

NOTICE PURSUANT TO §51.02, TEXAS PROPERTY CODE:

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

A CERTAIN PROTECTIVE RIGHTS IS A MEMBER OF THE 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 of Foreclosure Sale

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

See the attached Exhibit "A" as described in Erath County Real Records, on August 21, 2017, as Document No. 2017-04458. ("Property Address"):

2. *Instrument to be Foreclosed is an Instrument recorded in Erath County Real Records, Document No. 2017-04458.* The instrument to be foreclosed is the Deed of Trust and Fixture Filing from Anthony Charles Tordiglione and Cynthia Ann Tordiglione ("Grantor") to ZB, N.A. d/b/a Zions First National Bank ("Lender") dated August 8, 2017, recorded as an instrument in the records of Erath County, Texas, Document No. 2017-04458.

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

Date: December 6, 2022

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be completed by no later than 1:00 p.m.

Place: At the Erath County Courthouse in Stephenville, Texas or if an area is designated, then at the designated area of the Courthouse pursuant to Section 51.002 of the Texas Property Code, currently the stairs at the South door, and if no area is designated then adjacent to the area where this notice is posted on the bulletin board by the West door of the Erath County Courthouse.

Notice of Foreclosure Sale

POSTED
9:54 A.M. _____ P.M.

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NOV 14 2022

GWINDA JONES, COUNTY CLERK
ERATH COUNTY, TEXAS

By _____ CW Deputy

The Deed of Trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refileing may be after the date originally scheduled for this sale.

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 Deed of Trust permitting the beneficiary thereunder to have the bid credited to the Promissory Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, 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 Deed of Trust. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. 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 Deed of Trust, the beneficiary has the right to direct the 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 Deed of Trust. 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 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 and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust.

The real property and personal property encumbered by the Deed of Trust will be sold at the sale in accordance with the provisions of the Deed of Trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

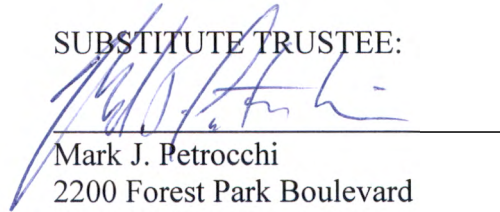
6. *Obligations Secured.* The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (the "Obligation") including, without limitation a Notice of Foreclosure Sale

revolving line of credit under a Note from Grantor to Lender dated August 8, 2017. Notwithstanding anything in this document to be contrary, should any party in receipt of this document be a debtor in a bankruptcy proceeding or have received a discharge proceeding subject to the provisions of the United States Bankruptcy Code (Title II USC, the "Code") this document is merely intended to be written notice that a formal demand has been made in compliance with a contractual agreement and/or state law. This letter is not intended as an act to collect, assess or recover a claim against such debtor, nor is it intended to violate any provisions of the Code. Any and all claims asserted against such debtor will be properly asserted in compliance with the Code in the respective bankruptcy proceeding of the debtor.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated: November 14, 2022.

SUBSTITUTE TRUSTEE:



Mark J. Petrocchi
2200 Forest Park Boulevard
Fort Worth, Texas 76110
Telephone (817) 926-2500
Telecopier (817) 926-2505

EXHIBIT "A"

Real estate located in the County of Erath and State of Texas, to-wit:

TRACT ONE:

All that certain 395.40 acres out of the J. W. Crawford Survey, A-147, being same 395.40 acres described in Deed dated July 14, 1992, from Dorris Viss, to Guy Viss, recorded in Vol. 329, Page 260, Deed Records of Erath County, Texas, and the 395.40 acres being described as follows:

Beginning at an iron rod found at fence corner in West line of the J. W. Crawford Survey, A-147, being N. 26-44 W. 421.7 feet from SWC of said survey, for West line of a former 320 acre tract formerly conveyed to Glenn Carruth, et ux, by deed recorded in Vol. 390, Page 354, said records, Westerly SWC of the Viss 395.40 acre tract, NWC of an 8.08 acre

tract conveyed to Glen Earl Chick by deed recorded in Vol. 740, Page 155, said records, and Westerly SWC of this tract;

Thence with fenced West line of the Crawford Survey, East line of 67.3 acres conveyed to Frank Stipe by deed recorded in Vol. 285, Page 168, said records, and East line of 132 acres conveyed to Roy N. Blackwell, by deed recorded in Vol. 490, Page 186, said records, as follows: N. 26-44 W. 4492.0 feet; N. 69-06 E. 11.8 feet; and N. 28-12 W. 410.8 feet to an iron pipe found at corner post, for NWC of the 395.40 acres and NWC of this tract;

