

NOTICE OF FORECLOSURE SALE

Pursuant to the authority granted by the Final Default Judgment entered on March 17, 2025, in Cause No. 24C392, *Skyco LLC v. Ark-La-Tex Lawn and Landscape, LLC and Jeffrey Brian Majors*, In the 5th District Court in and for Cass County, Texas (see Exhibit B), and in accordance with the laws of the State of Texas, notice is hereby given that the real property described below will be sold at a public foreclosure sale to satisfy the indebtedness secured by the Affidavit Claiming Mechanic's and Materialman's Lien filed with respect to debtor Jeffrey Brian Majors in the Deed Records of Cass County, Texas, bearing Document Number 2024004824 (see Exhibit C). The sale will be conducted by Kyle J. Nelson, attorney and authorized representative of the Lienholder, Skyco LLC, acting as the authorized agent.

Legal Description of the Property to be Sold: About 57.103 acres (Bowie Hill West, Tract 9) and 52.811 acres (Bowie Hill West, Tract 10), more or less, of real property located in Cass County, Texas, as described in the attached Exhibit A.

Property Location (Approx.): 33°13'31.4"N 94°09'52.2"W

Property Tax ID: 17687

THE SALE WILL TAKE PLACE AS FOLLOWS:

DATE OF SALE: July 1, 2025

TIME OF SALE: 10:00 a.m. or no later than three hours thereafter on July 1, 2025

LOCATION OF SALE: Cass County, Texas at the following location: THE NORTH ENTRANCE OF THE CASS COUNTY COURTHOUSE LOCATED ON HOUSTON STREET, LINDEN, TEXAS or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners Court, pursuant to section 51.002 of the Texas Property Code. If there is any postponement or rescheduling of the Sale, additional notice will be posted and filed in accordance with applicable Texas law.

TERMS:

This public Foreclosure Sale will sell the above-described property "AS IS WHERE IS," with no warranties or representations in accordance with Texas Property Code Section 51.009, to the highest bidder, with the exception of the Lienholder, who will be allowed to bid credit against the amount owed under the obligation secured in the Final Default Judgment entered in Cause No. 24C392, *Skyco LLC v. Ark-La-Tex Lawn and Landscape, LLC and Jeffrey Brian Majors*, In the 5th District Court in and for Cass County, Texas.

THE SALE IS SUBJECT TO ANY AND ALL LIENS, ENCUMBRANCES, AND TITLE ISSUES AFFECTING THE PROPERTY.

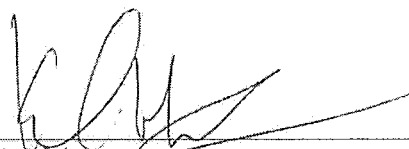
The successful bidder will be required to pay the full purchase price at the time of the sale by cash or cashier's check made payable to Carroll Maloney Henry & Nelson, PLLC IOLTA Account.

FILED FOR RECORD
2025 JUN -9 PM 1:09
AMY L. VARNELL
CASS COUNTY CLERK

OBLIGATION SECURED: The Final Default Judgment entered in Cause No. 24C392, *Skyco LLC v. Ark-La-Tex Lawn and Landscape, LLC and Jeffrey Brian Majors*, In the 5th District Court in and for Cass County, Texas and the Affidavit Claiming Mechanic's and Materialman's Lien filed with respect to debtor Jeffrey Brian Majors in the Deed Records of Cass County, Texas, bearing Document Number 2024004824, provided that they secure the payment of indebtedness and obligations therein described including, but not limited to, (1) the debt in the original principal amount of \$63,546.00, (2) prejudgment interest in the amount of \$887.90, (3) reasonable and necessary attorney fees in the amount of \$4,813.70, (4) court costs in the amount of \$421.58, (5) post judgment interest on all above amounts at the rate of 5% compounded annually from the date of judgment, and (6) fees, charges and expenses related to the Sale.

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 IMMEDIATELY.

Signed on this 6th day of June, 2025.



Kyle J. Nelson
CARROLL MALONEY HENRY & NELSON, PLLC
1327 Dominion Plaza, Suite 100
Tyler, Texas 75703
Telephone: (903) 561-1600
Attorney for Skyco LLC

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF SMITH §

This instrument was acknowledged before me on June 6, 2025, by Kyle J. Nelson.



