

**NOTICE OF FORECLOSURE SALE**  
(Archer County)

**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.**

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Properties to Be Sold. The properties to be sold are described as follows:

See Exhibit "A" attached hereto and hereby referred to and incorporated herein for all purposes.

2. Instruments to be Foreclosed. The instruments to be foreclosed are (1) the Deed Of Trust recorded as Document No. 201516780, Official Public Records, Wichita County, Texas, as extended and modified pursuant to that certain Extension And Modification Of Real Estate Note And Lien recorded as Document No. 20223065, Official Public Records, Wichita County, Texas ("Security Instrument No. 1"); (2) the Renewal Deed Of Trust recorded as Document No. 20206475, Official Public Records, Wichita County, Texas ("Security Instrument No. 2"); (3) the Extension And Modification Of Real Estate Note And Lien recorded as Instrument No. 157813, Official Public Records, Archer County, Texas, and further recorded as Document No. 202314858, Official Public Records, Wichita County, Texas ("Security Instrument No. 3"); (4) the Commercial Security Agreement dated September 20, 2023 and any and all instruments cross-collateralized and filed with respect thereto ("Security Instrument No. 4"); (5) the Deed Of Trust recorded as Instrument No. 159086, Official Public Records, Archer County, Texas ("Security Instrument No.

5"); (6) the Commercial Security Agreement dated November 20, 2024, and any and all instruments cross-collateralized and filed with respect thereto ("Security Instrument No. 6"); and any and all other security instruments filed of record with respect to any of the above described security instruments (which are hereinafter collectively referred to as the "Security Instruments").

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: February 3, 2026

Time: The sale shall begin no earlier than 10:00 A.M. or no later than three hours thereafter. The sale shall be completed by no later than 4:00 P.M.

Place: Archer County Courthouse Annex, 112 E. Walnut Street, Archer City, Archer County, Texas, 76351, at the following location: North entrance of Courthouse Annex, or as designated by the county commissioners.

The Security Instruments permit the Current Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Security Instruments need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Security Instruments, permitting the Current

Beneficiary thereunder to have the bid credited to Note Nos. 1, 2, 3, 4, 5, and 6, respectively, up to the amount of the unpaid debts secured by the Security Instruments at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters set forth in the Security Instruments, but prospective bidders are reminded that by law the 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 Security Instruments. The sale shall not cover any part of the property that has been released of public record from the liens of the Security Instruments. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Security Instruments, the Current Beneficiary has the right to direct the Trustee and/or Substitute Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in “as is, where is” condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the Security Instruments. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the Trustee and/or Substitute Trustee reserves the right to set further reasonable conditions for conducting the sale. Any such

further conditions shall be announced before bidding is opened for the first sale of the day held by the Trustee or any Substitute Trustee.

5. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Security Instruments executed by JMCB INVESTMENTS, LLC, a Texas limited liability company.

6. Obligations Secured. The Security Instruments provide that they secure the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to (1) the Real Estate Lien Note dated October 30, 2015, in the original principal amount of \$117,000.00, as extended and modified pursuant to that certain Extension And Modification Of Real Estate Note And Lien dated February 11, 2022, but effective for all purposes as of January 27, 2022, in the principal amount of \$93,585.45 ("Note No. 1"); (2) the Renewal Real Estate Lien Note dated April 23, 2020, in the principal amount of \$246,300.00, which renews and extends the respective Notes described therein ("Note No. 2"); (3) the Real Estate Lien Note dated October 19, 2022, in the principal amount of \$266,000.00, as extended and modified pursuant to that certain Extension And Modification Of Real Estate Note And Lien dated September 20, 2023, in the principal amount of \$266,000.00 ("Note No. 3"); (4) the Promissory Note dated September 20, 2023, in the principal amount of \$60,000.00, and the Commercial Security Agreement with respect thereto dated September 20, 2023 ("Note No. 4"); (5) the Real Estate Lien Note dated June 4, 2024, in the principal amount of \$163,500.00 ("Note No. 5"); (6) the Promissory Note dated November 20, 2024, in the principal amount of \$50,000.00, and the Commercial Security Agreement with

respect thereto dated November 20, 2024 ("Note No. 6"); said Note Nos. 1, 2, 3, 4, 5 and 6 all being executed by JMCB INVESTMENTS, LLC, a Texas limited liability company, and payable to the order of FIRST CAPITAL BANK. FIRST CAPITAL BANK is the current owner and holder of the Obligations and is the Current Beneficiary under the Security Instruments.

