

FILED

**NOTICE OF FORECLOSURE SALE**

2017 SEP 1 P 3:03

Notice is hereby given of a public non-judicial foreclosure sale

TERRI BANKS  
COUNTY & DISTRICT CLERK  
DALLAM COUNTY, TEXAS  
BY CAP DEPUTY

1. Property to be Sold. The property to be sold is described as follows:

The South 20 feet of Lot 7 and all of Lots 8, 9, 10, 11 and 12, Block 60, Dalhart Town Company's Townsite to the City of Dalhart, Dallam County, Texas, as shown by plat or map of said Townsite, recorded in Volume 16, Page 388, Deed Records, Dallam County, Texas.

2. Deed of Trust. The document entitled Deed of Trust ("Deed of Trust")

pursuant to which this sale will be conducted is described as follows:

**Dated:** January 26, 2017

**Grantor:** Joel Frazier, individually and as independent administrator of the Estate of Donna Sue Frazier, Deceased

**Beneficiary:** FNB New Mexico

**Recorded:** January 27, 2017, under Clerk's File No. 00000171756, of the Official Public Records of Dallam County, Texas

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the

following date, time, and place:

**Date:** October 3, 2017

**Time:** The sale shall begin no earlier than 10:00 o'clock, A.M. or no later than three (3) hours thereafter. The sale shall be completed by no later than 4:00 P.M.

**Place:** South steps of courthouse located at 101-199 East 5<sup>th</sup> Street, Dalhart, Texas 79022

The Deed of Trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled

foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiling may be after the date originally scheduled for this sale.

4. **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The 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 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

5. **Type of Sale.** The sale is a non-judicial Deed of Trust Lien foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust.

6. **Obligations Secured.** The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "obligations") including but not limited to (1) Promissory Note in the original principal amount of \$249,686.76, executed by Joel Frazier, individually and as independent administrator of the Estate of Donna Sue Frazier, Deceased, and payable to the order of FNB New Mexico (the "Note"); (2) all renewals and extensions of the Note; and (3) any and

all present and future indebtedness of Joel Frazier, individually and as independent administrator of the Estate of Donna Sue Frazier, Deceased to FNB New Mexico. FNB New Mexico is the current owner and holder of the obligations and is the Beneficiary under the Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the Beneficiary, FNB New Mexico, 201 Main Street, Clayton, New Mexico 88415.


7. **Default and Request to Act.** Default has occurred under the Deed of Trust, and the Beneficiary has requested me, Samuel S. Karr, Lynsi Porterfield, Andy Linn, Mindi L. McLain, or Weston W. Wright, as Substitute Trustee, to conduct this sale. Notice is given that before the sale the Beneficiary may appoint another person as Substitute Trustee to conduct the sale.

8. **Statutory Notice of Servicemember Rights.** **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 the 11<sup>th</sup> day of September, 2017.

BURDETT, MORGAN, WILLIAMSON & BOYKIN, LLP  
701 South Taylor, Suite 440  
Amarillo, Texas 79101  
Telephone: (806) 358-8116  
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By: \_\_\_\_\_

  
Samuel S. Karr  
State Bar No. 24007466

**NOTICE OF TRUSTEE'S SALE**

**FILED**

**2017 AUG 29 P 1:34**

Date: AUGUST 29, 2017

Trustee: RODNEY WHITE

Lender: DALHART FEDERAL SAVINGS AND LOAN ASSOCIATION, SSB

Note: \$36,000.00

TERRI BANKS  
COUNTY & DISTRICT CLERK  
DALLAM COUNTY, TEXAS  
BY TS DEPUTY

**Deed of Trust**

Date: NOVEMBER 18, 1996

Grantor: CANDIDO TRUJILLO AND WIFE JOLIE TRUJILLO

Lender: DALHART FEDERAL SAVINGS AND LOAN ASSOCIATION, SSB

Recording Information: VOLUME 48, PAGE 338, IN THE OFFICIAL PUBLIC RECORDS OF DALLAM COUNTY, TEXAS

Property: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

County: DALLAM

Date of Sale (first Tuesday of the month): OCTOBER 3, 2017

Time of Sale (between 10:00 a.m. and 4:00 p.m.): 10:00 a.m.

Place of Sale: SOUTH STEPS OF THE DALLAM COUNTY COURTHOUSE, 414 DENVER AVE., DALHART, TEXAS

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.

Lender has appointed Rodney White as Trustee under the Deed of Trust. Lender has instructed Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the date of sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS". The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than three hours thereafter.

Rodney White  
RODNEY WHITE, Trustee

## EXHIBIT A

### PROPERTY DESCRIPTION:

A tract of land off the South side of the Southwest Quarter (SW/4), Section Five (5), Block Forty-Eight (48), H. & T.C. RR. Co. Survey in Dallam County, Texas. Said tract is described by metes and bounds as follows:

BEGINNING at a point in the South line of said Section 5, said point being 1160 feet East of the Southwest corner of said Section;

THENCE North parallel to the West line of said Section a distance of 150.0 feet to a point;

THENCE East parallel to the South line of said Section a distance of 60.0 feet to a point;

THENCE South parallel to the West line of said Section a distance of 150.0 feet to a point in the South line of said Section;

THENCE West along the South line of said Section a distance of 60.0 feet to the place of beginning.

The above described tract contains 0.207 acres of land, more or less, of which 0.041 acres are in the right of way of First Street, City of Dalhart.