

JAN 30 2026

NOTICE OF NON-JUDICIAL FORECLOSURE SALEChristine A. Jones
McCulloch, County Clerk

WHEREAS, on **March 12, 2024**, **ZD Sand, LLC** ("Mortgagors", whether one or more), executed that certain deed of trust ("Deed of Trust") in favor of **NIGHTINGALE LAW GROUP, PLLC**, Trustee which deed of trust secures the payment of that certain promissory note of even date therewith in the original amount of **\$3,769,466.00**, payable to the order of **Persimmon BridgeCo, LLC**, which Deed of Trust is recorded **Volume 507, Page 1062** in the **Real Property Records of McCulloch County, Texas**, and covers all of the real property, personal property, and fixtures described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit:

The Property is located at 7575 Highway 71. Voca, McCulloch County, Texas 76887. The Property is composed and comprised of 474.917 acres of land, more or less, being the following two (2) Tracts of land including the easement thereon.

TRACT 1-A (474.917 Acres, more or less):

Being 474.917 acres of land, approximately 30.503 acres out of the J. Poitevent Survey No. 1, Abstract No. 1125, approximately 20.937 acres out of the S. L Henderson Survey No. 7, Abstract No. 2044, approximately 42.809 acres out of the Carl Pressentine Survey No. 106, Abstract No. 1094 and approximately 380.668 acres out of the I. & G.N. RR. Co. Survey No. 101, Abstract No. 771 in McCulloch County, Texas and being all of that certain 189.763 acre tract described as Tract 1 in Volume 452, Page 471 of the Official Public Records of McCulloch County, Texas, all of that certain 190.987 acre tract described as Tract 2 in said Volume 452, Page 471. both said Tracts 1 and 2 being further described as 381.2 acres in Volume 113, Page 414 of the Deed Records of McCulloch County, Texas and all of that certain 94.27 acre tract described as Tract 3 in said Volume 452. Page 471 and further described in Volume 287, Page 860 of said Official Public Records; Said 474.917 acre tract being more particularly described as follows and as surveyed under the supervision of Searchers Surveying & Engineering LLC. in July 2022;

BEGINNING at a bent 1/2 inch iron rod found for the southeast corner of the Ludwig Ranzau Survey No. 109. Abstract No. 1184, the southwest corner of the Arilla Brown Survey No. 724, Abstract No. 1479, the northwest corner of the T. Wood Survey No. 716, Abstract No. 1511, the northeast corner said Abstract No. 771, the southeast corner of that certain 242 acre tract described in Volume 113, Page 394 of said Deed Records, the southwest corner of that certain 36.054 acre tract described in Volume 483. Page 389 of said Official Public Records, the northwest corner of that certain 292.957 acre tract described in Volume 279, Page 850 of said Official Public Records, the northeast corner of said 189.763 acre tract, the northeast corner of said 381.2 acre tract and the northeast corner hereof and from which a inch iron rod found bears North 56deg24'33", West a distance of 19.52 feet and a 25 inch live oak tree stump found bears North 75deg43'30" West a distance of 48.35 feet;

THENCE South 00deg17'24" West a distance of 1604.99 feet along the west line of said Abstract No. 1511, the east line of said Abstract No. 771, the west line of said 292.957 acre tract, a west line of that certain 308.11 acre tract described in Volume 330, Page 785 of said Official Public Records, the east line of said 381.2 acre tract and the east line of said 189.763 acre tract to a calculated point for a corner of said 308.11 acre tract, the southeast corner of said 189.763 acre tract, the southeast corner of said 381.2 acre tract and the southeast corner hereof and from which a 1/2 inch iron rod set bears North 13deg22'07" East a distance of 1.55 feet;

THENCE along the north line of said 308.1 1 acre tract, the south line of said 381.2 acre tract and the south line of said 189.763 acre tract, the following 3 courses:

1. North 89deg10'19" West, at a distance of 277.40 feet pass a 30 inch Live Oak free found continuing in all for a total distance of 1389.20 feet to a 1 inch iron pipe found;
2. South 00deg01'45" East a distance of 1116.71 feet to a 1/2 inch iron pipe found;
3. South 89deg53'50" West a distance of 1387.91 feet to a 3 inch pipe fence corner post found for the northwest corner of said 308.11 acre tract, a corner of said 381.2 acre tract, the southwest corner of said 189.763 acre tract, a corner of said 190.987 acre tract and a corner hereof;

THENCE along the south line of said 381.2 acre tract, the following 2 courses:

1. South 00deg06'50" West a distance of 1118.63 feet along the west line of said 308.11 acre tract and the east line of said 190.987 acre tract to a 3 inch pipe fence corner post found for a corner of that certain 212.803 acre tract described in Volume 486, Page 9 of said Official Public Records, the northeast corner of that certain 5.683 acre easement described in said Volume 486, Page 9 and the southeast corner of said 190.987 acre tract and a corner hereof;
2. South as 89deg55'48" West a distance of 2749.77 feet along the north line of said 212.803 acre tract and the south line of said 190.987 acre tract to a 3 inch pipe fence corner post found in the east line of the W.P. Anderson Survey No. 105, Abstract No. 1821, the west line of said Abstract No. 771, the east line of that certain 415.657 acre tract described in Volume 457, Page 89 of said Official Public Records for the northwest corner of said 212.803 acre tract, the southwest corner of said 381.2 acre tract, the southwest corner of said 190.987 acre tract and the southwest corner hereof;

