

AUG 12 2024

NOTICE OF FORECLOSURE SALE

ANN FORD, COUNTY CLERK
YOUNG COUNTY, TEXAS

Deed of Trust:

Dated: October 28, 2022
 Grantor: WJH INVESTMENT COMPANIES, INC., a Texas Corporation
 Trustee: Matthew C. Aycok
 Lender: LORI THOMPSON, as to an undivided 100% interest
 Loan Servicer: CONRAD PROPERTIES, LLC, a Texas Limited Liability Company

Recorded: **Instrument #2022-22003684**, recorded on November 14, 2022, in the official Real Property (Deed) Records of YOUNG County, Texas

Secures: **Promissory Note** ("Note") in the original principal amount of \$1,100,000.00, executed by Walter James Harper, Jr., Director of and on behalf of WJH INVESTMENT COMPANIES, INC., a Texas Corporation ("Borrower") and payable to the order of Lender

Maturity Date: April 28, 2023

Legal Description:

BEING TRACTS ONE AND TWO, IN THE PITCOCK ADDITION, AND/OR IN THE INDIAN TRAILS ESTATES ADDITION, TO THE CITY OF GRAHAM, YOUNG COUNTY, TEXAS, THE LEGAL DESCRIPTION OF WHICH ARE ATTACHED HERETO AS EXHIBIT "A" AND RECORDED IN INSTRUMENT #2022-22003686, DEED RECORDS OF YOUNG COUNTY, TEXAS, LESS THOSE CERTAIN INDIVIDUAL LOTS OR PARCELS WHICH HAVE BEEN RELEASED OF RECORD AS SHOWN IN EXHIBIT "A"; and commonly and collectively known as 1524 Dresser St., Graham, YOUNG County, Texas 76450

Substitute Trustee(s):

Bennett M. Wyse, Ted Gambordella, Angela Cooper, Guy Wiggs, Brenda Wiggs, Donna Stockman, David Stockman, Janet Pinder, Terry Browder, Laura Browder, Jamie Osborne, Brandy Bacon, Michelle Schwartz, and/or Jamie Dworsky

FORECLOSURE SALE:

Date: **Tuesday, September 3, 2024**

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: UNDER THE PORTICO AT THE NORTH ENTRANCE OF THE YOUNG COUNTY COURTHOUSE, OR IF THE PRECEDING AREA IS NO LONGER THE DESIGNATED AREA, AT THE AREA MOST RECENTLY DESIGNATED BY THE YOUNG COUNTY COMMISSIONERS 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 Lender's or Loan Servicer'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, Lender, the owner and holder of the Note, or its Loan Servicer, 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 Lender's, or Loan Servicer's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender'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 Lender or Loan Servicer passes the Foreclosure Sale, then 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 Lender, or Loan Servicer. 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 HEREIN TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY, SUBSTITUTE TRUSTEE, OR OTHER AUTHORIZED AGENT OF THE MORTGAGEE OR LOAN SERVICER.

SUBSTITUTE TRUSTEE:



Bennett M. Wyse, Substitute Trustee
Texas State Bar No. 24008315
PRATT AYCOCK, LTD.
5910 N. Central Expwy, Suite 920
Dallas, Texas 75206
Office Tel: 469-807-3043
Alt. Tel: 214-473-5551
Fax: 214-540-9333
Email: bwyse@prattaycock.com

EXHIBIT A

Tract One:

Lot FIFTEEN (15) in Block ONE (1) of the PITCOCK ADDITION to the City of Graham, Young County, Texas according to the plat recorded in Volume 1, Page 364, Env. 184 of the Plat Records of Young County, Texas.

Lot FOURTEEN (14) in Block TWO (2) of the PITCOCK ADDITION to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 364, Env. 184 of the Plat Records of Young County, Texas.

Lot THREE (3), Lot FOUR (4), Lot FIVE (5), Lot SIX (6), Lot FOURTEEN (14), Lot FIFTEEN (15), Lot SIXTEEN (16) and Lot SEVENTEEN (17) in Block ELEVEN (11) of the PITCOCK ADDITION Section 3. to the City of Graham, Young County, Texas, accorded to the plat recorded in Volume 1, Page 261A, Env 133, of the plat Records of Young County, Texas.

Lot THREE (3), Lot FOUR (4), Lot FIVE (5), Lot SIX (6), Lot SEVEN (7), Lot EIGHT (8) and Lot NINE (9) in Block TWELVE (12) of the PITCOCK ADDITION Section 3, to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 261A, Env 133, of the Plat Records of Young County, Texas.

Lot TWELVE (12), Lot THIRTEEN (13), Lot FOURTEEN (14), Lot FIFTEEN (15), Lot SIXTEEN (16) and Lot EIGHTEEN (18) in Block FOURTEEN (14) of the PITCOCK ADDITION Section 4, to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 391, Env 199 of the plat records of Young County, Texas.

