

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

20-00446

FILED FOR RECORD  
JENNIFER L. FOUNTAIN  
COUNTY CLERK  
DEPUTY

THE STATE OF TEXAS  
COUNTY OF SHELBY

SUBSTITUTE TRUSTEE'S NOTICE  
}

NOTICE IS HEREBY GIVEN THAT, WHEREAS, on the 17th day of September, 2014, Virginia Permenter, executed a Deed of Trust to David Chadwick, for the benefit of Farmers State Bank, on the hereinafter described real estate, which Deed of Trust appears of record in Official Public Records, of Shelby County, Texas, as Instrument No. 2014003570 to which record reference is here made to more fully show the wording and effect of such instrument and the property covered by it; and

WHEREAS, the said Deed of Trust specifically authorizes the appointment of a Substitute Trustee by the beneficiary of said Deed of Trust; and

WHEREAS, the said Trustee has become incapacitated to serve as such, or has resigned or has failed and refused to act as such; and

WHEREAS, by authority of the said Deed of Trust, the beneficiary thereunder did, on the 19th day of March, 2020, appoint me, Randy McLeroy, as Substitute Trustee;

WHEREAS, the said Virginia Permenter, have made default in the payment of the note described in such instrument, leaving a delinquent balance on this date remaining unpaid thereon; and

WHEREAS, Farmers State Bank, the said beneficiary, has requested me to enforce such trust;

NOW, THEREFORE, I, Randy McLeroy, Substitute Trustee has aforesaid, hereby give notice that I will accordingly, after due posting of this notice as required by said Deed of Trust and the law, for at least twenty-one days successively next before the day of sale at the Door of the District Courthouse in Center, Texas, and, after serving written notice of such sale, at least twenty-one days preceding the date specified herein as the date upon which said property will be sold, by certified mail, return receipt requested, on each debtor obligated to pay the above mentioned debt according to the records of said indebtedness, sell at public venue to the highest bidder, or bidders, for cash, in the area designated by the Commissioners' Court of Shelby County, Texas, pursuant to TEX. PROP. CODE, §51.002, or, if no such area has been designated, within 100 feet of the main entrance to the building where the district court is usually held in Shelby County, Texas, that being the county in which said property is situated, between the hours of 10:00 o'clock a.m., and 4:00 o'clock p.m., but no earlier than 1:00 o'clock p. m., nor later than 4:00 o'clock p. m., of the first Tuesday in the month of May, 2020, the same being the 5th day of May, 2020, the following described real estate so described in and secured by such Deed of Trust:

Being 41.9 acres of land, more or less, a part of the JONATHAN ANDERSON SURVEY, A-6, SHELBY COUNTY, TEXAS, and being the land described in Deed from Nathan Cole Yarborough to James L. McGown and wife, Sherryl A. McGown, dated December 14, 2007, recorded under Clerk File No. 2007010193, Official Public Records, Shelby County, Texas, and being more fully described by metes and bounds as follows, to-wit:

BEGINNING at the S.W.C. of a 85-1/2 acre tract of which this tract is a part of the W.B.L. of the Jonathan Anderson Survey, being the N. W.C. of the 35-1/10 acres sold off the original 120-6/10 acre tract to J.C. Davis, a dogwood brs. N. 23 W. 2 vrs. mkd. X;  
THENCE N. 66-1/2 deg. E. 728 vrs. with the N.B.L. of said 35-1/10 acre tract to its N.E.C., stake in the Shelbyville and Logansport Road, being N. 23-3/4 W. 95- 1/2 vrs. to the S.E.C. in said road of the original 120-6/ 10 acre tract;  
THENCE N. 23-3/4 deg. W. along the E.B.L. of said 85-1/2 acres 337 vrs. to the S.E.C. of Chester Parker's 42.7 acre tract, being the N. portion of said 85-1 /2 acre tract;  
THENCE S. 66-1/2 deg. W. with Chester Parker's S.B.L. 621 vrs. to his S.W.C. on the W.B.L. of the Jonathan Anderson Survey;  
THENCE S. 23 deg. E. 343 vrs. to the PLACE OF BEGINNING, containing 42.7 acres of land, more or less;

SAVE, LESS AND EXCEPT: 0.800 acre of land, more or less, a part of the JONATHAN ANDERSON SURVEY, A-6, Shelby County, Texas, and being the land described in the deed from Larry Warren and wife, Mary Katherine Warren, to Billy R. Collum and wife Deanna Collum, dated March 20, 1990, and recorded in Vol. 707, Pg. 681 , Deed Records, Shelby County, Texas and being a portion of that 42.7 acre tract described in the deed from Orestes Parker and Syble Parker, Miles to Larry Warren and wife, Mary Katherine Warren, dated August 23, 1983, recorded in Vol. 625, Pg. 495, Deed Records, Shelby County, Texas, and being more fully described by metes and bounds as follows, to-wit:

BEGINNING at the S.E.C. of the above mentioned tract at a point in the center of the dirt road for a corner and the Point of Beginning:  
THENCE N. 23 deg. 15 min. 24 sec. W. 50.00 feet to a point in the road for a corner;  
THENCE S. 66 deg. 44 min. 36 sec. W. at 31.00 feet set an iron pipe for a corner and continue 669.00 feet for a total of 700.00 feet to an iron pipe set for a corner;  
THENCE S. 23 deg. 15 min. 24 sec. E. 50.00 feet to an iron pipe set in the fence for a corner;  
THENCE N. 66 deg. 4 min. 36 sec. E. 700.00 feet with the fence to the PLACE OF BEGINNING, containing 0.800 of an acre of land, more or less;  
LEAVING CONTAINED HEREIN 41.90 acres of land, more or less;

Also included as collateral herein are: a) All accounts, assignment of poultry income, equipment and fixtures; and, b) all goods that are or will be fixtures and that are or will be located on the premises, including without limitation all heating, cooling, ventilating, plumbing, electrical fixtures and wiring, and replacements of and additions to these fixtures, all of which Grantor agrees are or will be part of and affixed to the real estate described above, and all equipment located or to be located upon the property described herein, including but not limited to, the following poultry house equipment and fixtures located or to be located in, upon or about said premises, to-wit: All waterers, feeders, controllers, heaters, brooders, curtains, fans, feed bins, cool cells,

foggers, generators, incinerators, composters, freezers, partitions, winch and screen doors, medicators, water manifolds with regulators and filters, drills, feed carts, feed scoops and thermometers, and any and all other poultry house equipment and fixtures, and any replacements, and/or substitutions thereof. Disposition of Described Collateral is not authorized hereby. "

WITNESS my hand on this, the 19<sup>th</sup> day of March, 2020.



KANDY McLEROY, SUBSTITUTE TRUSTEE

P.O. Box 668  
Center, Texas 75935

*Notice pursuant to Section 51.002, Texas Property Code:*

**“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 MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.”**