As of November 20, 2025, there was owed on Note Nos. 1, 2, 3, 4, 5 and 6, respectively, the following amounts:

- Note No. 1: \$85,405.78, which includes \$84,884.16 in principal; \$445.64 in interest, with additional interest accruing at the rate of \$10.6105 per day thereafter; and \$75.98 in charges/fees;
- Note No. 2: \$126,196.72, which includes \$123,768.00 in principal; \$902.47 in interest, with additional interest accruing at the rate of \$21.4875 per day thereafter; and \$1,526.25 in charges/fees;
- Note No. 3: \$279,171.40, which includes \$267,592.93 in principal; \$10,097.91 in interest, with additional interest accruing at the rate of \$69.6385 per day thereafter; and \$1,480.56 in charges/fees;
- Note No. 4: \$40,780.46, which includes \$40,260.10 in principal; \$440.10 in interest, with additional interest accruing at the rate of \$10.4786 per day thereafter; and \$80.26 in charges/fees;
- Note No. 5: \$180,931.06, which includes \$166,221.40 in principal; \$13,545.68 in interest, with additional interest accruing at the rate of \$81.9721 per day thereafter; and \$1,163.98 in charges/fees;
- Note No. 6: \$51,800.01, which includes \$50,000.00 in principal; \$1,800.01 in interest, with additional interest accruing at the rate of \$12.3287 per day thereafter;

and at least \$1,500.00 in reasonable attorney's fees. Applicable Trustee's fees, additional interest,

late fees, property insurance, ad valorem taxes, additional attorney's fees and other expenses, may be added to the amount owed.

Questions concerning the sale may be directed to the undersigned at (940) 569-2201.

7. Default and Request to Act. Default has occurred under the Security Instruments, and the Current Beneficiary has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale the Current Beneficiary may appoint another person substitute trustee to conduct the sale.

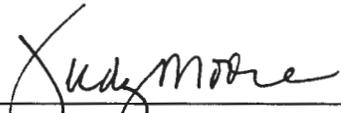
DATED January 5, 2026.

  
\_\_\_\_\_  
JONATHAN R. ELLZEY, Substitute Trustee  
320 E. Third Street  
Burkburnett, Texas 76354  
(940) 569-2201  
(940) 569-5032 (Fax)

THE STATE OF TEXAS :  
:  
COUNTY OF WICHITA :

This instrument was acknowledged before me on the 5 day of January, 2026, by JONATHAN R. ELLZEY, Substitute Trustee.



  
\_\_\_\_\_  
Notary Public, State of Texas

## EXHIBIT "A"

### WICHITA COUNTY

#### **TRACT ONE: (2706 Ave N, Wichita Falls, Texas)**

Tract 10, Block 5A, Highland Addition to the City of Wichita Falls, Wichita County, Texas, according to the Plat recorded in Volume 1, Page 23-26, Wichita County Plat Records.

#### **TRACT TWO: (407 Star, Wichita Falls, Texas)**

A tract of land in Wichita County, Texas, and being all of the North One-Half (N ½) of Block No. Eighty-Three (83) of the East Side Gardens, according to Amended Plat thereof of record in the Office of the County Clerk of Wichita County, Texas, SAVE AND EXCEPT the following portion thereof;

BEGINNING at the Southwest corner of said North ½ of Block No. 83 of East Side Gardens;

THENCE North along the West side thereof a distance of 86 feet;

THENCE East 150 feet;

THENCE South 86 feet to the South line of the North ½ of said Block 83 of East Side Gardens;

THENCE West 150 feet along to the PLACE OF BEGINNING, and more commonly known as 407 Star, Wichita Falls, Texas.