THENCE North 00deg29'58" West a distance of 1122.89 feet along the east line of said Abstract No. 1821, the west line of said Abstract No. 771, the east line of said 415.657 acre tract, the east line of that certain 416.789 acre tract described in said Volume 457, Page 89, the west line of said 190.987 acre tract and the west line of said 381.2 acre tract to a 3 inch pipe fence corner post found for the northeast corner of said Abstract No. 1821, the southeast corner of said Abstract No. 1094, the northeast corner of said 416.789 acre tract, the southeast corner of that certain 50 acre tract described in Volume 254, Page 318 of said Deed Records;

THENCE North 00deg24'06" West a distance of 2172.52 feet along the east line of said Abstract No. 1094, the west line of said Abstract No. 771, the east line of said 50 acre tract described in Volume 254, Page 318, the east line of that certain 50 acre tract described in Volume 414, Page 659 of said Official Public Records, the west line of said 190.987 acre tract and the west line of said 381.2 acre tract to a 1/2 inch iron rod found for the northeast corner of said Volume 414, Page 659, the southeast corner of said 94.27 acre tract and a corner hereof;

THENCE South 75deg23'00" West a distance of 2398.56 feet along the north line of said Volume 414, Page 659 and the south line of said 94.27 acre tract to a 1/2 inch iron rod found in the west line of said Abstract No. 1094, the east line of the Carl Pressentine Survey No. 107, Abstract No. 1095 and the east line of said 416.789 acre tract for the northwest corner of said 50 acre tract described in said Volume 414, Page 659, the southwest corner of said 94.27 acre tract and a corner hereof;

THENCE North 00deg22'10" West a distance of 1128.62 feet along the east line of said Abstract No. 1095, the west line of said Abstract No. 1094, the east line of said 416.789 acre tract and the west line of said 94.27 acre tract to a 54 inch iron rod found;

THENCE North 00deg22'52" West a distance of 1627.97 feet along the east line of said 416.789 acre tract and the west line of said 94.27 acre tract to a 3 inch pipe fence corner post found in the south line of that certain 120 acre tract described in Volume 307, Page 559 of said Official Public Records for a corner of said 416.789 acre tract, the northwest corner of said 94.27 acre tract and the northwest;

THENCE South 89deg50'07" East a distance of 1069.39 feet along the south line of said 120 acre tract and the north line of said 94.27 acre tract to a 2.5 inch pipe fence corner post found in the west line of that certain 120 acre tract described as Tract Two in Volume 285, Page 608 of said Official Public Records for the southeast corner of said 120 acre tract described in said Volume 307, Page 559, a corner of said 94.27 acre tract and a corner hereof;

THENCE along the west and south lines of said 120 acre tract described in said Volume 285, Page 608 and the north line of said 94.27 acre tract, the following 2 courses:

- 1. South 01deg39'34" East a distance of 1279.79 feet to a 2.5 inch pipe fence corner post found for the southwest corner of said 120 acre tract described in said Volume 285, Page 608, a corner of said 94.27 acre tract and a corner hereof: and**
- 2. South 89a34'07" East a distance of 1224.68 feet to a 1/2 inch iron rod found in the west line of said Abstract No. 1184, the east line of said Abstract No. 2044 and the west line of that certain 195.18 acre tract described in Volume 474, Page 1024 of said Official Public Records for the southeast corner of said 120 acre tract described in said Volume 285, Page 608, the northeast corner of said 94.27 acre tract and a corner hereof;**

THENCE South 00deg48'32" East a distance of 331.69 feet along the west line of said Abstract No. 1184, the east line of said Abstract No. 2044, the west line of said 195.18 acre tract and the east line of said 94.27 acre tract to a 2.5 inch pipe fence corner post found for the southwest corner of said Abstract No. 1184, the northwest corner of said Abstract No. 771, the southwest corner of said 195.18 acre tract, the northwest corner of said 190.987 acre tract, the northwest corner of said 381.2 acre tract and a corner hereof:

THENCE along the north line of said Abstract No. 771, the south line of said Abstract No. 1184 and the north line of said 381.2 acre tract, the following 6 courses:

