

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

AUG 15 2023

STATE OF TEXAS

§

VANESSA JAMES, County Clerk  
JACK COUNTY, TEXAS

KNOW ALL MEN BY THESE PRESENTS: \_\_\_\_\_ DEPUTY

COUNTY OF JACK

§

WHEREAS, by Deed of Trust dated January 24, 2020, recorded in the Official Public Records of Jack County, Texas under Instrument No. 20200000743, Book 1077, Page 0765 (the "Deed of Trust"), Jody DuBois (the "Borrower") conveyed to Lloyd Reiter as Trustee (the "Trustee"), the property situated in Jack County, Texas, together with all buildings, fixtures and improvements, more particularly described as follows, to wit:

**See attached Exhibit "A"**

WHEREAS, the Property secures that one certain Promissory Note therein described in the original principal amount of \$1,105,000.00 (the "Indebtedness"), executed by Jody DuBois and made payable to First State Bank (the "Lender"); and

WHEREAS, the undersigned has been appointed as Substitute Trustee in the place and instead of Lloyd Reiter, Trustee in the Deed of Trust, said appointment being in the manner authorized by the Deed of Trust; and

WHEREAS, default has occurred under the terms of the Indebtedness secured by the Deed of Trust, the Indebtedness is now wholly due, and the owner and holder of the Indebtedness has requested the undersigned to sell the Property to satisfy same.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, September 5, 2023 (that being the first Tuesday of said month), at 11:00 a.m., (or not later than three (3) hours thereafter)**, I will sell the Property at public auction to the highest bidder, or bidders, at the steps fronting the doors on the west side of the Courthouse, 100 N. Main, Jacksboro, Texas 76458, said location having been designated by the County Commissioners (the "Commissioners") of Jack County, Texas (or such other location as may be designated by the Commissioners after the sending of this Notice and before the time of the sale). I will make due conveyance of the Property to the purchaser or purchasers by general warranty deed binding mortgagor, its successors and assigns. The Lender may cause the sale to be canceled or adjourned from time to time without further notice.

The Property will be sold to the highest bidder, subject to the reservations hereinafter stated. Unless the Lender is the highest bidder and thus the purchaser at the sale, the purchase price must be paid in cash or other immediately available funds satisfactory to the undersigned at the conclusion of the sale. The undersigned will not be liable for any finder's fees or commissions in connection with the sale.

The Lender shall have the right to bid for and purchase the Property at the sale. If the Lender is the highest bidder and thus the purchaser of the Property, it will credit the net proceeds of the sale (after deduction of all sale expenses and other sums properly charged against the sale proceeds) against the unpaid balance of the Indebtedness.



## EXHIBIT A

Tract of land containing 501.29 acres, more or less, in the Jesse B. Atkinson Survey, Abstract No. 1, the B. B. B. & C. R. R. Company Survey, Abstract No. 99, the H. H. Nelson Survey, Abstract No. 2368, the J. S. Smith Survey, Abstract No. 2028, the J. Zuber Survey, Abstract No. 1219 and the A. T. McGee Survey, Abstract No. 414, Jack County, Texas, being a part of the tracts conveyed to Ralph Lowell Cooper recorded in Volume 349, Page 806; Volume 384, Page 455; Volume 415, Page 296; Volume 538, Page 284; Volume 585, Page 133; Volume 589, Page 488; Volume 594, Page 376; Volume 595, Page 279 and Volume 632, Page 629, Deed Records of Jack County and being more particularly described as follows:

BEGINNING at a 2 inch cap on a 5/8 inch iron rod set being a Northeast corner of the said Cooper Tracts and the Northwest corner of the Lillie Mae West Tract recorded in Volume 384, Page 453, Deed Records of Jack County on the South line of the John Franklin Townley Tract recorded in Volume 370, Page 107, Deed Records of Jack County;

THENCE South 01° 37' 19" East for a distance of 1712.75 feet to a 2 inch cap on a 5/8 inch iron rod set at a fence corner being an ell corner of the said Cooper Tracts and the Southwest corner of the said West Tract;

THENCE South 89° 52' 04" East for a distance of 2000.00 feet to a 2 inch cap on a 5/8 inch iron rod set at a Northeast corner of the said Cooper Tracts and the Southeast corner of the said West Tract on the West line of the Kay Rhodes Murphy Tract recorded in Volume 362, Page 534, Deed Records of Jack County;