#### **TRACT THREE: (2707 Ave Q, Wichita Falls, Texas)**

The East Sixty-Five (65) Feet (E 65') being the rear Sixty-Five Feet (65') of Lot No. Sixteen, Block No. Twenty "A" (20-A), Highland Addition, an Addition to the City of Wichita Falls, Wichita County, Texas, according to the Plat recorded in Volume 1, Page 23-26, Wichita County Plat Records.

#### **TRACT FOUR: (2702 Palmetto Drive, Wichita Falls, Texas)**

Lot 2, Block 44, Lynwood West, Section Two, an Addition to the City of Wichita Falls, Wichita County, Texas, according to the Plat recorded in Volume 9, Page 37, Wichita County Plat Records.

#### **TRACT FIVE: (1911 7<sup>th</sup> Street, Wichita Falls, Texas)**

Lot No. Ten (10), Block No. Two (2), Kemp & Jacksons Subdivision of Block No. 11, Bellview Addition, an Addition to the City of Wichita Falls, Wichita County, Texas, according to the Plat of record in Volume 4, Page 49, Wichita County Plat Records, and more commonly known as 1911 7<sup>th</sup> Street, Wichita Falls, Texas.

#### **TRACT SIX: (1902 Deer Park Way, Wichita Falls, Texas)**

Lot 18, Block 48, Lynwood West Section II, an Addition to the City of Wichita Falls, Wichita County, Texas, according to the Plat of record in Volume 9, Page 37, Wichita County Plat Records.

**TRACT SEVEN: (4623 Jennings Ave, Wichita Falls, Texas)**

Lot 28, Block 6, Allendale Heights, Section One, an Addition to the City of Wichita Falls, Wichita County, Texas, according to the Plat of record in Volume 24, Pages 1 & 2, Wichita County Plat Records.

**TRACT EIGHT: (3105 Kenesaw Ave, Wichita Falls, Texas)**

Lot 2-A, Block 51A, Replat of Lots 2 & 3, Block 51A, Highland Addition, an Addition to the City of Wichita falls, Wichita County, Texas, according to the Plat of record in Volume 23, Page 11, Wichita County Plat Records.

**TRACT NINE: (4602 Westridge Drive, Wichita Falls, Texas)**

Lot No. Eleven (11), Block No. Seven (7), South Winds Estates, Section One (1), an Addition to the City of Wichita Falls, Wichita County, Texas, according to the Plat of record in Volume 8, Page 16, Wichita County Plat Records, and more commonly known as 4602 Westridge Drive, Wichita Falls, Texas.

**TRACT TEN: (4920 Big Bend, Wichita Falls, Texas)**

Lot Forty-Nine (49), in Block One (1), of Belair Addition, Unit Two, an Addition to the City of Wichita Falls, Wichita County, Texas, according to the Plat recorded in Volume 22, Page 23-24, Wichita County Plat Records.

**ARCHER COUNTY**

**TRACT 1: (600 S. Walnut Street, Holliday, Texas)**

Lots 14, 15, & 16, Block Seventy-Five, Original Townsite of Holliday, an Addition to Archer County, Texas, as shown on that certain map or plat thereof recorded in Volume 1, Page 4, of the Archer County Plat Records.

**TRACT 2:**

A TRACT OF LAND IN ARCHER COUNTY, TEXAS, BEING A PART OF LOT 33, BLOCK 4, CLARK AND PLUMB SUBDIVISION, AS RECORDED IN VOLUME U, PAGES 286 THROUGH 289, ARCHER COUNTY DEED RECORDS AND BEING MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A ½ INCH IRON ROD IN THE EAST LINE OF SAID LOT 33 FOR THE SOUTHEAST CORNER OF THIS DESCRIPTION AND THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO BERT OSTERMANN IN VOLUME 607, PAGE 771, ARCHER COUNTY DEED RECORDS, SAID IRON ROD BEARS NORTH 00°23'21" WEST 786.09 FEET FROM A 3/8 INCH SPIKE IN THE CENTER OF MUNCHRATH ROAD FOR THE SOUTHEAST CORNER OF SAID LOT 33;