Thence N. 59-48 E. with fence, North line of the Crawford Survey, and South line of 640 acres conveyed to Frank V. Terrell by deed recorded in Vol. 567, Page 308, said records, 1327.0 feet to an iron rod found at corner post, for Northerly NEC of the Viss 395.40 acres and Northerly NEC of this tract;

Thence S. 26-36 E. with fence and West line of 240.68 acres conveyed to Edwin Fred Shannon by deed recorded in Vol. 473, Page 354, said records, 2670.3 feet to an iron rod found at fence corner, at inner corner of the Viss 395.40 acres, for inner corner of this tract;

Thence with fence and South line of said Shannon 240.68 acre tract, N. 60-56 E. 166.8 feet and N. 59-44 E. 3801.4 feet to a point in County Road No. 211, on East line of the Crawford Survey, from which point an iron rod found at fence corner bears S. 59-44 W. 26.5 feet, for Easterly NEC of this tract;

Thence S. 26-37 E. along road and East line of the Crawford Survey, 2673.3 feet to a point in road, from which point a found iron rod at fence corner bears N. 60-00 E. 20.0 feet, for SEC of the Crawford Survey, and SEC of this tract;

Thence S. 60-00 W. along road and South line of the Crawford Survey, 4691.6 feet to a point in road, from which point a found iron rod bears N. 03-54 W. 26.7 feet, for SEC of the said Chick 8.08 acre tract and southerly SWC of this tract;

Thence N. 03-54 W. 711.4 feet to a pipe corner post at NEC of the 8.08 acre tract, for inner corner of the Viss 395.40 acres and inner corner of this tract;

Thence with fence and North line of the 8.08 acre tract, as follows; S. 40-57 W. 448.5 feet; S. 48-55 W. 189.5 feet and S. 52-37 W. 273.0 feet to the place of beginning, containing 395.40 acres, of which 3.77 acres is in county road.

EXHIBIT "A"

(Continued)

LESS, SAVE AND EXCEPT:

All that certain 80.970 acres out of the J. W. Crawford Survey, A-147, Erath County, Texas, being part of a 395.40 acre tract described in deed dated June 12, 1997, from Guy Viss and Lori Viss, to Anthony C. Tordiglione and wife, Cynthia A. Tordiglione, recorded in Volume 935, Page 707, Real Records of Erath County, Texas, and the 80.970 acres being described as follows; Beginning at an iron pipe found at fence corner at NWC of the J. W. Crawford Survey, A-147, being NWC of said 395.40 acre tract and NWC of this tract;

Thence N. 59° 48' 00" E. (base bearing) with fence, North line of the Crawford Survey and South line of the Frank V. Terrell 640 acres out of the L. N. Moreland Survey, A-564, a distance of 1327.00 feet to a 3/8" iron rod found at fence corner, being Northerly NEC of the 395.40 acres and NEC of this tract;

Thence S. 26° 36' 00" E. with fence and West line of the Edwin Fred Shannon 80 acre tract, being First Tract described in deed recorded in Volume 1306, Page 78, Real Records of Erath County, Texas, 2670.30 feet to a 3/8" iron rod found at fence corner, at inner corner of the Tordiglione 395.40 acres, for SEC of this tract;

Thence S. 60° 21' 34" W, with fence, crossing the 395.40 acre tract, 1327.17 feet to a 3/8" iron rod found at fence corner in West line of the J. W. Crawford Survey and West line of the 395.40 acres, for SWC of this tract;

Thence with fenced West line of the Crawford Survey, West line of the 395.40 acres, East line of the Thomas Hanna Blackwell 77.47 acres described in deed recorded in Volume 1302, Page 96, Real Records of Erath County, Texas, and East line of the Thomas Hanna Blackwell portion of 132 acres described in deed recorded in Volume 1045, Page 833, Real Records of Erath County, Texas, as follows: N. 26° 35' 12" W. 2247.85 feet, a fence corner, N. 69° 04' 35" E. 11.84 feet, a fence corner; and N. 28° 11' 17" W. 410.85 feet to the place of beginning, containing 80.970 acres.

