

**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: November 3, 2015

Maker: La Tierra de Los Vaqueros, LLC, John Bradley Boyd, and Nicolle J. Boyd

Payee: AgTexas, FLCA

Original Principal Amount: \$2,175,000.00

AgTexas, FLCA Loan No. 933147

POSTED

\_\_\_\_\_ A.M. 2:48 P.M.

SEP 10 2018

Deed of Trust:

Date: November 3, 2015

Grantor: La Tierra de Los Vaqueros, LLC, a Texas limited liability company, acting by and through John Bradley Boyd and Nicolle Boyd, each as Manager

Trustee: Tim McDonald

Recorded in: Document No. 2015-06257, Official Public Records of Erath County, Texas.

GWINDA JONES, COUNTY CLERK  
ERATH COUNTY TEXAS  
By \_\_\_\_\_ CW Deputy

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:

All that certain 135.43 acre tract of land, being 114.60 acres in the W. M. Sims Survey, A-683, 20.32 acres in the J. J. Odeneath Survey, A-605, and 0.51 acres in the Mathew Roberts Survey, A-640, in Erath County, Texas, being part of that certain 106.72 acre tract described in deed from Teddie M. Gillan to Paul O. Sullivan, et ux, dated December 12, 2001, and recorded in volume 1058, page 984 of the deed records of Erath County, Texas, and all of that certain 47.95 acre tract described in deed from Carolyn K. Owens to Lone Star Arena, L.L.C., dated August 10, 2001, and recorded in volume 1046, page 775 of the deed records of Erath County, Texas, and described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

Together with all rights, easements, appurtenances, royalties, surface, subsurface and/or mineral rights, 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 improvements, structures, fixtures, and replacements that are part of the real estate described above (all referred to as "Property").

The property also includes all Fixtures, Equipment and Goods located on the Property or used in the operation of the arena on the Property as set forth in that certain Commercial Security Agreement dated November 3, 2015 executed by Grantor for the benefit of AgTexas, FLCA.

Prior Modification of Note and/or Deed of Trust:

Present Owner of Note and Beneficiary under Deed of Trust:

AgTexas, FLCA

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

Substitute Trustees: Linda J. Reppert, Howard Whitney, Kelly Goddard and David Garvin

Appointed by written instrument dated September 6, 2018, executed by AgTexas, FLCA and recorded or to be recorded in the appropriate Official Public Records of Erath County, Texas.

Date of Sale: October 2, 2018, being the first Tuesday in said month.

Time of Sale: The earliest time at which the sale will occur is 1:00 p.m., Stephenville, 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 Erath County, Texas

Default has occurred in the payment of the indebtedness evidenced by the Note. Because of such default, AgTexas, 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.

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 AgTexas, FLCA has make 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.

  
\_\_\_\_\_  
Linda J. Peppert, 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

EXHIBIT "A"

TRACT ONE:

All that certain 135.43 acre tract of land, being 114.60 acres in the W.M. Sims Survey, A-683, 20.32 acres in the J.J. Odeneath Survey, A-605, and 0.51 acres in the Mathew Roberts Survey, A-640, in Erath County, Texas, being part of that certain 106.72 acre tract described in deed from Teddie M. Gillan to Paul O. Sullivan, et ux, dated December 12, 2001, and recorded in volume 1058, page 984 of the deed records of Erath County, Texas, and all of that certain 47.95 acre tract described in deed from Carolyn K. Owens to Lone Star Arena, L.L.C., dated August 10, 2001, and recorded in volume 1046, page 775 of the deed records of Erath County, Texas, and described as follows:

Beginning at a 3" pipe post found at the southeast corner of the said 47.95 acre tract, the southwest corner of a 75.53 acre tract described in deed from Ruth M. Foster to Bobby John Foster, dated February 1, 1995, and recorded in volume 882, page 316 of the deed records of Erath County, Texas, and in the north line of the said 106.72 acre tract, for an internal corner of this tract, from which the calculated southeast corner of the Sims Survey bears N 59° 40' 26" E, 816.68', N 61° 06' 44" E, 76.74' and S 29° 49' 53" E, 1966.80':

Thence N 59° 40' 26" E, along the north line of the said 106.72 acre tract, 816.68' to a 3/8 iron rod found at the northwest corner of a 0.59 acre tract described in said Foster deed, a corner of the said 106.72 acre tract, for the most easterly northeast corner of this tract:

Thence S 76° 13' 10" E, crossing the said 106.72 acre tract and along a line of the said 0.59 acre tract, 72.74' to a capped 3/8 iron rod set in a fence and the east line of the said 106.72 acre tract:

Thence S 29° 58' 37" E, along a fence and the east line of the said 106.72 acre tract, at 1045.96' pass a capped 3/8 iron rod set at a fence corner post and the northwest corner of a 0.05 acre deed overlap, continuing a total distance of 1146.70' to a capped 3/8 iron rod set in the south line of the said 106.72 acre tract, the north line of Lot 18 of the Timber Brook Subdivision, as shown on a plat recorded in Cabinet A, Slide 53 of the deed records of Erath County, Texas, and at the southwest corner of the said 0.59 acre tract, for the most easterly southeast corner of this tract:

Thence along the north and west line of the said Timber Brook Subdivision and the east line of the said 106.72 acre tract as follows:

S 60° 26' 57" W, 323.81' to a spike found at a fence corner post:

S 13° 06' 36" W, 573.73' to a 3/8 iron rod found at a post oak tree used as a fence corner:

S 29° 59' 01" E, 378.08' to a 3/8 iron rod found at the southwest corner of Lot 18, and in the south line of the Sims Survey:

S 29° 26' 59" E, 284.80' to a spike found in top of a wood fence corner post:

And S 33° 04' 28" E, 124.79' to a spike found at a fence corner post at the occupied southeast corner of the said 106.72 acre tract, and in the north line of a 15.00 acre tract described in deed from Thedís E. Wood, et ux to Randy Arndt, et ux, dated April 10, 1999, and recorded in volume 979, page 540 of the deed records of Erath County, Texas, for the most southerly southeast corner of this tract:

Thence along the south line of the said 106.72 acre tract and generally along a fence as follows:

S 43° 31' 20" W, 172.89' to a 3/8 iron pipe found:

S 72° 19' 51" W, 212.64' to found spike:

S 51° 32' 10" W, 495.33' to a 3/8 iron pipe found:

S 23° 11' 30" W, 242.47' to a 3/8 iron rod found:

S 14° 55' 52" W, 195.66' to a 3/8 iron pipe found:

S 76° 53' 10" W, 288.64' to a 3/8 iron pipe found:

And S 47° 19' 17" W, 177.30' to the most southerly southwest corner of the said 106.72 acre tract, in the east line of F.M. Highway No. 205, for the most southerly southwest corner of this tract, from which a 1/2 iron rod found bears S 47° 19' 17" 0.69':

Thence along the east right of way of F.M. Highway No. 205, along a curve to the left, radius 995.17', long chord N 57° 00' 38" W, 474.04' an arc length of 478.64' to a capped 3/8 iron rod set at the most southwest corner of this tract:

Thence crossing the said 106.72 acre tract as follows:

N 57° 17' 38" E, 307.83' to a 3" pipe post:

Continuing along a cross fence as follows:

N 24° 00' 10" W, 189.03' to a capped 3/8 iron rod set at a fence corner post:

N 06° 06' 27" E, 461.80' to a 3" pipe post:

N 30° 13' 30" E, 16.57' to a 3" pipe post:

N 10° 43' 55" W, 1241.21' to a capped 3/8 iron rod set at a fence corner post:

N 67° 57' 28" E, 88.93' to a capped 3/8 iron rod set at a fence corner post:

And N 16° 57' 21" W, 556.23' to a capped 3/8 iron rod set in the north line of the said 106.72 acre tract, the south line of the said 47.95 acre tract, for a corner of this tract:

Thence S 59° 50' 34" W, along the north line of the said 106.72 acre tract, 244.86' to a 3/8 iron rod found at the southwest corner of the said 47.95 acre tract, for a corner of this tract:

Thence N 30° 17' 31" W, along the west line of the said 47.95 acre tract, 1135.72' to a 3/8 iron rod found at the southeast corner of an 8.00 acre tract described in deed from A. Shepard to J.L. Arpo, dated January 10, 1990, and recorded in volume 784, page 01 of the deed records of Erath County, Texas:

Thence N 30° 43' 44" W, 214.14' to a 3/8 iron rod found at the northwest corner of the said 8.00 acre tract, the southeast corner of an 18.38 acre tract described in deed from Cragstan, L.C. to the Stephenville Mobile Home Park, dated July 21, 2000, and recorded in volume 1014, page 303 of the deed records of Erath County, Texas:

Thence N 30° 18' 17" W, 762.80' to a 3/8 iron rod found at the northeast corner of the said 18.38 acre tract, an interior corner of the said 47.95 acre tract, for a corner of this tract:

Thence S 71° 41' 13" W, along the north line of the said 18.38 acre tract, 673.36' to a capped 3/8 iron rod found in the east right of way of U.S. Highway No. 377, at the northwest corner of the said 18.38 acre tract, the most westerly northwest corner of the said 47.95 acre tract and of this tract:

Thence N 26° 50' 41" E, along the east right of way of U.S. Highway No. 377, 1375.64' to a concrete monument:

Thence N 26° 11' 10" E, along the east right of way of U.S. Highway No. 377, 133.25' to a spike found at the northeast corner of the said 47.95 acre tract, the northwest corner of the said 73.53 acre Foster tract, for the most northerly northeast corner of this tract:

Thence S 32° 15' 23" E, along the east line of the said 47.95 acre tract and along a fence, 3073.20' to the point of beginning and containing 135.43 acres of land.