THENCE South 01° 10' 32" East for a distance of 1495.39 feet to a 2 inch cap on a 5/8 inch iron rod found at the Southwest base of a cedar fence corner being a Southeast corner of the said Cooper Tracts, the Southwest corner of the said Murphy Tract and a corner of the Ed Allison Tract recorded in Volume 767, Page 427, Official Public Records of Jack County;

THENCE North 87° 39' 43" West for a distance of 2517.44 feet to a 2 inch cap on a 5/8 inch iron rod found at a fence corner being a Southwest corner of the said Cooper Tracts and an ell corner of the said Allison Tract;

THENCE North 00° 57' 27" West for a distance of 1413.89 feet to a 2 inch cap on a 5/8 inch iron rod set at an ell corner of the said Cooper Tracts and a Northeast corner of the said Allison Tract;

THENCE South 89° 03' 55" West for a distance of 2382.87 feet to a 2 inch cap on a 5/8 inch iron rod found at a fence corner being an ell corner of the said Cooper Tracts and a Northwest corner of the said Allison Tract;

THENCE South 00° 58' 09" East for a distance of 1284.03 feet to a 2 inch cap on a 5/8 inch iron rod found at a fence corner being an ell corner of the said Cooper Tracts and a Southwest corner of the said Allison Tract;

THENCE North 88° 56' 29" East for a distance of 414.02 feet to a 2 inch cap on a 5/8 inch iron rod found at a fence corner being a Northeast corner of the said Cooper Tracts and an ell corner of the said Allison Tract;

THENCE South 00° 59' 29" East for a distance of 467.28 feet to a 2 inch cap on a 5/8 inch iron rod found at a fence corner being an ell corner of the said Cooper Tracts and a Southwest corner of the said Allison Tract;

THENCE North 89° 14' 20" East for a distance of 878.24 feet to a 1 inch cap on a 3/8 inch iron rod found at an old cedar fence corner being a Northeast corner of the said Cooper Tracts and an ell corner

of the said Allison Tract;

THENCE South 00° 13' 49" West for a distance of 4311.45 feet to a 2 inch cap on a 5/8 inch iron rod set at the most Southerly Southeast corner of the said Cooper Tracts and a Southwest corner of the Keith Blair Tract recorded in Volume 809, Page 212, Official Public Records of Jack County on the North line of the Warren Dale Clark Tract recorded in Volume 799, Page 322, Official Public Records of Jack County;

THENCE South 89° 35' 32" West for a distance of 2607.52 feet to a 2 inch cap on a 5/8 inch iron rod set being the most Southerly Southwest corner of this tract on the South line of the said Cooper Tracts and the North line of the said Clark Tract;

THENCE North 00° 56' 43" West for a distance of 4675.28 feet to a 2 inch cap on a 5/8 inch iron rod set at an old cedar fence corner within the said Cooper Tracts;

THENCE North 89° 29' 13" East for a distance of 1031.99 feet to a 2 inch cap on a 5/8 inch iron rod set in an East-West fence within the said Cooper Tracts;

THENCE North 00° 24' 44" East for a distance of 5824.13 feet to a 2 inch cap on a 5/8 inch iron rod set on the South line of Texas Farm Road No. 2127 and the East line of a 50 foot wide strip of land within the said Cooper Tracts;

THENCE South 83° 18' 03" East for a distance of 50.31 feet to a 2 inch cap on a 5/8 inch iron rod set on the South line of the said highway being the most Northerly Northeast corner of the said Cooper Tracts and the Northwest corner of the said Townley Tract;

THENCE South 00° 24' 44" West for a distance of 2732.80 feet to a 2 inch cap on a 5/8 inch iron rod set at an ell corner of the said Cooper Tracts and the Southwest corner of the said Townley Tract;

THENCE North 89° 30' 35" East for a distance of 3118.35 feet to the PLACE OF BEGINNING.

In addition to the above property, Grantor is conveying to Grantee all of Grantor's interest in that certain Easement Agreement for Access from John F. Townley, also known as John Franklin Townley, as Grantor to Michael D. Cooper, also known as Michael Dwayne Cooper, as Grantee, dated August 1, 2012, and recorded in Volume 905, Page 519, Official Public Records of Jack County, Texas.

