

**Notice of Foreclosure Sale**

June 30, 2022

Deed of Trust with Security Agreement ("Deed of Trust"):

Dated: August 25, 2020

Grantor: Summit Paving, LLC

Trustee: Raymond H Rust, III

Lender: Commercial Bank of Texas, N. A.

Recorded in: Instrument No. 180905-2021, Lamar County Official Public Records

Legal Description: See Exhibit "A" attached hereto and made a part hereof.

Secures: Promissory Note dated August 25, 2020 ("Note") in the original principal amount of \$200,000.00, executed by Ryan Adamson, Manager of Summit Paving, LLC ("Borrower") and payable to the order of Lender

Substitute Trustee: Chris W. Fitzgerald

Substitute Trustee's Address: P.O. Box 651, Paris, Texas, 75461 (Mail Only); 32 W Plaza Street, Paris, Texas 75460

Foreclosure Sale:

Date: Tuesday, August 2, 2022

Time: The sale of the 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.

Place: The East foyer, First Floor of the Lamar County Courthouse, 119 N. Main Street, Paris, Lamar County, Texas 75460

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 Commercial Bank of Texas, N.A. bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

RECEIVED BY  
LAMAR COUNTY CLERKS OFFICE  
ON THIS THE 10<sup>th</sup> DAY OF July, 2022

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, Commercial Bank of Texas, N.A., the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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.

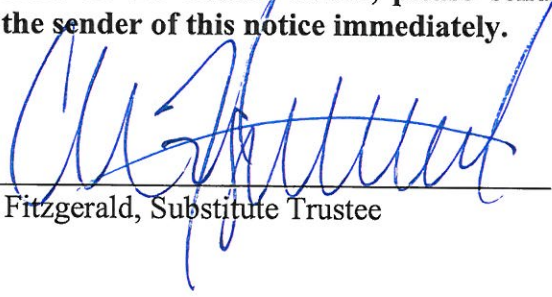
If Commercial Bank of Texas, N.A. passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 Commercial Bank of Texas, N.A. 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.

**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.**

  
Chris W. Fitzgerald, Substitute Trustee

# EXHIBIT A

## Tract 1:

Situated within the Corporate Limits of the City of Paris, Lamar County, Texas, being a part of the Roddin Russell Survey, Abstract 86, 754, also being a part of the tract described in a Deed from Louise Dyer to Edgar Dyer, dated July 2, 1919, recorded in Volume 247, Page 281, Lamar County Deed Records, said 0.960-acre tract being more particularly described as follows, to-wit:

BEGINNING at an iron pipe set for a corner, said point being the point of intersection of the N/2 of 15th N.W. Street and the N/2 of West Henderson Street; also being the E/4 corner of the tract described in the above mentioned Deed;

THENCE South 89° 30' East, along the N/2 of West Henderson Street, 279 feet to an iron pipe (found) for a corner;

THENCE North 166.3 feet to an iron pipe (found) for a corner;

THENCE West 213 feet to an iron pipe set for a corner;

THENCE with the E/2 of 15th N.W. Street, South 117 feet to the place of beginning, containing 0.960 acres of land.

As evidenced by an actual survey made on the ground by A. G. Fryer, Registered Public Surveyor, October 11, 1974, with DEEDS 6 LEAS 201, same tract(s) conveyed to City of Paris in deed dated January 31, 1971 of record in Book 418, Page 168, Lamar County Deed Records.

## Tract 2:

Situated in Lamar County, Texas, a part of the Roddin Russell Survey, and described as follows:

BEGINNING at a stake in the East Boundary line of 15th Street N.W., formerly North 5th Street, said point being the northeast corner of the George W. and Louise Dyer lot;

THENCE North with same 15th Street N.W., 30 feet, a stake;

THENCE East 500 feet, a stake;

THENCE South 50 feet, a stake;

THENCE West 300 feet to the place of beginning, being the same property conveyed by D.D. Ross and wife, Wanda Ross to Ross Nelson on June 19, 1951, by deed recorded in Book 119, Page 246, referenced for all legal purposes.