

JAN 9 2024

NOTICE OF FORECLOSURE SALE

VANESSA JAMES, County Clerk
JACK COUNTY, TEXAS

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ~~ARMED~~ 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 DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

Notice is hereby given of a public nonjudicial foreclosure sale.

- 1. Property to Be Sold. The property to be sold is described as follows:

TRACT NO ONE:

A tract of land in Young and Jack Counties, Texas containing 427.83 acres, being within the T. E. & L. Company Survey No. 2796, Abstract No. 2059, the T. E. & L. Company Survey No. 2797, Abstract No. 2060, the T. E. & L. Company Survey No. 2798, Abstract No. 2053 (Young Co.) and Abstract No. 806 (Jack Co.), and the T. E. & L. Company Survey No. 2785, Abstract No. 2066 (Young Co.) and Abstract No. 793 (Jack Co.) and being part of a called 1243.15 acre tract described in Volume 1191, Page 425 of the Official Public Records of Young County, Texas, said 427.83 acre tract being more particularly described as follows:

BEGINNING at a 5/8 inch capped iron rod reset at the southeast corner of the T. E. & L. Company Survey No. 2785, Abstract No. 2066 (Young Co.) and Abstract No. 793 (Jack Co.) at the southeast corner of a called 1243.15 acre tract described in Volume 1191, Page 425 of the Official Public Records of Young County, Texas; THENCE with the south line of said T. E. & L. Company Survey No. 2785, North 89 degrees 25 minutes 27 seconds West for a distance of 3412.51 feet to a 6 inch pipe post fence corner found at the southwest corner of said T. E. & L. Company Survey No. 2785 and the southeast corner of a called 394.40 acre tract recorded in Instrument No. 21000294 of the Official Public Records of Young County, Texas (O.P.R.Y.C.T.);

THENCE with the east line of said 394.40 acre tract, North 10 degrees 21 minutes 53 seconds West for a distance of 3528.63 feet to a 5/8 inch capped iron rod found in a fence;

THENCE continuing with the east line of said 394.40 acre tract, North 10 degrees 11 minutes 06 seconds West for a distance of 3162.49 feet to a 5/8 inch capped iron rod found in a public road at the northeast corner of said 394.40 acre tract in the north line of the T. E. & L. Company Survey No. 2797, Abstract No. 2060;

THENCE with the north line of said T. E. & L. Company Survey No. 2797 and generally with the center of said road, South 89 degrees 40 minutes 28 seconds East

for a distance of 1315.22 feet to a 60d nail found at the northwest corner of the T. E. & L. Company Survey No. 2798, Abstract No. 2053 (Young Co.) and Abstract No. 806 (Jack Co.), said nail is in the south line of a called 1191.55 acre tract described in Instrument No. 21000913 of the O.P.R.Y.C.T.;

THENCE with the south line of said 1191.55 acre tract and with the center of said road for the following calls:

North 87 degrees 57 minutes 23 seconds East for a distance of 149.68 feet to a 60d nail;

South 86 degrees 21 minutes 27 seconds East for a distance of 217.87 feet to a 60d nail;

South 81 degrees 09 minutes 56 seconds East for a distance of 148.26 feet to a 60d nail;

South 77 degrees 43 minutes 54 seconds East for a distance of 253.62 feet to a 60d nail;

South 85 degrees 48 minutes 09 seconds East for a distance of 82.23 feet to a 60d nail;

North 87 degrees 18 minutes 15 seconds East for a distance of 94.85 feet to a 60d nail;

North 84 degrees 12 minutes 49 seconds East for a distance of 154.64 feet to a 60d nail;

North 82 degrees 54 minutes 57 seconds East for a distance of 242.43 feet to a 60d nail;

North 82 degrees 13 minutes 54 seconds East for a distance of 239.07 feet to a 60d nail;

South 89 degrees 40 minutes 28 seconds East for a distance of 112.97 feet to a 5/8 inch capped iron rod found at the northwest corner of a called 419.61 acre tract recorded in Instrument No. 17000973 of the O.P.R.Y.C.T.;

THENCE with the west line of said 419.61 acre tract, South 00 degrees 28 minutes 10 seconds West for a distance of 4749.12 feet to a 1/2 inch capped iron rod found at the southwest corner of said 419.61 acre tract;

THENCE with the south line of said 419.61 acre tract, South 89 degrees 25 minutes 27 seconds East for a distance of 1670.04 feet to a 1/2 inch capped iron rod found at the southerly southeast corner of said 419.61 acre tract in the east line of said T. E. & L. Company Survey No. 2785;