SAVE AND EXCEPT:

TRACT NO. ONE:

Tract of land containing 206.47 acres in the Jesse B. Atkinson Survey, Abstract No. 1, the B.B.B. & C. RR. Company Survey, Abstract No. 99, the H.H. Nelson Survey, Abstract No. 2368 and the J. Zuber Survey, Abstract No. 1219, Jack County, Texas, being part of the same tract described in a deed to Jody Dubois in Volume 1077, Page 752, Official Public Records of Jack County and being more particularly described as follows:

BEGINNING at a 1 inch cap on a 1/2 inch iron rod set, being the most eastern northeast corner of the said Dubois Tract, the southeast corner of the Lillie Mae West Tract recorded in Volume 384, Page 453, Deed Records of Jack County and on a west line of the Crumley Murphey Family Partnership LLP Tract recorded in Volume 1024, Page 366, Official Public Records of Jack County.

THENCE South 01 degrees 10 minutes 32 seconds East for a distance of 1495.39 feet to a 2 inch cap on a 5/8 inch iron rod found, being the most eastern southeast corner of the said Dubois Tract, a southwest corner of the said Crumley Murphey Family Partnership LLP Tract and on a north line of the James Atkinson Tract recorded in Volume 957, Page 629, Official Public Records of Jack County.

THENCE North 87 degrees 39 minutes 43 seconds West for a distance of 2517.44 feet to a 2 inch cap on a 5/8 inch iron rod found, being a southwest corner of the said Dubois Tract and an ell corner of the said Atkinson Tract.

THENCE North 00 degrees 57 minutes 27 seconds West for a distance of 1413.89 feet to a 1 inch cap on a 1/2 inch iron rod set, being an ell corner of the said Dubois Tract and a northeast corner of the said Atkinson Tract.

THENCE South 89 degrees 03 minutes 55 seconds West for a distance of 2671.10 feet to a 1 inch cap on a 1/2 inch iron rod set, being the most western southwest corner of this tract.

THENCE North 00 degrees 24 minutes 44 seconds East for a distance of 1712.30 feet to a 2 inch cap on a 5/8 inch iron rod found, being the northwest corner of this tract, an ell corner of the said Dubois Tract and a southwest corner of the Gifford Estate Tracts recorded in Volume 1003, Page 764, Official Public Records of Jack County.

THENCE North 89 degrees 30 minutes 35 seconds East for a distance of 3118.35 feet to a corner that fell in a 3 inch steel pipe fence corner, being a northeast corner of the said Dubois Tract, a northwest corner of the said Lillie Mae West Tract and on a south line of the said Gifford Tracts.

THENCE South 01 degrees 37 minutes 19 seconds East for a distance of 1712.75 feet to a 2 inch cap on a 5/8 inch iron rod found, being an ell corner of the said Dubois Tract and a southwest corner of the said Lillie Mae West Tract.

THENCE South 89 degrees 52 minutes 04 seconds East for a distance of 2000.00 feet to the place of beginning.

TRACT NO. TWO:

TOGETHER WITH the following described Easement for ingress and egress:

Tract of land containing 5.11 acres in the Jesse B. Atkinson Survey, Abstract No. 1 and the B.B.B. & C. RR. Company Survey, Abstract No. 99, Jack County, Texas, lying within the same tract described in a deed to Jody Dubois in Volume 1077, Page 752, Official Public Records of Jack County and being more particularly described as follows:

BEGINNING at a 2 inch cap on a 5/8 inch iron rod found on the south line of Texas Farm Road No. 2127, being the northwest corner of this tract, the most northern northwest corner of the said Dubois Tract and the most northern northeast corner of the Paula Epperson Tract recorded in Volume 856, Page 446, Official Public Records of Jack County.

THENCE South 83 degrees 18 minutes 03 seconds East for a distance of 50.31 feet to a 2 inch cap on a 5/8 inch iron rod found on the south line of the said highway, being the northeast corner of this tract, the most northern northeast corner of the said Dubois Tract and a northwest corner of the Gifford Estate Tracts recorded in Volume 1003, Page 764, Official Public Records of Jack County.

THENCE South 00 degrees 24 minutes 44 seconds West for a distance of 4445.10 feet to a 1 inch cap on a 1/2 inch iron rod set, being the southeast corner of this tract.

THENCE South 89 degrees 03 minutes 55 seconds West for a distance of 50.02 feet to a 1 inch cap on a 1/2 inch iron rod set, being the southwest corner of this tract, on a west line of the said Dubois Tract and on an east line of the said Epperson Tract.

THENCE North 00 degrees 24 minutes 44 seconds East for a distance of 4451.79 feet to the PLACE OF BEGINNING.