

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.

SUBSTITUTE TRUSTEE'S NOTICE

THE STATE OF TEXAS }  
COUNTY OF SHELBY }

NOTICE IS HEREBY GIVEN THAT, WHEREAS, on the 17th day of September, 2015, CYNTHIA BYRD, executed a Deed of Trust to David Chadwick, for the benefit of FARMERS STATE BANK, in Center, Texas, on the hereinafter described real estate, which Deed of Trust appears of record as Instrument No. 2015003316 of the Official Public Records, Shelby County, Texas, 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 17th day of November, 2022, appoint me, RANDY McLEROY, as Substitute Trustee;

WHEREAS, the said CYNTHIA BYRD, 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 the holder 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 Center, 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 January, 2023, the same being the 3rd day of January, 2023, the following described real estate so described in and secured by such Deed of Trust:

BEING 6.4407 acres of land, more or less, a part of the JOSEPH W. MORRIS SURVEY, A-479, Shelby County, Texas and being a portion of the land described in the deed from William Scott Cole and wife, Lorain Cole, to Billy Bob Thomason and Jim Hooper dated February 22, 1980, recorded in Vol. 566, Page 497, Deed Records, Shelby County, Texas and being described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 in. iron rod found marking the S.W.C. of said 88.76 acre tract of land; THENCE N. 01 deg. 30 min. 00 sec. E. a distance of 1,120.07 ft. to a 5/8 in. iron rod set for corner and the POINT OF BEGINNING;  
THENCE N. 01 deg. 30 min. 00 sec. E. a distance of 1,151.75 ft. to a 5/8 in. iron rod set for corner, said point also lying in the southeasterly R.O.W. line of State Highway No. 7;  
THENCE N. 35 deg. 11 min. 00 sec. E. along the Southeasterly R.O.W. line of said highway, a distance of 53.08 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 39 deg. 35 min. 57 sec. E. a distance of 32.30 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 18 deg. 18 min. 18 sec. E. a distance of 36.93 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 00 deg. 32 min. 21 sec. W. a distance of 162.22 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 04 deg. 09 min. 01 sec. W. a distance of 119.69 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 01 deg. 34 min. 21 sec. E. a distance of 50.00 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 05 deg. 11 min. 22 sec. E. a distance of 22.28 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 09 deg. 11 min. 21 sec. E. a distance of 22.58 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 11 deg. 10 min. 30 sec. E. a distance of 13.61 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 23 deg. 40 min. 09 sec. E. a distance of 51.84 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 37 deg. 49 min. 27 sec. E. a distance of 42.20 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 45 deg. 54 min. 41 sec. E. a distance of 46.86 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 42 deg. 08 min. 37 sec. E. a distance of 42.63 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 28 deg. 14 min. 09 sec. E. a distance of 48.85 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 14 deg. 21 min. 18 sec. E. a distance of 53.77 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 21 deg. 35 min. 25 sec. E. a distance of 44.56 ft. to a 5/8 in. iron rod set for corner;

THENCE S. 37 deg. 19 min. 08 sec. E. a distance of 45.65 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 46 deg. 21 min. 59 sec. E. a distance of 42.45 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 49 deg. 16 min. 19 sec. E. a distance of 86.20 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 49 deg. 19 min. 51 sec. E. a distance of 94.81 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 43 deg. 04 min. 22 sec. E. a distance of 70.40 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 19 deg. 37 min. 00 sec. E. a distance of 40.53 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. 09 deg. 02 min. 58 sec. E. a distance of 48.97 ft. to a 5/8 in. iron rod set for corner;  
THENCE S. D1 deg. 30 min. 00 sec. W. a distance of 155.74 ft. to a 5/8 in. iron rod set for corner;  
THENCE N. 88 deg. 30 min. 00 sec. W. a distance of 515.29 ft. to the POINT OF BEGINNING,  
containing 6.4407 acres of land, more or less;

WITNESS my hand on this, the 18<sup>th</sup> day of November, 2022.

  
RANDY McELROY,  
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.”**