

NOTICE OF FORECLOSURE SALE

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 2: Surface estate only of a tract of land in the S/2 NW/4 Section 30, Block 32, T-1-N, T&P Ry Co., Survey, Howard County, Texas, described by metes and bounds on Exhibit A attached hereto.

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Handwritten signature: Nancy Sime

2. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date,

time, and place:

Date: Tuesday, August 1, 2017

Time: The sale shall begin no earlier than 1:00 p.m. or no later than three hours thereafter. The sale shall be completed no later than 4:00 p.m.

Place: The area of the Howard County Courthouse in Big Spring, Texas, designated by the Commissioner's Court pursuant to Section 51.002 of the Texas Property Code as a place where foreclosure sales are to take place.

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. Such reposting or refiling may be after the date originally scheduled for this sale.

3. 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 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 cash on the date the property is sold.

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 or substitute trustee to sell the property in one or more parcels and/or sell all or only part of the property.

Pursuant to 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 condition of the property.

Pursuant to the Texas Property Code, the trustee 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 sale.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. app. Section 501 et seq.) and state law, including section 51.015 Texas Property Code. Assert and protect your rights as 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.

4. Type of Sale. The sale is a nonjudicial Deed of Trust lien foreclosure sale being conducted pursuant to the power of sale granted by that one certain Deed of Trust executed by Erath Iron & Metal RE, LLC, dated June 30, 2010, and recorded in Document Number 2010-00004046 of the Deed of Trust Records of Howard County, Texas.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligation") in the original principal amount of \$4,000,000.00, and payable to the order of First National Bank of Albany/Breckenridge. First National Bank of Albany/Breckenridge is the current owner and holder of the Obligation and is the beneficiary under the Deed of Trust.

6. Default and Request To Act. Default has occurred under the Deed of Trust, and the beneficiary has requested me, as 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: July 10, 2017.



Blake Rasner
Substitute Trustee
Haley & Olson, P.C.
100 Ritchie Road, Suite 200
Waco, Texas 76712
Telephone: (254) 776-3336
Facsimile: (254) 776-6823

Exhibit "A"

TRACT 2:

Surface estate only of a tract of land in the *S/2 NW/4* Section 30, Block 32, T-1- N, T&P Ry Co. Survey, Howard County, Texas, described by metes and bounds as follows:

BEGINNING at a *5/8"* I.R. in the South line of *N/2* of the *NW/4* of said Section 30, and in the East right-of-way line of U.S. Highway No. 87, for the NW corner of this tract; from whence the NW corner of said Section 30, Block 32, T-1-N, Ry Co. Survey, Howard County, Texas, bears S 74 deg. 26' 34" W, 50.0' and N 15 deg. 25'W, 1332.41 feet;

THENCE N 74 deg. 19' 13" E with the South line of the *N/2* of the *NW/4* of said Section 30, 835.16 feet to a *5/8"* I.R. for the NE corner of this tract;

THENCE S 15 deg. 25' E 667.33 feet to a *5/8"* I.R. for the SE corner of this tract;

THENCE S 74 deg. 26' 34" W 835.15 feet to a *5/8"* I.R. in the East right-of-way line of U.S. Highway No. 87, for the SW corner of this tract;

THENCE N 15 deg. 25' W with the East right-of-way line of U.S. Highway No. 87, 665.55 feet to the PLACE OF BEGINNING. (subject to a right-of-way over the S 60 feet specifically reserved in deed from G.C. Broughton, Jr. covering such tract, reference to which Deed is made for such easement)