THENCE with the east line of said T. E. & L. Company Survey No. 2785, South 00 degrees 41 minutes 38 seconds West for a distance of 1835.36 feet to the POINT OF BEGINNING

TRACT NO. TWO:

A tract of land in Young County, Texas containing 103.43 acres. being within the Sylphia Tynes Survey, Abstract No. 274 and being part of a called 1838.71 acre tract described in Volume 1190, Page 4796 of the Official Public Records of Young County, Texas, said 103.43 acre tract being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found in Stewart Ranch Road at the southeast corner of a called 63.30 acre tract recorded in Instrument No. 21000031 of the Official Public Records of Young County, Texas (O.P.R.Y.C.T.) at the southwest corner of a called 22.08 acre tract recorded in Volume 839, Page 264 of the Deed Records of Young County, Texas;

THENCE generally with the center of said Stewart Ranch Road, South 89 degrees 51 minutes 17 seconds East for a distance of 1636.19 feet to a 5/8 inch iron rod found at the southeast corner of a called 10.745 acre tract recorded in Volume 1190, Page 4846 of the O.P.R.Y.C.T., the same being a corner of a called 1191.55 acre tract recorded in Instrument No. 21000913 of the O.P.R.Y.C.T.;

THENCE with the west line of said 1191.55 acre tract and with the center of said Stewart Ranch Road for the following calls (marked with 60d nails at each bend):

South 78 degrees 55 minutes 19 seconds East for a distance of 65.30 feet;

South 57 degrees 44 minutes 06 seconds East for a distance of 60.20 feet;

South 37 degrees 55 minutes 48 seconds East for a distance of 76.32 feet;

South 26 degrees 16 minutes 07 seconds East for a distance of 84.06 feet;

South 19 degrees 48 minutes 11 seconds East for a distance of 112.12 feet;

South 15 degrees 38 minutes 25 seconds East for a distance of 125.42 feet;

South 11 degrees 04 minutes 59 seconds East for a distance of 176.39 feet;

South 03 degrees 28 minutes 33 seconds East for a distance of 69.17 feet;

South 05 degrees 49 minutes 34 seconds West for a distance of 86.17 feet;

South 09 degrees 43 minutes 07 seconds West for a distance of 171.36 feet;

South 11 degrees 20 minutes 14 seconds West for a distance of 963.30 feet;

South 10 degrees 40 minutes 04 seconds West for a distance of 248.44 feet;

South 05 degrees 35 minutes 55 seconds West for a distance of 211.45 feet;

South 09 degrees 20 minutes 40 seconds West for a distance of 339.66 feet to a mag nail and washer found at the northeast corner of a called 18.50 acre tract described in Volume 1190, Page 4833 of the O.P.R.Y.C.T.;

THENCE with the north line of said 18.50 acre tract, North 89 degrees 17 minutes 50 seconds West for a distance of 1247.47 feet to a 1/2 inch capped iron rod found at the northwest corner of said 18.50 acre tract in the east line of a called 194.39 acre tract recorded in Instrument No. 20001499 of the O.P.R.Y.C.T.;

THENCE with the east line of said 194.39 acre tract, North 02 degrees 03 minutes 12 seconds East for a distance of 1438.53 feet to a 4 inch pipe fence corner found in place;

THENCE with a northeast line of said 194.39 acre tract, North 30 degrees 33 minutes 33 seconds West for a distance of 209.15 feet to a 2.5 inch pipe fence corner post found in place:

THENCE with a north line of said 194.39 acre tract, North 83 degrees 38 minutes 34 seconds West for a distance of 789.43 feet to a 4 inch pipe fence corner found at an interior "L" corner of said 194.39 acre tract;

THENCE with the east line of said 194.39 acre tract, North 08 degrees 40 minutes 24 seconds East for a distance of 932.83 feet to a 5/8 inch capped iron rod found at

the northerly northeast corner of said 194.39 acre tract and the south line of the previously mentioned 63.30 acre tract in the center of Stewart Ranch Road; THENCE with the south line of said 63.30 acre tract and generally with the center of said Stewart Ranch Road, South 89 degrees 51 minutes 07 seconds East for a distance of 349.70 feet to the POINT OF BEGINNING.

