

FILED
Date: March 8, 2023
Time: 3:15 p.m.
Sharla Keith, County Clerk
Nolan County, Texas
By (Candy Kuhn) Deputy

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

THE STATE OF TEXAS §
 §
COUNTY OF NOLAN §

WHEREAS, by Deed of Trust (hereinafter referred to as the "Deed of Trust") dated February 21, 2020, 235 TRAVEL STOP, INC. conveyed to GARY F. WESTENHOVER, Trustee for the benefit of the BETTY MULLINS TRUSTS, as evidenced by a written instrument signed on March 21, 2019, certain real property situated in Nolan County, Texas, more particularly described as follows, to wit:

All that certain tract of land out of the Northeast corner of Section Fifty-three (53) in Block Twenty-three (23), T&P Ry. Co. Survey, Nolan County, Texas, more fully described as follows:

**BEGINNING at an electric highline pole, that is 37 feet and four inches south of the center of the south access road of U.S. 20 Highway and 125 feet 8 inches east of a concrete loading ramp near the north line of this twelve acre tract;
THENCE South Eleven (11) chains to an iron stake drive in the ground;
THENCE West Ten (10) chains and twenty feet eight inches to an iron stake;
THENCE North Eleven (11) chains to an iron stob in the ground;
THENCE East ten (10) chains, sixty feet and eight inches to the electric highline pole as the place of beginning, and containing 12 acres of land, more or less.**

(Commonly known as 12825 S Interstate Hwy 20, Roscoe, Texas.)

(hereinafter referred to as the "Property") to secure the payment of one certain Real Estate Lien Note (hereinafter referred to as the "Real Estate Lien Note") therein described, of even date therewith and payable to the order of the BETTY MULLINS TRUST, which said Deed of Trust is recorded at Instrument No. 22-37060, Volume 1700, Page 13 in the Official Public Records of Nolan County, Texas, reference to which said Real Estate Lien Note and Deed of Trust and the recordation thereof is hereby made for all purposes; and,

WHEREAS, the BETTY MULLINS TRUST filed an Appointment of Substitute Trustee to appoint Thomas L. Rees, Jr. as Substitute Trustee; and

WHEREAS, holder of the Note and Deed of Trusts has appointed Thomas L. Rees, Jr. As Substitute Trustee by Appointment of Substitute Trustee dated March 2, 2023, which is filed at Instrument No. 23-38872 of the Official Public Records of Nolan County, Texas; and

WHEREAS, Notice of Default was forwarded to Debtor/Maker on February 1, 2023, by Certified Mail to require that delinquent installment payments be paid and that homeowners insurance be obtained within the time allowed therefor; and,

WHEREAS, the Real Estate Lien Note remained in default as of March 6, 2023, due to failure to cure the existing default under the Note; the owner and holder of the Real Estate Lien

Note requested that Thomas L. Rees, Jr., Successor Trustee, notify 235 TRAVEL STOP, INC. that the balance of the Note, including the outstanding principle and accrued interest balance of the Note is accelerated and is now fully due and payable and that the Property will be sold at foreclosure sale if 235 TRAVEL STOP, INC. fails to pay off the accelerated matured indebtedness prior to the date of the Trustee Sale; said Notice to Borrowers was duly sent by certified mail on March 6, 2023;


WHEREAS, such default has not been cured as of the date of the posting of this Notice of Substitute Trustee's Sale, and the indebtedness evidenced therein is now wholly due and payable; and,

WHEREAS, the BETTY MULLINS TRUST, the beneficiary named in said Deed of Trust and the owner and holder of said lien and the Indebtedness secured thereby, has requested the undersigned to sell the Property at Public Auction to satisfy the Indebtedness.

NOW THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, the 4th day of April, 2023, between the hours of 10:00 a.m. and 4:00 p.m., I will sell the Property, at public auction for cash to the highest bidder, in the lobby area on the first floor of the Nolan County Courthouse. The lobby area on the first floor of the Nolan County Courthouse is the area which has been designated by the Nolan County Commissioner's Court for foreclosure sales. Said sale will begin at the earliest at 10:00 a.m. and will take place no later than three (3) hours after that time.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER FIRST FINANCIAL BANK, N.A. NOR THE TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

WITNESS MY HAND this the 6th day of March, 2023.

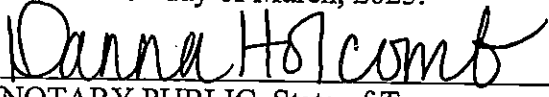

THOMAS L. REES, JR., Trustee

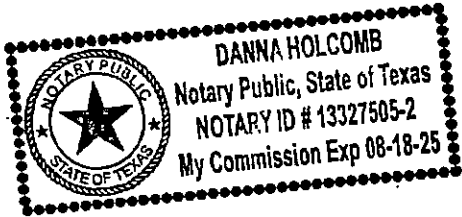
ACKNOWLEDGMENT FOR THOMAS L. REES, JR.

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BEFORE ME, the undersigned Notary Public, on this day personally appeared THOMAS L. REES, JR., in his capacity as Substitute Trustee, known to me to be the person whose name is subscribed to the Notice of Substitute Trustee's Sale set out above. He acknowledged to me that he executed and is duly authorized to execute the Notice of Substitute Trustee's Sale set out above for the purposes and consideration expressed in the Notice of Substitute Trustee's Sale as well as in the capacity set forth herein.

GIVEN under my hand and seal of office and this the 6th day of March, 2023.


NOTARY PUBLIC, State of Texas



RECEIVED
MAR 06 2023
Nolan County Clerk