TRACT TWO:

BEING A 238.319 ACRES TRACT OF LAND OUT OF THE HENRY WOOD SURVEY, ABSTRACT NO. 828, ERATH COUNTY, TEXAS: BEING ALL OF THE FOLLOWING TRACTS, A CALLED 140 ACRES TRACT DESCRIBED IN VOLUME 285, PAGE 168, A CALLED 67.3 ACRES TRACT DESCRIBED IN VOLUME 63, PAGE 234, A CALLED 15.4 ACRE TRACT DESCRIBED IN VOLUME Q, PAGE 451, AND A CALLED 9.25 ACRES TRACT DESCRIBED IN 191, PAGE 12, ALL CONVEYED TO HURST IN VOLUME 932, PAGE 453, ALL OUT OF THE DEED RECORDS ERATH COUNTY, TEXAS: AND BEING FURTHER DESCRIBED BY METRES AND BOUNDS AS FOLLOWS:

BEGINNING AT A SET SPIKE WITHIN COUNTY ROAD 539 (GRAVEL), AT THE CALLED SOUTHEAST CORNER OF SAID HENRY WOOD SURVEY, ABSTRACT NO. 828 AND THE CALLED SOUTHWEST CORNER OF THE CRAWFORD SURVEY, ABSTRACT NO. 147, SAME BEING THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO TORDIGLIONE INV. 947, P. 751, D.R.E.C.T., AND THE SOUTHEAST CORNER OF SAID HURST TRACT, FOR THE SOUTHEAST AND BEGINNING CORNER OF THIS TRACT.

THENCE S 58°37'06" W 3895.32 FEET WITHIN SAID COUNTY ROAD 539 TO A FOUND 3/8" IRON ROD (CAPPED) AT THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO CROCKER IN V. 1222, P. 37, D.R.E.C.T., FOR THE SOUTHWEST CORNER OF THIS TRACT.

THENCE N 28°35'44" W AT 273.41 FEET PASSING A FOUND 3/8" IRON ROD (CAPPED), AT 359.85 FEET PASSING A FOUND 3/8" IRON ROD, AT 2466.45 FEET PASSING A FOUND RAIL ROAD SPIKE AT THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO LOWRANCE IN V. 676, P. 256, D.R.E.C.T., AND IN ALL A TOTAL DISTANCE OF 2654.63 FEET TO A SET 1 1/2" IRON ROD (CAPPED) IN THE SOUTH LINE OF A CALLED OLD ROAD, FOR THE NORTHWEST CORNER OF THIS TRACT; WHENCE A FOUND RAIL ROAD SPIKE AT AN ELL CORNER OF SAID LOWRANCE TRACT BEARS N 28°35'44" W 54.38 FEET.

EXHIBIT "A"

(Continued)

THENCE N 58°26'59" EAT 2327.96 FEET PASSING A FOUND 3/8" IRON ROD (CAPPED) AT THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO BLACKWELL IN v.13 02.P.96.D.R.E.C.T.; AND IN ALL A TOTAL DISTANCE OF 3918.79 FEET TO A FOUND 3/8" IRON ROD (CAPPED) AT THE SOUTHEAST CORNER OF SAID BLACKWELL TRACT, IN THE WEST LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO TORDIGLIONE IN V. 934, P. 817, FOR THE NORTHEAST CORNER OF THIS TRACT.

THENCE S 28°06'16" EAT 2245.27 FEET PASSING A FOUND 3/8" IRON ROD AT THE NORTHWEST CORNER OF SAID TORDIGLIONE TRACT (9471751), AND IN ALL 2667.37 FEET TO THE POINT OF BEGINNING.

TRACT THREE:

All that certain 8.08 acres of land, more or less, out of the J.W. Crawford Survey, A-147, Erath County, Texas, being part of the land described in Volume 390, Page 354, further described as follows:

BEGINNING at a point in the center of a county road, said point being the SWC of the land described in a Deed dated June 1, 1963 from E.M. Pritchard, et ux to Glenn Carruth et ux, recorded in Volume 390, Page 354 of the Deed Records of Erath County, Texas, said point also being the SWC of the J. W. Crawford Survey, for the SWC of this tract, from which point and iron rod bears N 26-44 W, 14.4 feet;

THENCE N 26-44 W with fence and the extension thereof and the west lines of said Survey and Carruth property, 422.1 feet to an iron rod at a corner post, for the NWC of this tract;

THENCE with fence to 2" pipe post in conc. as follows: N 52-41 E, 273.2 feet; N 49-02 E, 189.4 feet; and N 40-58 E, 448.7 feet to the NEC of this tract;

THENCE S 3-50 E with fence and the extension thereof, 711.5 feet to a point in the center of a county road and in the south line of the J.W. Crawford Survey and Carruth property, for the SEC of this tract, from which point an iron rod in the north line of the county road at a corner post bears N 3-50 W, 26.7 feet;

THENCE S 60-00 W with center of a county road and the south line of said Survey and Carruth property, 591.4 feet to the place of beginning, containing 8.08 acres, more or less" with approximately 0.32 acres in said county road.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.