property, the substitute trustee will sell the property by public sale to the highest bidder for cash or acceptable certified funds, according to the Deed of Trust and applicable law. The sale and conveyance of the property will be subject to all matters of record applicable to the property that are superior to the Deed of Trust and to any permitted exceptions to the title described in the Deed of Trust. Substitute Trustee has not hade and will not make any covenants, representations, or warranties about the property other than providing the successful bidder at the sale with a deed to the property containing any warranties of title required by the Deed of Trust. The property will be sold AS IS, WHERE IS, AND WITH ALL FAULTS.

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. Tex. Prop. Code § 51.002(i). The sender for this notice is:

THE MOSTER LAW FIRM, PC
4920 S. Loop 289, Suite 103A
Lubbock, TX 79414
Telephone: 806-778-6486
Fax: 866-302-7046

SIGNED by me on December 10, 2024, in Gaines County, Texas

George H. Harms

SIGNED by me on December 10, 2024, in Gaines County, Texas

Justina K. Harms

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, on this 10th day of December 2024, personally appeared George and Justina Harms, individuals known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the instrument for the purposes and considerations expressed therein and on oath stated that they was authorized to execute said statement.

Susana Klassen
Notary Public in and for the State of Texas

SUSANA KLASSEN
My Notary ID # 132393391
Expires March 6, 2028

Susana Klassen
[Printed name of Notary Public]

My commission expires March 6, 2028.

posted By
12-16-24

Escrow File No.: 1421769

EXHIBIT "A"

The North one-half of the South one-half (N/2 of S/2) of Section 390, Block G, CCSD & RGNG, Ry. Co. Survey, Gaines County, Texas including all of Southern Skies Subdivision, a subdivision of 56.04 acres;

SAVE AND EXCEPT a 10 acre tract of land in the Southeast corner of the North one-half of the South one-half (N/2 of S/2) of Section 390, Block G, CCSD & RGNG, Ry. Co. Survey, Gaines County, Texas, being more particularly described as follows:

BEGINNING at a 1/2" iron rod with aluminum cap found fo rthe Southeast corder of said N/2 of S/2 of Section 390 adn the Southeast corner of this tract, from which the Southeast corner of said Section 390 bears S. 02°20'14"W. 1325.06' feet (all bearings compared to the Texas Coordinate System of 1983, North Central Zone All distances are true at an averaged surface elevation);

THENCE N. 87°38'35"E., at 734.86 feet pass a 1/2"iron rod with cap marked "NEWTON SURVEYING" set in said Westerly right-of-way line of Paved County Road 225 (V. 166, P. 179, D.R.), in all 784.86 feet to a 1/2" iron rod with cap marked "Newton Surveying" set for the Southwest corner of this tract' THENCE N.02°20'14"E. 555.00 feet to a 1/2" iron rod with cap marked "NEWTON SURVEYING" set for the Northwest corner of this tract;

THENCE S.87°38'35"E., at 734.86 feet pass a 1/2" iron rod with cap marked "NEWTON SURVEYING" set in said Westerly right-of-way line of Paved County Road 225, in all 784.86 feet to the East line of said Section 390 fo rthe Northeast corner of this tract;

THENCE S.02°20'14"W., along the East line of said Section 390 and along said County Road 225, a distance of 555.0 feet to the plance of beginning.

and SAVE AND EXCEPT

A 0.43 acre tract of land out of the East part of the N/2 of the S/2 of Section 390, Block G, C.C.S.D. & R.G.N.G. Ry. Co. Survey, Gaines County, Texas, being more particularly described as follows:

BEGINNING at a spindle found for the Northeast corner of that certain 10.00 acre tract of land described in release of deed of trust dated March 27, 2012 and recorded in Volume 2012, Page 2334, Official Public Records of Gaines County, Texas, for the Southeast corner of this tract, from which a ½" iron rod with aluminum cap found for the Southeast corner of said N/2 of the S/2 of Section 390 bears S.02°20'14"W. 555.00 feet (bearings compared to the Texas Coordinate System of 1983, North Central Zone, distances are true at an averaged surface elevation);

THENCE N.87°38'35"W., at 50.00 feet pass a ½" iron rod with cap marked "NEWTON SURVEYING" found in the Westerly right-of-way line of Paved County Road 225 (R/W V. 166, P. 179, D.R.), in all 784.86 feet to a ½" iron rod with cap marked "NEWTON

SURVEYING" found for Northwest corner of said 10.00 acr act, and for the Southwest corner of this tract;

THENCE N.88°52'31"E., at 736.21 feet pass a ½" iron rod with cap marked "NEWTON SURVEYING" set in said Westerly right-of-way line of Paved County Road 225, in all 786.29 feet to a spindle set in the East line of said Section 390, for the Northeast corner of this tract;

THENCE S.02°20'14"W., along the East line of said Section 390, a distance of 47.75 feet to the PLACE OF BEGINNING.

and SAVE AND EXCEPT

Lots 1, 2, 4, 5, 6, 7, 8, 9, 12, 17, 32 & 33, Southern Skies Subdivision, a subdivision of 56.04 acres out of the N/2 of the S/2 of Section 390, Block G, CCSD & RGNG, Ry. Co. Survey, Gaines County, Texas.