

## 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: March 22, 2018

Maker: Amherst Grain & Fertilizer, Inc., a Texas corporation

Original Payee: First State Bank

Original Principal Amount: \$31,578.37

First State Bank Loan No. 45554

FILED FOR RECORD  
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2019 OCT 14 P 2:42  
COUNTY CLERK LAMB CO. TX

Deed of Trust:

Date: March 22, 2018

Grantor: Richard Brantley McDaniel and Barbara Chester McDaniel

Trustee: Mark Taylor

Recorded in: Document No. 2018-00000659 in Volume 765, Page 476, Official Public Records of Lamb 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:

8.68 acre tract of land out of Labor 6, League 650, State Capitol Lands, Lamb County, Texas described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod with cap set in the North right-of-way line of F.M. Highway 37 recorded as deed in Volume 94, Page 274 of the Deed Records of Lamb County, Texas for the Southwest corner of this tract, the Southwest corner of Labor 6 bears N 87° 55'30" W a distance of 1139.26 feet and S 02° 04'30" W a distance of 40.00 feet;

THEN N 02° 04'30" E a distance of 93.28 feet to a 1/2 inch steel rod with cap set for a corner of this tract;

THEN N 13° 16'15" E a distance of 1142.00 feet to a 1/2 inch steel rod with cap set for the Northwest corner of this tract;

THEN S 87° 42'51" E a distance of 72.38 feet to a 1/2 inch steel rod with cap set for the Northeast corner of this tract;

THEN S 09° 10'08" E a distance of 1140.00 feet to a 1/2 inch steel rod with cap set for a corner of this tract;

THEN S 02° 04'30" W a distance of 95.13 feet to a 1/2 inch steel rod with cap set in said right-of-way line for the Southeast corner of this tract;

THEN N 87° 55'30" W a distance of 516.39 feet to the POINT OF BEGINNING.

Prior Modification of Note and/or Deed of Trust:

Modification of Deed of Trust dated June 4, 2018, recorded under Document No. 2018-00001269, in Volume 768, Page 615, Official Public Records of Lamb County, Texas.

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, and Nicole Ybarra

Appointed by written instrument dated August 8, 2019, executed by First State Bank and recorded or to be recorded in the Official Public Records of Lamb County, Texas.

Date of Sale: November 5, 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., Littlefield, 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 Lamb 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.



Ryan J. Bigbee, Substitute Trustee

Please return File-Stamped Copy to:

Tommy J. Swann  
McCleskey, Harriger, Brazill & Graf, L.L.P.  
5010 University Ave, Floor 5  
Lubbock, TX 79413-4422