

This 8th day of Mar, 2024
Posted at 1:51 pm

Notice of Foreclosure Sale

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

March 7, 2024

Deed of Trust ("Deed of Trust"):

Dated: August 13, 2018

Grantor: Aerocar, LLC

Trustee: Mike Mauldin

Lender: First Financial Bank, N.A.

Recorded in: Official Public Records of Deaf Smith County, Texas as Instrument Number 18-1306

Secures: Note ("Note") in the original principal amount of \$3,643,000, executed by Ferrell-Ross Roll Manufacturing, Inc., Gearn, Inc. and David C. Ibach, Jr. (collectively, "Borrower") and payable to the order of Lender: and all other indebtedness of Borrower or Grantor to Lender. *Since the date of the Note, Gearn, Inc. has been merged into Ferrell-Ross Roll Manufacturing, Inc.*

Guaranty: The Note is guaranteed by Unconditional Guarantees dated August 13, 2018, and executed by Lanza, LLC, Aerocar, LLC and Tierra de Acero, LP in favor of Lender. *Since the date the Unconditional Guarantees were executed, Lanza, LLC and Tierra de Acero, LP have been merged into Aerocar, LLC*

Substitute Trustee: Mark S. Zachary

Substitute Trustee's Address: 400 Pine Street, Suite 800, Abilene, Texas 79601

Property (the "Property"): The real property, improvements, and personal property described on the attached **Exhibit A**, and all rights and appurtenances thereto.

Foreclosure Sale:

- Date: April 2, 2024
- 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. and not later than three hours thereafter.**
- Place: The South, second floor entrance (balcony area) of the Deaf Smith County, Texas courthouse; in case of inclement weather, the sale may be moved inside the doors in the entrance hall; or in such other area as designated by the Commissioner's Court of Deaf Smith County, Texas pursuant to Section 51.002 of the Texas Property Code.
- 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 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, 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 Lender 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 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, and at purchaser's own risk.** 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.

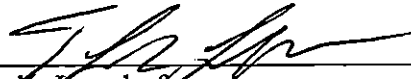
Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

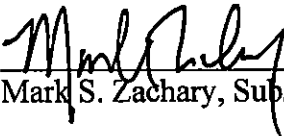
THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGEE SERVICER.

The Property that is the subject of this sale is described as Tract 2 in the Deed of Trust. Lender reserves the right at a later date to conduct a sale of Tract 1 that is described in the Deed of Trust.

First Financial Bank, N.A.

By: _____


Luke Longhofer,
EVP, Chief Lending Officer


Mark S. Zachary, Substitute Trustee

STATE OF TEXAS

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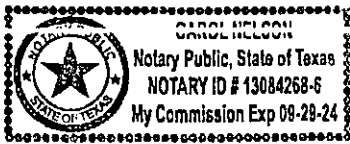
COUNTY OF TAYLOR

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BEFORE ME, the undersigned authority, on this day personally appeared **Luke Longhofer**, EVP, Chief Lending Officer of **First Financial Bank, N.A.**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office this 7th day of March, 2024.



Carol Nelson

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS

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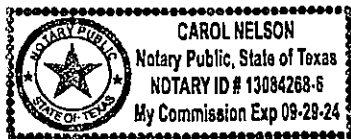
COUNTY OF TAYLOR

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BEFORE ME, the undersigned authority, on this day personally appeared **Mark S. Zachary**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office this 7th day of March, 2024.



Carol Nelson

NOTARY PUBLIC, STATE OF TEXAS

Exhibit A

An 8.086 acre tract, more or less, out of a part of a tract known as 18.144 acres and also being out of a part of Blocks 13 and 14; a part of closed Center Street lying between Blocks 13 and 14; and the West 1/2 of closed Sixth Avenue lying immediately East of and adjacent to Blocks 13 and 14, all in DeAtley's Addition to the Town of Hereford, Deaf Smith County, Texas as shown by the plat thereof of record in Volume 19, Pages 158 and 159, Deed Records of Deaf Smith County, Texas. Said tract is described by metes and bounds as follows:

COMMENCING at the Southwest corner of a tract known as 18.144 acres conveyed to Ron Crist by deed recorded in Volume 364, Page 344, Real Property Records and the Southwest corner of Block 15, DeAtley's Addition whence a railroad spike found at the intersection of the center line of Eighth Avenue and the South line of Section 80, Block K-3 bears South 00 degrees 03 minutes 30-seconds East 30 feet and South 89 degrees 56 minutes 30 seconds West 30 feet; THENCE North 89 degrees 56 minutes 30 seconds East along the South line of Blocks 15 and 14, DeAtley's Addition and their extensions and along the South line of the tract known as 18.144 acres, 454.24 feet to the SOUTHWEST and BEGINNING corner of this tract;

THENCE North 00 degrees 16 minutes 50 seconds West at 15.00 feet pass a 1/2 inch iron rod with a plastic cap stamped "DORSEY 1912" found in the North line of Holly Road as conveyed to the State of Texas by Right of Way Easement recorded in Volume 236, Page 681, Deed Records, at 217.90 feet pass a 1/2 inch iron rod with plastic cap stamped "DORSEY 1912" found and at a total distance of 973.12 feet a 1/2 inch iron rod with plastic cap stamped "HBD" set in the North line of Block 13, DeAtley's Addition and the North line of the tract known as 18.144 acres; THENCE North 89 degrees 51 minutes 30 seconds East along the North line of Block 13, DeAtley's Addition and its extension, 360.82 feet to a 1/2 inch iron rod with plastic cap stamped "HBD" set in the center line of closed Sixth Avenue for the Northeast corner of the tract known as 18.144 acres;

THENCE South 00 degrees 24 minutes 14 seconds East along the center line of closed Sixth Avenue, at 617.74 feet pass a 1 inch iron rod found for the Northwest corner of a tract conveyed to AEROCAR, L.L.C by deed recorded as Instrument Number 03-2702, Official Public Records, at 958.66 feet pass a 1/2 inch iron rod found in the North line of Holly Road and at a total distance of 973.66 feet the Southwest corner of the AEROCAR, L.L.C tract and the Southeast corner of the tract known as 18.144 acres;

THENCE South 89 degrees 56 minutes 30 seconds West along the South line of the tract known as 18.144 acres, at 30 feet pass the Southeast corner of Block 14, DeAtley's Addition and at a total distance of 362.92 feet the place of beginning.



R.H.L. F.F.B.
FILED and certified as RECORDED in the Official Public Records of Deaf Smith County, Texas.

By: *[Signature]*

Deputy

March 8, 2024 (1:53pm)

24-0395