

FILED

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

2019 JUN 10 PM 4:54

Notice is hereby given that a public sale at auction of the Property (as that term is defined and described below) will be held at the date, time and place specified herein.

RECORDED  
BY [Signature]  
DEPUTY

**Information regarding the indebtedness and lien that is the subject of this sale:**

Note:

Date: July 20, 2018  
Maker: Gary's Cotton Boll Gin, Inc., a Texas corporation, and Leslie Lavois Gary  
Original Payee: First State Bank Shallowater  
Original Principal Amount: \$140,000.00  
First State Bank, Shallowater, Texas Loan No. 45747

Deed of Trust-Security Agreement-Financing Statement:

Date: July 20, 2018  
Grantor: Gary's Cotton Boll Gin, Inc., a Texas corporation  
Trustee: Mark Taylor  
Recorded in: Document No. 2018-002229, Official Public Records of Hale County, Texas.

Property:

The following described real property, together with all mineral interests, improvements, fixtures, personal property and intangible property, if any, described in and presently covered by the Deed of Trust and all other rights, privileges and appurtenances pertaining thereto:

15.74 acres of land out of the Northeast One-fourth (NE/4) of Survey No. 33, Block A-4, by virtue of Land Scrip No. 259, issued to E.L. & R.R. Ry. Co., Patent No. 515, Volume 53, in Hale County, Texas, more particularly described by metes and bounds on **Exhibit "A"** attached hereto and incorporated herein by reference for all purposes.

Prior Modification of Note and/or Deed of Trust:

Present Owner of Note and Beneficiary under Deed of Trust:

First State Bank

**Information regarding the public sale to be held:**

Substitute Trustees: Ryan J. Bigbee, Andrew B. Curtis, Tammy Mathis, Nicole Ybarra

Appointed by written instrument dated June 10, 2019, executed by First State Bank and recorded or to be recorded in the appropriate Official Public Records of Hale County, Texas.

Date of Sale: July 2, 2019, being the first Tuesday in said month.

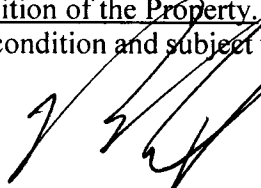
Time of Sale: The earliest time at which the sale will occur is 10:00 A.M., Plainview, Texas local time, and shall begin not later than 3 hours thereafter.

Place of Sale: The designated area of the County Courthouse as designated by the Commissioners Court of Hale County, Texas

Default has occurred in the payment of the indebtedness evidenced by the Note. Because of such default, First State Bank appointed Substitute Trustee and has requested Substitute Trustee to enforce the Deed of Trust.

Therefore, notice is given that on the date and time and at the place set forth hereinabove, any one of the above-named Substitute Trustees will sell the above-referenced Property by public sale to the highest bidder for cash in accordance with the Deed of Trust and the laws of the State of Texas.

Prospective bidders are advised to make their own examination of title to the Property to determine the existence of any easements, restrictions, liens or other matters affecting title to the Property. Neither Substitute Trustee nor First State Bank makes any representation or warranty (express or implied) regarding title to or the condition of the Property. The Property to be sold at the public sale will be sold in its present "AS IS" condition and subject to all ad valorem taxes then owing with respect to the Property.

  
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Ryan J. Bigbee, Substitute Trustee

Please return File-Stamped Copy to:

Abel Reyna, Jr.  
McCleskey, Harriger, Brazill & Graf, L.L.P.  
5010 University Ave, Floor 5  
Lubbock, TX 79413-4422

EXHIBIT "A"

15.74 acres of land out of the Northeast One-fourth (NE/4) of Survey No. 33, Block A-4, by virtue of Land Scrip No. 259, issued to E.L. & R.R. Ry. Co., Patent No. 515, Volume 53, in Hale County, Texas, described by metes and bounds as follows:

BEGINNING at a point in the North line of said Survey No. 33, which is 160 feet West of the Northeast corner of said Survey No. 33, and which point is the Northwest corner of a 2.806 acre tract described in Deed dated August 21, 1944, from G. W. Bigler et ux to the State of Texas, recorded in Volume 141, Page 199, Deed Records, Hale County, Texas;

THENCE South, along a West line of said 2.806 acre tract, a distance of 23 feet to a corner of same;

THENCE South  $26^{\circ}43'$  East, along a Southwesterly line of said 2.806 acre tract, a distance of 223.6 feet to a corner of same, which is in the West line of the State Highway right-of-way;

THENCE South along a West line of said 2.806 acre tract, which is along the West line of said State Highway right-of-way, a distance of approximately 192 feet to a point for corner, which point is 417.4 feet South of the North line of said Survey No. 33;

THENCE West parallel with and 417.4 feet distant from the North line of said Survey No. 33, a distance of 1669.6 feet to point for corner;

THENCE North a distance of 417.4 feet to the North line of said Survey No. 33, a point for corner, which point is 1569.6 feet West of the PLACE OF BEGINNING;

SAVE AND EXCEPT 0.278 acre, more or less, awarded to the State of Texas by certified copy of Judgment recorded in Volume 610, Page 59, of the Deed Records, Hale County, Texas;

SAVE AND EXCEPT 1.423 acres conveyed by Jack O. Kendrick and wife, Carmen Kelly Kendrick to the State of Texas by the Deed dated July 27, 1960, recorded in Volume 364, Page 543, of the Deed Records, Hale County, Texas, and

FURTHER SAVE AND EXCEPT the West Two Hundred Twenty Feet (W/220') of 15.74 acres of land out of the Northeast One-fourth (NE/4) of Survey No. 33, Block A-4, by virtue of land Scrip No. 259, issued to E.L. & R.R. Ry. Co., Patent No. 515, Volume 53, in Hale County, Texas, described by metes and bounds as follows:

BEGINNING at a point in the North line of said Survey No. 33, which is 160 feet West of the Northeast corner of said Survey No. 33, and which point is the Northwest corner of a 2.806 acre tract described in Deed dated August 21, 1944, from G. W. Bigler, et ux to the State of Texas, recorded in Volume 141, Page 199, Deed Records, Hale County, Texas;

THENCE South along a West line of said 2.806 acre tract, a distance of 23 feet to a corner of same;

THENCE South  $26^{\circ}43'$  East, along a Southwesterly line of said 2.806 acre tract a distance of 223.6 feet to a corner of same, which is in the West line of the State Highway right-of-way;

THENCE South along a West line of said 2.806 acre tract, which is along the West line of said State Highway right-of-way, a distance of approximately 192 feet to a point for corner which point is 417.4 feet South of the North line of said Survey No. 33;

THENCE West parallel with and 417.4 feet distant from the North line of said Survey No. 33, a distance of 1669.6 feet to a point for corner;

THENCE North a distance of 417.4 feet to the North line of said Survey No. 33, a point for corner which point is 1569.6 feet West of the PLACE OF BEGINNING;

THENCE East along the North line of said Survey No. 33, a distance of 1569.6 feet to the PLACE OF BEGINNING.

Personal Property: The property constituting personal property located in or on and used in the enjoyment of the Property.