- 1. North 89deg29'09" East a distance of 1546.04 feet along the south line of said 195.18 acre tract, the north line of said 190.987 acre tract and the north line of said 189.763 acre tract to a 1/2 inch iron pipe found for the southwest corner of that certain 301.819 acre tract described in Volume 486, Page 278 of said Official Public Records, the southeast corner of said 195.18 acre tract, the southwest corner of said 242 acre tract; and**
- 2. South 89deg50'27" East along the south line of said 242 acre tract, at a distance of 802.20 feet pass a 1/2 inch iron rod found with cap marked "Searchers RPLS 6275" continuing at a distance of 869.27 feet pass a 1/2 inch iron rod found with cap marked "Searchers RPLS 6275" continuing at a distance of 2935.33 feet pass a 1/2 inch iron rod found with cap marked "Searchers RPLS 6275" continuing at a distance of 3200.02 feet pass a 1/2 inch iron rod found with cap marked "Searchers RPLS 6275" continuing in all for a total distance of 4018.83 feet to the POINT OF BEGINNING containing 474.668 acres of land, more or less.**

TRACT 1-B (3.4 Acres, more or less):

An easement for ingress and egress granted to Charlene Schuessler and Ida Aim Sellman by Lillian Inez Bratton, Patsy Ruth Alexander and Ila June Cagle Cates, dated September 8, 1995, recorded in Volume 274, Page 363, Official Public Records, McCulloch County, Texas, over and across the following described real property: being 3.4 acres, more or less, of land in McCulloch County, Texas, being: 2 acres, more or less, out of Ludwig Ranzau Survey No. 109, Abstract No. 1184, Certificate No. 267, patented to Michael Erskine by Patent No. 1157, Volume 13; and 1.4 acres out of Ludwig Ranzau Survey No. 110, Abstract No. 1185, Certificate No. 267, patented to Michael Erskine by Patent No. 1158, Volume 13; being 3.4 acres out of that certain 347.6 acre tract of land conveyed to Garland G. Bratton by Charles G. Bratton by Deed of record in Volume 113, Page 394, McCulloch County Deed Records, said 3.4 acre tract of land being a road easement along an existing road from State Highway 71 to a 381.2 acre tract conveyed to Charles G. Bratton by Garland G. Bratton by Deed of record in Volume 113, Page 414, Deed Records, McCulloch County, Texas, and said 3.4 acre, more or less, tract of land being described by metes and bounds as follows:

BEGINNING at a stake set in a fence and North line of I. & G. N. Railroad Co. Survey No. 101, Abstract No. 771 and South line of Survey No. 109, also being in the North line of a 189.763 acre tract of land described in Partition Deed between Ida Ami Sellman and husband, Richard Sellman, and Charlene Schuessler and husband, Elroy Schuessler, dated January 21, 1991, recorded in Volume 251, Page 770, Deed Records, McCulloch County, Texas, and South line of said 347.6 acre tract;

THENCE with the East line of an existing road and through said 347.6 acre tract of land as follows: North 24deg40' West 374.1 varas. North 03deg49' West 810.2 varas. North 17deg54' East 384.3 varas. North 73deg34' East 74.2 varas and North 49deg49' East 21.5 varas to a stake set in a fence and Southwest line of said State Highway 71 for the Northeast corner hereof;

THENCE with a fence and Southwest line of said Highway, North 50deg53' West 10.8 varas, to a stake set for the Northwest corner;

THENCE with the West line of said existing road as follows: South 49deg49' West 20.5 varas. South 73deg34' West 75.8 varas. South 17deg54' West 391 varas South 03deg49' East 813.5 varas and South 24deg40' East 371.2 varas to a stake set in a fence and South line of said Survey No. 109 and North line of said Survey No. 101;

THENCE with a fence, North 89deg58' East, a total distance of 33.89 feet to the PLACE OF BEGINNING.

Note: Bearings, distances and acreage shown hereon are Grid, NAD 83, Texas Central Zone 4203 and are derived from GPS techniques. A "1/2 inch iron rod set" Is a inch rebar with plastic cap marked "Searchers RPLS 6275", commonly known as 7575 Highway 71, Tract 1, Voca, Texas 76887; and

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal owner of the indebtedness described in the Deed of Trust appointed **Richard Hester, David Garvin, Clifford D. Harmon, Kelly Goddard and Turrie Silva** or any one of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and Persimmon BridgeCo, LLC, the legal owner of such indebtedness and the liens securing same, has requested any one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **TUESDAY, March 03, 2026**, being the first Tuesday of such month, at the county courthouse of **McCulloch County, Texas**, the Substitute Trustee will sell the Property at public vendue to the highest bidder for cash; provided that the owner of the indebtedness secured by the Deed of Trust may bid a credit against such indebtedness. The sale will take place at the **McCulloch County Courthouse**, or at such other location as set by the Commissioners Court of such county from time to time, which is the area designated by such Commissioners' Court for sales of real property under a power of sale conferred by a deed of trust or other contract lien.

NOTICE IS FURTHER GIVEN that the foreclosure sale will occur at **12:00 PM**, or not later than three (3) hours after such time; such time being between the hours of 10:00 a.m. and 4:00 p.m. on said **TUESDAY, March 03, 2026**.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made without any representations or warranties whatsoever, express or implied.

WITNESS my hand as of January 30, 2026.



Signature



Printed Name

, **Substitute Trustee**

Matter No. 2063

FOR INFORMATION CONTACT: Clifford D. Harmon, 14860 Montfort, Suite 111, Dallas, Texas 75254. All substitute trustees may be contacted through that address.