

Notice of Foreclosure Sale

FILED
AT _____ O'CLOCK _____ M

Date: July 8, 2024

Trustee and Trustee's Address: Stephen R. McKethan
115 N. Graham St., Ste. 201
Stephenville, TX 76401

JUL 8 2024

Ruby Leasing
Clerk, County Court Comanche Co., Texas

Lender: Charles Rambo

Notes: Promissory Note dated September 18, 2020, but effective October 6, 2022, in the original principal amount of \$275,000.00; Promissory Note dated April 23, 2021 in the original principal amount of \$125,000.00; effected by the Modification and Extension Agreement dated effective April 23, 2021 and recorded in Volume 1115, Page 272 of the Deed Records of Comanche County, Texas.

Deed of Trust

Date: Effective October 6, 2020
Grantor: Amy Kavanaugh and Sheri McComber
Lender: Charles Rambo
Recording information: Vol. 504, Page 1 of the Deed of Trust Records of Comanche County, Texas; effected by Modification and Extension Agreement recorded in Volume 1115, page 272, of the Deed Records of Comanche County, Texas

Property:

31.875 acre tract or parcel of land situated in Section No.7, Block 2, H&TC Ry. Co. Survey, Abstract No. 476, Comanche County, Texas, said tract being part of that parcel of land awarded to J.D Tate, et al, by judgement handed down in Case. No.10722, District Court, Comanche County, Texas, said tract being further described hereby by metes and bounds as follows:

BEGGINGING for the Southwest corner of this, at a point in the East line of said Section No.7, lying North 2210.7 from the Southeast corner of said Section No.7, a steel rod monument bears South 89° 46 minutes West 10.0 feet;

THENCE South 89° 46 min. West 2703.1 feet to a steel rod set in the older of the two fence lines;

THENCE North 0° 10 min. East 529.2 feet with old fence line to steel rod set at fence corner at the Northwest corner of aforementioned J.D. Tates tract;

THENCE South 89° 35 min. East 2701.6 feet with fence line to a point in the Western part of road, a steel rod brs. North 89° 35 mins. West 8.0 feet;

TEHNCE South 498.45 feet to the place of beginning.

County: Comanche County, Texas

Date of Sale: August 6, 2024

Time of Sale: The sale of Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; **the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three hours thereafter.**

Place of Sale: At the Comanche County Courthouse located at 101 W. Central Ave, Comanche, TX 76442, at the place designated by the Commissioner's Court for such sales in Comanche County, Teas (on the steps of the county courthouse or as designated by the County Commissioners of Comanche County, Texas).

Default has occurred in the payment of the Note and in performance of the obligations of the Deed of Trust. Because of that default, Lender, the owner and holder of the Note, has requested Trustee to sell the Property pursuant to the terms of the Deed of Trust. Therefore, a 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 bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Those desiring to purchase the Property will need to demonstrate their ability to pay their bid amount immediately in cash if their bid is accepted.

Therefore, notice is given that on and at the Date of Sale, Time of Sale, and Place of Sale described above, Trustee will sell the Property in accordance with the terms of the Deed of Trust, as provided above and applicable Texas law.

If Lender passes the foreclosure sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with 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. 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, 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 Trustee.

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.

A handwritten signature in black ink, appearing to read "Stephen Mckethan", written over a horizontal line.

STEPHEN MCKETHAN, Trustee