Notary Public, State of Texas

AFTER FILING, PLEASE RETURN TO:

Kyle J. Nelson
Carroll Maloney Henry & Nelson, PLLC
1327 Dominion Plaza, Suite 100
Tyler, Texas 75703

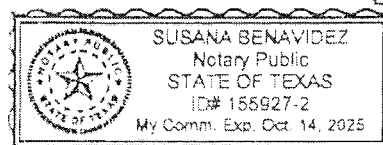


EXHIBIT A

The property described below and referenced in the Special Warranty Deed from Timbervest Partners III Texas, LLC to Jeffrey Brian Majors found at Document #2022005025 in the deed records of Cass County, Texas.

Bowie Hill West, Tract 9:

All that certain 57.103 acre tract in the James Horton Survey, A-452, and the M.E.P. & P. Railroad Survey, A-777, both in Cass County, Texas, being part of the called 456.34 acre tract described as Tract 3 and the called 564 acre tract described as Tract 4, both of which were conveyed from Plum Creek Southern Timber, L.L.C., to Timbervest Partners III Texas, LLC, by Special Warranty Deed dated March 4, 2013, and recorded in Clerk's File No. 2013001394 in the Real Property Records of Cass County, Texas, said 57.103 acre tract being more particularly described as follows:

Note: 1. All Set Iron Rods herein are 5/8" rebar with green cap marked "TX FIRM # 10023000".
2. Bearings and Distances are based upon the Texas State Plane Coordinate System, North Central Zone (4202), 1983 North American Datum.

BEGINNING at a rock found painted blue in the occupied west line of the called 13.057 acre tract conveyed to Timbertex, Inc. by Warranty Deed recorded in Volume 1139, Page 258, in said Real Property Records for the northeast corner of this tract, from which a 16" red oak marked with a X found bears N 54°03'38" W 6.13 feet and a found 60d nail bears S 87°02'32" W 14.26 feet;

THENCE: S 08°53'49" E with the east line of said called 13.057 acre tract 104.58 feet to a 1/2" iron rod found for the southwest corner of same and northwest corner of the called 32.85 acre tract conveyed to Riverbend, LLP by Special Warranty Deed recorded in Clerk's File No. 2008003263 in said Real Property Records;

THENCE: S 01°44'51" E with the west line of said called 32.85 acre tract 633.74 feet to a 5/8" iron rod set for the southwest corner of same and northwest corner of the called 24.93 acre tract conveyed to Adeline Old Vaill by Warranty Deed recorded in Volume 877, Page 585, in said Real Property Records;
THENCE: S 02°38'41" E with the west line of said called 24.93 acre tract 237.72 feet to a 5/8" iron rod set for the northeast corner of the 52.811 acre tract described as Tract 10, also surveyed this date, and southeast corner of this tract;

THENCE: S 59°57'51" W with the north line of said Tract 10 a distance of 2162.42 feet to a PK nail set in the centerline of County Road 3659 for the northwest corner of same and southwest corner of this tract, from which a 5/8" iron rod set for reference in the east right of way line of said County Road bears

THENCE: in a northerly direction with the centerline of said County Road 3659 the following courses and distances:

1. N 33°15'44" W 62.68 feet to a point,
2. N 27°23'23" W 101.52 feet to a point;
3. N 18°14'04" W 156.47 feet to a point,
4. N 10°17'57" W 240.56 feet to a point,
5. N 07°45'12" W 169.71 feet to a point,
6. N 01°10'16" W 100.21 feet to a point,
7. N 05°59'26" E 103.27 feet to a point,
8. N 13°16'05" E 102.53 feet to a point,
9. N 18°56'05" E 307.30 feet to a point, and

10. N 14°11'37" E 112.47 feet to a PK nail set in the south right of way line of a 30' wide pipeline easement for the northwest corner of this tract, from which a 5/8" iron rod set for reference in the east right of way line of said County Road 3659 bears N 68°03'48" E 37.14 feet;

THENCE: N 68°03'48" E with the south line of said pipeline easement 1725.77 feet to a 5/8" iron rod set in the south line of the called 90.103 acre tract described as Tract Three, and conveyed to The Hutchins Family, LLC by General Warranty Deed recorded in Clerk's File No. 2016004070 in said Real Property Records, from which a capped 1/2" iron rod found (6516) for the southwest corner of said called 90.103 acre tract bears S 87°02'32" W 961.15 feet;

THENCE: N 87°02'32" E with the south line of said called 90.103 acre tract 261.49 feet to the POINT OF BEGINNING, containing 57.103 acres of land, more or less.