Lot SEVEN (7), Lot EIGHT (8), Lot NINE (9) and Lot TEN (10) in Block SIXTEEN (16) of the PITCOCK ADDITION Section 4 to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 391, Env 199 of the plat records of Young County, Texas.

Lot ONE (1), Lot TWO (2), Lot THREE (3), Lot FOUR (4), Lot FIVE (5), Lot SIX (6), Lot SEVEN (7), Lot EIGHT (8), Lot NINE (9), Lot TEN (10), Lot ELEVEN (11), Lot TWELVE (12), Lot THIRTEEN (13), Lot FOURTEEN (14), Lot FIFTEEN (15), Lot SIXTEEN (16), Lot SEVENTEEN (17) and Lot EIGHTEEN (18) in Block SEVENTEEN (17) of the PITCOCK ADDITION Section 4, to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 391, Env 199 of the plat records of Young County, Texas.

Tract Two:

Lot FIFTEEN (15), Lot SIXTEEN (16) and Lot SEVENTEEN (17) in Block TWO (2) of the PITCOCK ADDITION to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 364, Env. 184 of the Plat Records of Young County, Texas.

Lots ONE (1) and TWO (2) in Block THREE (3) of the PITCOCK ADDITION to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 364, Env. 184 of the Plat Records of Young County, Texas.

Lot ONE (1), Lot THREE (3) and Lot FOUR (4) in Block NINE (9) of the PITCOCK ADDITION Section 2 to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 376, Env 190 of the Plat Records of Young County, Texas.

Lot FIVE (5), Lot SIX (6), Lot SEVEN (7), Lot EIGHT (8), Lot TEN (10) and Lot ELEVEN (11) in Block EIGHT (8) of the PITCOCK ADDITION Section 2, to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 376, Env 190 of the Plat Records of Young County, Texas.

Lot FIVE (5), Lot SEVEN (7), Lot EIGHT (8), Lot NINE (9) and Lot TEN (10) in Block SIX (6) of the PITCOCK ADDITION Section 2 to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 376, Env 190 of the Plat Records of Young County, Texas.

Lot SIXTEEN (16), Lot SEVENTEEN (17), Lot EIGHTEEN (18), Lot NINETEEN (19), Lot TWENTY (20) and Lot TWENTY-ONE (21) in Block TWELVE (12) of the PITCOCK ADDITION Section 3, to the City of Graham, Young County, Texas, [according to the plat recorded in Volume 1, Page 261A, Env 133, of the Plat Records of Young County, Texas].

Lot THREE (3), Lot FOUR (4), Lot NINETEEN (19), Lot TWENTY (20), Lot TWENTY-ONE (21), Lot TWENTY-TWO (22) and Lot TWENTY-THREE (23) in Block THIRTEEN (13) of the PITCOCK ADDITION Section 3, to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 261A, Env 133, of the Plat Records of Young County, Texas.

Lot NINETEEN (19), Lot TWENTY (20), and Lot TWENTY-ONE (21), in Block SEVENTEEN (17) of the INDIAN TRAILS ESTATES ADDITION Section 6, to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 356, Env 180 of the Plat Records of Young County, Texas.

LESS THE FOLLOWING EXCLUDED/RELEASED LOTS:

Lot SIXTEEN (16),
Lot SEVENTEEN (17),
Lot EIGHTEEN (18),
Lot NINETEEN (19), and
Lot TWENTY (20),
all in Block TWELVE (12) of the PITCOCK ADDITION,
Section 3, to the City of Graham, Young County, Texas, as shown by:

RELEASE OF LIEN: Instrument No. 2023-23003135; Recorded on October 30, 2023, with the legal description as follows:

Lot 16, Block 12, PITCOCK ADDITION, Section 3, an addition to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 261A, Env 133 of the Plat Records, Young County, Texas

RELEASE OF LIEN: Instrument No. 2023-23003136; Recorded on October 30, 2023, with the legal description as follows:

Lot 17, Block 12, PITCOCK ADDITION, Section 3, an addition to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 261A, Env 133 of the Plat Records, Young County, Texas

RELEASE OF LIEN: Instrument No. **2023-23003139**; Recorded on October 30, 2023, with the legal description as follows:

Lot 18, Block 12, PITCOCK ADDITION, Section 3, an addition to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 261A, Env 133 of the Plat Records, Young County, Texas

RELEASE OF LIEN: Instrument No. **2023-23003138**; Recorded on October 30, 2023, with the legal description as follows:

Lot 19, Block 12, PITCOCK ADDITION, Section 3, an addition to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 261A, Env 133 of the Plat Records, Young County, Texas

RELEASE OF LIEN: Instrument No. **2023-23003137**; Recorded on October 30, 2023, with the legal description as follows:

Lot 20, Block 12, PITCOCK ADDITION, Section 3, an addition to the City of Graham, Young County, Texas, according to the plat recorded in Volume 1, Page 261A, Env 133 of the Plat Records, Young County, Texas

[Exhibit "A," shown above, includes the subsequently Excluded/Released Lots for reference only.]