THENCE ALONG THE NORTH LINE OF SAID BERT OSTERMANN TRACT, NORTH 89°37'19" WEST 135.63 FEET TO A 2 INCH PIPE FENCE CORNER POST FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF THIS DESCRIPTION AND THE NORTHWEST CORNER OF SAID BERT OSTERMANN TRACT;  
THENCE GENERALLY WITH A FENCE, NORTH 69°49'53" WEST 46.20 FEET TO A ½ INCH IRON ROD FOR THE MOST WESTERLY SOUTHWEST CORNER OF THIS DESCRIPTION;  
THENCE NORTH 133.26 FEET TO A ½ INCH IRON ROD FOR THE NORTHWEST CORNER OF THIS DESCRIPTION;  
THENCE SOUTH 89°37'19" EAST 180.00 FEET TO A ½ INCH IRON ROD IN THE EAST LINE OF SAID LOT 33 FOR THE NORTHEAST CORNER OF THIS DESCRIPTION;  
THENCE ALONG THE OCCUPIED EAST LINE OF SAID LOT 33 AND GENERALLY WITH A FENCE, SOUTH 00°23'21" WEST 148.89 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.606 ACRE OF LAND, MORE OR LESS.

**ACCESS EASEMENT FOR FIRST TRACT:**

AN ACCESS EASEMENT IN ARCHER COUNTY, TEXAS, BEING PART OF LOT 33, BLOCK 4, CLARK AND PLUMB SUBDIVISION, AS RECORDED IN VOLUME U, PAGES 286 THROUGH 289, ARCHER COUNTY DEED RECORDS AND BEING MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;  
BEGINNING AT A ½ INCH IRON ROD IN THE OCCUPIED EAST LINE OF SAID LOT 33 FOR THE SOUTHEAST CORNER OF THIS EASEMENT AND THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO BERT OSTERMANN IN VOLUME 607, PAGE 771, ARCHER COUNTY DEED RECORDS, SAID IRON ROD BEARS NORTH 00°23'21" WEST 786.09 FEET FROM A 3/8 INCH SPIKE IN THE CENTER OF MUNCHRATH ROAD FOR THE SOUTHEAST CORNER OF SAID LOT 33;  
THENCE ALONG THE NORTH LINE OF SAID OSTERMANN TRACT, NORTH 89°37'19" WEST 27.76 FEET TO A POINT FOR THE SOUTHWEST CORNER OF THIS EASEMENT;  
THENCE NORTH 09°49'55" WEST 68.30 FEET TO AN ANGLE POINT FOR THIS EASEMENT;  
THENCE NORTH 24°03'50" WEST 49.87 FEET TO AN ANGLE POINT FOR THIS EASEMENT;  
THENCE NORTH 43°50'20" WEST 50.62 FEET TO A POINT FOR THE NORTHWEST CORNER OF THIS EASEMENT;  
THENCE SOUTH 89°37'19" EAST 34.88 FEET TO A POINT FOR THE NORTHEAST CORNER OF THIS EASEMENT;  
THENCE SOUTH 43°50'20" EAST 30.66 FEET TO AN ANGLE POINT OF THIS EASEMENT;  
THENCE SOUTH 24°03'50" EAST 57.34 FEET TO AN ANGLE POINT OF THIS EASEMENT;  
THENCE SOUTH 11°34'11" EAST 76.37 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.097 ACRE OF LAND, MORE OR LESS.