Bowie Hill West, Tract 10:

All that certain 52.811 acre tract in the James Horton Survey, A-452, and the M.E.P. & P. Railroad Survey, A-777, both in Cass County, Texas, being part of the called 456.34 acre tract described as Tract 3 and the called 564 acre tract described as Tract 4, both of which were conveyed from Plum Creek Southern Timber, L.L.C., to Timbervest Partners III Texas, LLC, by Special Warranty Deed dated March 4, 2013, and recorded in Clerk's File No. 2013001394 in the Real Property Records of Cass County, Texas, said 52.811 acre tract being more particularly described as follows:

Note: 1. All Set Iron Rods herein are 5/8" rebar with green cap marked "TX FIRM # 10023000".
2. Bearings and Distances are based upon the Texas State Plane Coordinate System, North Central Zone (4202), 1983 North American Datum.

BEGINNING at a 5/8" iron rod set in the west line of the called 24.93 acre tract conveyed to Adeline Old Vaill by Warranty Deed recorded in Volume 877, Page 585, in said Real Property Records for the southeast corner of the 57.103 acre tract described as Tract 9, also surveyed this date, from which a 5/8" iron rod set for the northwest corner of said called 24.93 acre tract bears N 02°38'41" W 237.72 feet;

THENCE: S 02°38'41" E with the west line of said called 24.93 acre tract 534.91 feet to a 5/8" iron rod set for the southwest corner of same and northwest corner of the Joe Draper Subdivision, according to the plat of same recorded in Volume 7, Page 20, in the Plat Records of Cass County, Texas, from which a crosstie fence corner post bears S 43°32'23" W 18.31 feet;

THENCE: S 02°09'34" E with the west line of aforesaid subdivision 1033.24 feet to a 5/8" iron rod set for the northeast corner of the 52.925 acre tract described as Tract 11, also surveyed this date and the southeast corner of this tract;

THENCE: S 67°25'28" W with the north line of said Tract 11 a distance of 1465.86 feet to a PK nail set in the centerline of County Road 3659 for the northwest corner of same and southwest corner of this tract, from which a 5/8" iron rod set for reference in the east right of way line of said County Road bears N 67°25'28" E 30.97 feet;

THENCE: in a northerly direction with the centerline of said County Road 3659 the following courses and distances:

1. N 08°10'49" W 133.25 feet to a point,
2. N 10°00'54" W 111.66 feet to a point,
3. N 17°44'40" W 115.14 feet to a point,

4. N 27°06'34" W 106.67 feet to a point,
5. N 34°39'36" W 129.54 feet to a point,
6. N 38°05'50" W 250.53 feet to a point,
7. N 38°13'23" W 337.80 feet to a point, and
8. N 35°44'31" W 39.01 feet to PK nail set for the southwest corner of the said Tract 9 and northwest corner of this tract, from which a 5/8" iron rod set for reference in the east right of way line of said County Road 3659 bears N 59°57'51" E 30.15 feet;

THENCE: N 59°57'51" E with the south line of said Tract 9 a distance of 2162.42 feet to the POINT OF BEGINNING, containing 52.811 acres of land, more or less.

EXHIBIT B

FILED FOR RECORD
CASS COUNTY, TEXAS
3/17/2025 8:06 AM
JAMIE ALBERTSON
DISTRICT CLERK

CAUSE NO. 24C392

SKYCO LLC,
Plaintiff,

V.

ARK-LA-TEX LAWN AND LANDSCAPE,
LLC and JEFFREY BRIAN MAJORS,
Defendants.

§
§
§
§
§
§
§

IN THE 5th DISTRICT COURT

IN AND FOR

CASS COUNTY, TEXAS

FINAL DEFAULT JUDGMENT

On January 21, 2025, Skyco LLC moved for default judgment after Defendants Ark-La-Tex Lawn and Landscape, LLC (“Ark-La-Tex”) and Jeffrey Brian Majors (“Majors”) failed to file an answer in this case. The Plaintiff previously or on this date, announced ready for trial. Defendants, having been duly served with citation and a copy of Plaintiff’s Original Petition, did not appear and answer.

The Court has determined it has jurisdiction over the subject matter and the parties in this proceeding, and the citation and proof of service were on file for at least ten days before the motion was heard. After considering the pleadings, the papers on file in this case, and any evidence presented on liability, damages and/or attorney fees, the Court grants Plaintiff’s motion for default judgment.

