

20-015 FC

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 10th day of January, 2018, Bryan Keith Oliver and wife, Tiffany Rae Foster, executed a Deed of Trust to Matthew D. Mettauer, for the benefit of Farmers State Bank, on the hereinafter described real estate, which Deed of Trust appears of record as Instrument No. 2018000093 of the Official Property Records, of 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 3rd day of June, 2020, appoint me, Randy McLeroy, as Substitute Trustee;

WHEREAS, the said Bryan Keith Oliver and wife, Tiffany Rae Foster, 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, in Center, Texas, 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 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 August, 2020, the same being the 4th day of August, 2020, the following described real estate so described in and secured by such Deed of Trust:

BEING 1.2292 acres of land, more or less, situated in the WILLIAM LEECH SURVEY, A-431, Shelby County, Texas, being part of a called 30.112 acre tract described as "First Tract" and part of the called 50 acre tract described as "Second Tract" In a Warranty Deed from A. E. Schillings and wife, Mary Schillings, to Albert Beck and wife, Evie Beck, dated January 13, 1940, recorded in Vol. 200, Page 434, Deed Records, Shelby County, Texas, said 1.2292 acres being more particularly described by metes and bounds as follows:

BEGINNING for a reference at a 4 inch x 10 inch treated fence corner post found at the intersection of the southeasterly line of said called 50 acre tract with the northerly Right-of-way line of State Highway 87 (based on 100-foot right-of-way), and being in the northwesterly line of a called 12 acre tract described in a Correction Warranty Deed from Larry Shannon Matthews and wife, Judy Ann Matthews, to Larry Shannon Matthews, Jr., dated May 8, 1995, recorded in Vol. 788, Page 167, Real Property Records, Shelby County, Texas;

THENCE N. 58 deg. 35 min. 48 sec. W. with said northerly Right-of-Way line of State Highway 87, a distance of 215.20 feet to the beginning of a curve to the right;  
THENCE in a northwesterly direction, continuing with said northerly Right-of-Way line of State Highway 87, along said curve to the right having a radius of 1,041.35 feet, a central angle of 03 deg. 19 min. 59 sec., an arc length of 60.58 feet, and a chord bearing N. 56 deg. 55 min. 48 sec. W. and distance of 60.57 feet to a 1/2 inch iron rod with plastic cap set for the POINT OF BEGINNING of the hereon described 1.2292 acre tract;

THENCE in a northwesterly direction, continuing with said northerly Right-of-Way line of State Highway 87, along said curve to the right having a radius of 1,041.35 feet, a central angle of 18 deg. 02 min. 34 sec., an arc length of 327.93 feet, and a chord bearing N. 46 deg. 14 min. 31 sec. W. and distance of 326.58 feet to the point of tangency;

THENCE N. 37 deg. 13 min. 14 sec. W. continuing with said northerly Right-of-Way line of State Highway 87, a distance of 78.44 feet to a 1/2 inch iron rod with plastic cap set for corner;

THENCE N. 52 deg. 46 min. 46 sec. E. into said called 30-1/2 acre tract, a distance of 109.75 feet to a 1/2 inch iron rod with plastic cap set for corner;

THENCE S. 54 deg. 59 min. 37 sec. E. a distance of 300.00 feet to a 1/2 inch iron rod with plastic cap set at a fence corner post;

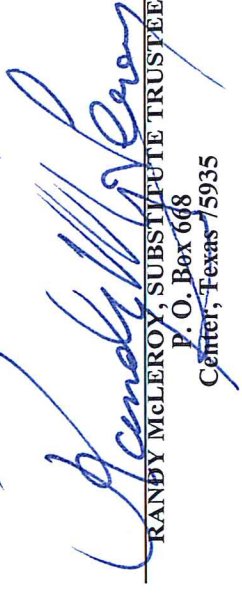
THENCE S. 15 deg. 15 min. 11 sec. W. a distance of 189.28 feet to the Point of Beginning and containing 1.2292 acres of land, more or less;

[Bearing orientation based on the northwesterly line of the called 30-1/2 acre tract having a bearing of N. 60 deg. E. (or S. 60 deg. W.), as described in deed recorded In Vol. 200, Page 432, Deed Records, Shelby County, Texas.]

Surveyed by William B. Connolly, Registered Professional Land Surveyor, No. 5313, State of Texas, on April 9, 2015.

WITNESS my hand on this, the 1st day of July, 2020.

FILED FOR RECORD  
SHELBY COUNTY, TEXAS  
2020 JUL - 1 PM 2:  
JENNIFER L. FOUNTAIN  
COUNTY CLERK  
DEPUTY

  
RANDY MCLEROY, SUBSTITUTE TRUSTEE  
P. O. Box 668  
Center, Texas 75935