## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

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.

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

Note:

Date: December 10, 2015

Maker: Heather Holloman and Matthew Anderson

Payee: Capital Farm Credit, FLCA

Original Principal Amount: \$240,000.00

Capital Farm Credit, FLCA Loan No. 933965

Deed of Trust:

Date: December 10, 2015

Grantor: Heather Holloman a/k/a Heather Nicole Holloman and spouse, Matthew Anderson

Trustee: Ben R. Novosad

Recorded in: Document No. 00017385, Official Public Records of Walker County, Texas; Vol. 960, Pg. 12, Official Public Records of Trinity 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:

Being 97.538 acres of land, more or less, out of the John Oyeman Survey, Walker County Abstract No. 754, Trinity County Abstract No. 949, the Ezra Gibson Survey, Trinity County Abstract No. 850; and the J.M. Russell Survey, Trinity County Abstract No. 758, situated in Trinity and Walker Counties, Texas and being more fully described by metes and bounds in Exhibit A, attached hereto and made a part hereof.

Notice of Substitute Trustee's Sale

Page 1 of 5

Together with all rights, easements, appurtenances, royalties, surface, subsurface and/or mineral rights, now owned or hereafter acquired, oil and gas rights, crops, timber, all diversion payments or third party payments made to crop producers, all water and riparian rights, wells, ditches, reservoirs, and water stock and all existing and future improvements, structures, fixtures and replacements that may now, or at any time in the future, be part of the real estate described above (all referred to as "Property").

Notwithstanding any other provision, reservation or exception contained in said Deed of Trust or on any exhibit thereto, the lien shall cover all of Grantor's water rights, including, but not limited to, rights to surface water, groundwater, underground water, percolating waters, rights to any water from lakes, streams or other bodies of water, adjudicated or permitted water rights, riparian and other water rights which are owned or which are hereafter acquired by Grantor whether or not expressly excepted from the description of the Property.

### Prior Modification of Note and/or Deed of Trust:

#### Present Owner of Note and Beneficiary under Deed of Trust:

Capital Farm Credit, FLCA

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

# Substitute Trustee: Sharon St. Pierre, Robert LaMont, Allan Johnston, Donna Caddenhead, Ronnie Hubbard, and Penney Thornton

Appointed by written instrument dated June 10, 2022, executed by Capital Farm Credit, FLCA and recorded or to be recorded in the appropriate Official Public Records of Trinity County, Texas and Walker County, Texas.

- Date of Sale: July 5, 2022, being the first Tuesday in said month.
- <u>Time of Sale</u>: The earliest time at which the sale will occur is 1:00 p.m., Groveton, Texas local time, and shall begin not later than 3 hours thereafter.
- <u>Place of Sale</u>: The designated area of the County Courthouse as designated by the Commissioners Court of Trinity County, Texas

Default has occurred in the payment of the indebtedness evidenced by the Note. Because of such default, Capital Farm Credit, FLCA 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.

<u>Prospective bidders are advised to make their own examination of title to the Property to</u> <u>determine the existence of any easements, restrictions, liens or other matters affecting title to the</u> <u>Property. Neither Substitute Trustee nor the Capital Farm Credit, FLCA make any representation</u> <u>or warranty (express or implied) regarding title to or the condition of the Property.</u> 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.

Donna Caldenka

, Substitute Trustee

Please return File-Stamped Copy to:

Will C. Griffis McCleskey, Harriger, Brazill & Graf, L.L.P. 311 S. Abe, Suite B San Angelo, TX 76903

Notice of Substitute Trustee's Sale

#### EXHIBIT A

97.538 acres of land, more or less, out of the John Oyeman Survey, Walker County Abstract No. 754, Trinity County Abstract No. 949; the Ezra Gibson Survey, Trinity County Abstract No. 850; and the J.M. Russell Survey, Trinity County Abstract No. 758, and being all of a called 61.12 acre tract, described in a deed from Sandra Kaye Warren to Kelly Garrett, recorded in Vol. 658, Page 629 of the Official Records of Trinity County, Texas, and being all of a called 36.73 acre tract, described in a deed to Timothy J. Holloman recorded in Vol. 571, Page 355 of the Trinity County Deed Records, which 97.538 acres more particularly described by metes and bounds as follows:

BEGINNING on a found concrete monument for the North West corner of this tract, and being the North West corner of the said called 61.12 acres tract, and being on or near the North West corner of the said JOHN OYEMAN SURVEY, A-754 and the North East corner of the S. BADILLO SURVEY, A-3, and being in the South line of the S.HAAN SURVEY, A-277, found axle N 6° 47' 39" E 0.27 feet;

THENCE S 89° 31' 07" E 908.15 feet to a ½ inch iron rod set for corner, same bing on or near the North line of the said JOHN OYEMAN SURVEY, A-949, and being in the South line of the S. HAAN SURVEY, A-265;

THENCE N 89° 55' 35" E 1788.29 feet to a 1" iron pipe found for corner, same being on or near the North East corner of the JOHN OYEMAN SURVEY, A-949, and the North West corner of the EZRA GIBSON SURVEY, A-850 and the South East corner of the said S. HAAN SURVEY, A-265, and the South West corner of the M. JOHNSTON SURVEY, A-375;

THENCE N 89° 59' 01" E 2170.49 feet to a ½ inch iron rod set for corner, and being on or near the South line of the said M. JOHNSTON SURVEY, A-375, and the North line of the said EZRA GIBSON SURVEY, A-850;

THENCE S 89° 36' 40" E 117.65 feet to a ½ inch iron rod set for corner, same bing on or near the South line of the said M. JOHNSTON SURVEY, A-375, and the North line of the said EZRA GIBSON SURVEY, A-850, and being in the South West line of State Hwy. No. 19;

THENCE S 30° 38' 41" E 747.20 feet to a ½ inch iron rod set for corner, same bing in the South West line of the said State Hwy. No. 19, and being the North East corner of the residue of a called 161.79 acres tract, recorded in Vol. 187, Page 347 of the Trinity County Deed Records;

THENCE S 89° 59' 48" W 2684.55 feet to a 5/8 inch iron rod found for corner, same being the South West corner of the said called 36.73 acres tract, and being in the East line of the said called 61.12 acres tract and being on or near the West line of the said EZRA GIBSON SURVEY, A-850 and the East line of the said JOHN OYEMAN SURVEY, A-949;

THENCE S 1° 24' 26" W 523.38 feet to a ½ inch iron rod found for corner, same being the South East corner of the said called 61.12 acres tract and being on or near the East line of the said JOHN OYEMAN SURVEY, A-949, and the West line of the said EZRA GIBSON SURVEY, A-850;

Page 4 of 5

THENCE N 89° 10' 32" W 1913.58 feet to a 2 ½ inch iron rod pipe found for corner, same being the South West corner of the said called 61.12 acres tract, and being on or near the South West line of the said JOHN OYEMAN SURVEY, A-949, and the North East line of the G. BADILLO SURVEY, A-2;

THENCE N 33° 24' 19" W 1370.64 feet to the place of beginning and containing 97.538 acres of land more or less.

Notice of Substitute Trustee's Sale

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Page 5 of 5