2. Instruments to be Foreclosed. The instruments to be foreclosed are (1) the Deed Of Trust recorded as Instrument No. 21002944, Official Public Records, Young County, Texas, and being further recorded as Instrument No. 20210003100, Official Public Records, Jack County, Texas (“Deed Of Trust”); (2) the Warranty Deed With Vendor’s Lien recorded as Instrument No. 21002943, Official Public Records, Young County, Texas, and being further recorded as Instrument No. 20210003099, Official Public Records, Jack County, Texas (“Warranty Deed With Vendor’s Lien”); and any and all other instruments filed of record with respect to said Deed of Trust and/or Warranty Deed with Vendor’s Lien (which are hereinafter referred to as the “Security Instruments”).

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: February 6, 2024
Time: The sale shall begin no earlier than 11:00 A.M. or no later than three hours thereafter. The sale shall be completed by no later than 4:00 P.M.
Place: Young County Courthouse, 516 Fourth Street, Graham, Young County, Texas, at the following location:
Under the portico at the North Entrance of the Young County Courthouse.

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Security Instruments, permitting the Beneficiaries thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Security Instruments at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters set forth in the Security Instruments, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Security Instruments. The sale shall not cover any part of the property that has been released of public record from the liens of the Security Instruments. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Security Instruments, the Beneficiaries have the right to direct the Trustee and/or Substitute Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in “as is, where is” condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the Security Instruments. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the Trustee and/or Substitute Trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the Trustee or any Substitute Trustee.

5. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Security Instruments executed by JEFF HILLIARD RANCHES, L.L.C., a New Mexico limited liability company.

6. Obligations Secured. The Security Instruments provide that they secure the payment of the indebtedness and obligations therein described (collectively, the “Obligations”)

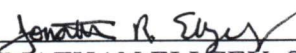
including but not limited to the Promissory Note (“Note”) dated August 25, 2021, in the original principal amount of \$1,467,605.75, executed by JEFF HILLIARD RANCHES, L.L.C., a New Mexico limited liability company, and payable to the order of 2007 LANDRUM-TX, LTD., a Texas limited partnership; ED COVINGTON; SHINING PROPERTIES, INC., a Texas corporation; JOE D. BLOODWORTH; ANDREW PENNINGTON; CLAY ACRES, L.L.C., a Texas limited liability company. 2007 LANDRUM-TX, LTD., a Texas limited partnership; ED COVINGTON; SHINING PROPERTIES, INC., a Texas corporation; JOE D. BLOODWORTH; ANDREW PENNINGTON; CLAY ACRES, L.L.C., a Texas limited liability company; are the current owners and holders of the Obligations and are the Beneficiaries under the Security Instruments.

As of December 15, 2023, there was owed \$1,254,059.43 on the Note, being principal, interest, late fees, service charges, and attorney’s fees in the following amounts: \$1,176,856.91 in principal; \$73,050.25 in interest; \$2,652.27 in late fees; and at least \$1,500.00 in attorney’s fees, with additional interest accruing at the rate of \$295.75 per day thereafter. Applicable Trustee’s fees, additional interest, late fees, delinquent ad valorem taxes and property insurance, if any, additional attorney’s fees and other expenses, may be added to the amount owed.

Questions concerning the sale may be directed to the undersigned at (940) 569-2201.

7. Default and Request to Act. Default has occurred under the Security Instruments, and the Beneficiaries have requested me, as Trustee, to conduct this sale. Notice is given that before the sale the Beneficiaries may appoint another person substitute trustee to conduct the sale.

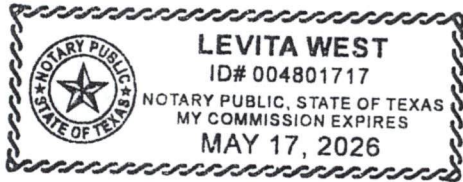
DATED January 5, 2024.

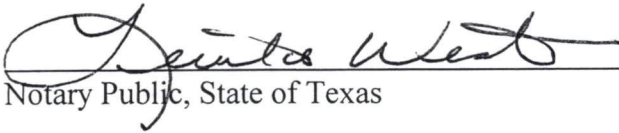


JONATHAN ELLZEY, Substitute Trustee
320 E. Third Street
Burkburnett, Texas 76354
(940) 569-2201
(940) 569-5032 (Fax)

THE STATE OF TEXAS :
:
COUNTY OF WICHITA :

This instrument was acknowledged before me on the 5th day of January, 2024, by JONATHAN ELLZEY, Substitute Trustee.





Notary Public, State of Texas