**SECOND TRACT AND ACCESS EASEMENT:**

A TRACT OF LAND IN ARCHER COUNTY, TEXAS, BEING PART OF LOT 33, BLOCK 4, CLARK AND PLUMB SUBDIVISION, AS RECORDED IN VOLUME U, PAGES 286 THROUGH 289, ARCHER COUNTY DEED RECORDS AND BEING MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FROM A 3/8 INCH SPIKE IN THE CENTER OF MUNCHRATH ROAD FOR THE SOUTHEAST CORNER OF SAID LOT 33 AND OF THIS DESCRIPTION;

THENCE ALONG THE CENTER OF MUNCHRATH ROAD AND THE SOUTH LINE OF SAID LOT 33, NORTH 89° 22' 23" WEST 25.72 FEET TO A 60d NAIL FOR THE SOUTHWEST CORNER OF THIS DESCRIPTION;

THENCE NORTH 00° 14' 26" EAST, AT 28.45 FEET PASS A 2 INCH PIPE FENCE CORNER POST IN THE NORTH LINE OF MUNCHRATH ROAD, AND CONTINUING WITH THE FENCED WEST LINE OF A PRIVATE LANE A TOTAL DISTANCE OF 661.29 FEET TO A 2 INCH PIPE FENCE CORNER POST IN THE SOUTH LINE OF A TRACT OF LAND CONVEYED TO BERT OSTERMANN IN VOLUME 607, PAGE 771, ARCHER COUNTY DEED RECORDS FOR THE NORTHWEST CORNER OF THIS DESCRIPTION;

THENCE ALONG THE SOUTH LINE OF SAID BERT OSTERMANN TRACT, SOUTH 89° 53' 39," EAST 27.43 FEET TO A ½ INCH IRON ROD IN THE EAST LINE OF SAID LOT 33 FOR THE NORTHEAST CORNER OF THIS DESCRIPTION AND THE SOUTHEAST CORNER OF SAID BERT OSTERMANN TRACT;

THENCE ALONG THE OCCUPIED EAST LINE OF SAID LOT 33 AND GENERALLY WITH A FENCE, SOUTH 00° 23' 21" WEST, AT 632.82 FEET PASS A 2 INCH PIPE FENCE CORNER POST IN THE NORTH LINE OF MUNCHRATH ROAD, A TOTAL DISTANCE OF 661.53 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.403 ACRE OF LAND, MORE OR LESS, OF WHICH 0.02 ACRE LIES WITHIN THE OCCUPIED RIGHT-OF-WAY OF MUNCHRATH ROAD.

**ACCESS EASEMENT TO BERT OSTERMANN TRACT:**

AN ACCESS EASEMENT IN ARCHER COUNTY, TEXAS, BEING PART OF LOT 33, BLOCK 4, CLARK AND PLUMB SUBDIVISION, AS RECORDED IN VOLUME U, PAGES 286 THROUGH 289, ARCHER COUNTY DEED RECORDS AND BEING MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A ½ INCH IRON ROD IN THE OCCUPIED EAST LINE OF SAID LOT 33 FOR THE SOUTHEAST CORNER OF THIS EASEMENT AND THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO BERT OSTERMANN IN VOLUME 607, PAGE 771, ARCHER COUNTY DEED RECORDS, SAID IRON ROD BEARS NORTH 00° 23' 21" EAST 661.53 FEET FROM A 3/8 INCH SPIKE IN THE CENTER OF MUNCHRATH ROAD FOR THE SOUTHEAST CORNER OF SAID LOT 33;

THENCE ALONG THE SOUTH LINE OF SAID OSTERMANN TRACT, NORTH 89° 53' 39"

WEST 27.43 FEET TO A 2 INCH PIPE FENCE CORNER POST FOR THE SOUTHWEST CORNER OF THIS EASEMENT;  
THENCE NORTH 00° 14' 26" EAST 124.69 FEET TO A POINT IN THE NORTH LINE OF SAID BERT OSTERMANN TRACT FOR THE NORTHWEST CORNER OF THIS EASEMENT;  
THENCE SOUTH 89° 37' 19" EAST 27.76 FEET TO A 1/1 INCH IRON ROD IN THE OCCUPIED EAST LINE OF SAID LOT 33 FOR THE NORTHEAST CORNER OF THIS EASEMENT AND THE NORTHEAST CORNER OF SAID BERT OSTERMANN TRACT;  
THENCE ALONG THE EAST LINE OF SAID LOT 33, OF SAID OSTERMANN TRACT, AND GENERALLY WITH A FENCE, SOUTH 00° 23' 21" WEST 124.56 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.078 ACRE OF LAND, MORE OR LESS.