The Court hereby RENDERS final judgment for Plaintiff. Accordingly, the Court orders that Plaintiff recover the following from Defendants Ark-La-Tex and Majors:

- a. Actual damages in the amount of \$63,546.00.
- b. Prejudgment interest in the amount of \$887.90 as of February 1, 2025.
- c. Reasonable and necessary attorney fees in the amount of \$4,813.70 for the prosecution of this case through this judgment.
- d. Court costs in the amount of \$421.58.
- e. Postjudgment interest on all of the above at the rate of 5%, compounded annually, from the date this judgment is rendered until all amounts are paid in full.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff has a valid mechanic's lien against the following described real property and all improvements thereon: all lots, tracts or parcels of land, situated in Cass County, Texas, described in the Special Warranty Deed from Timbervest Partners III Texas, LLC to Jeffrey Brian Majors found at Document #2022005025 in the deed records of Cass County, Texas; that Plaintiff shall foreclose its lien to satisfy the debt and lien held by Plaintiff against the real property and improvements thereon; that a public auction held in accordance with Texas Property Code section 51.002(a), (b)(1) and (2), and (c) would pass constitutional and statutory muster as to the method and means to fairly conduct a public sale; that Plaintiff is authorized to sell at public sale at auction to the highest bidder the real property and improvements thereon; that all required notices have been constructively given by this proceeding; that all costs associated with the public auction of the Property shall be deemed costs of Court and shall be paid by Plaintiff, but such costs shall be recoverable from Defendants and included as part of the payoff amount; that, upon completion of the public sale, Plaintiff shall deposit any excess proceeds into the registry of the Court and file a report of sale.

The Court further ORDERS that if Defendants unsuccessfully appeal this judgment to an intermediate court of appeals, Plaintiff will additionally recover from Defendants the amount of \$10,000.00, representing the anticipated reasonably and necessary fees and expenses that would be incurred by Plaintiff in defending the appeal.

The Court further ORDERS that if Defendants unsuccessfully appeal this judgment to the Texas Supreme Court, Plaintiff will additionally recover from Defendants the amount of \$15,000, representing the anticipated reasonably and necessary fees and expenses that would be incurred by Plaintiff in defending the appeal.

IT IS FURTHER ORDERED that Plaintiff is allowed such writs and processes as may be

necessary in the enforcement and collection of this judgment.

This judgment finally disposes of all claims and all parties.

SIGNED this 3/14/2025 8:11:53 am
_____ day of _____, 2025.



PRESIDING JUDGE

EXHIBIT C



6 pgs
ML

2024004824

AFFIDAVIT CLAIMING MECHANIC'S AND MATERIALMAN'S LIEN

Affiant, Ingrid Schultz, on oath swears that the following statements are true and are within the personal knowledge of Affiant:

My name is Ingrid Schultz. I am an authorized representative of Skyco LLC of Henderson, Texas, which is referred to in the affidavit as the claimant ("Claimant"). This affidavit is made to perfect a mechanic's and materialman's lien against the real property described below:

1. Claimant has an unpaid claim in the amount of \$63,546.00 ("Claim Amount") for labor and materials furnished on the construction of improvements generally known as the Ark-La-Tex Lawn and Landscape, LLC office job. The Claim Amount is, within my personal knowledge, just and true, the same is due and unpaid, and all just and lawful offsets, payments, and credits have been allowed. The Claim Amount is for labor and materials furnished and described below, on which a systematic record has been kept.

2. The name and last known address of the owner or reputed owner ("Owner") of the real property and improvements on which this claim is made is:

Jeffrey Brian Majors
1316 Choctaw Dr.
Atlanta, Texas 75551

3. The Claim Amount represents the unpaid contract price due Claimant, or, in the alternative, is the reasonable value of the unpaid portion of Claimant's labor and materials furnished, which are described below.

4. Claimant's labor and materials furnished for construction of improvements on the real property described below are generally described as dirt excavation services. Payment of the Claim Amount is requested for work performed or materials furnished during each of the following months: January 2024 - April 2024.

5. Claimant furnished the above-described labor and materials under a contract with Ark-La-Tex Lawn and Landscape, LLC, whose last known address is 1316 Choctaw Drive, Atlanta, Texas 75551.

6. Claimant is the original contractor for the project for which a lien is claimed.

7. The legal description of the real property improved by Claimant's above-described labor and materials is set forth in Exhibit A, attached hereto and incorporated herein for all purposes. That real property and improvements on it are sought to be charged with Claimant's lien.

8. Claimant claims a mechanic's and materialman's lien on the described real property and improvements thereon to secure payment of its Claim Amount in accordance with the Texas Property Code.

9. Claimant's physical address is 5917 County Road 272A, Henderson, Texas, 75652. Claimant's mailing address is Post Office Box 1704, Henderson, Texas, 75652.

10. Claimant's notice of mechanic's lien was sent to Owner by United States certified mail, return receipt requested, on the following date: August 7, 2024.

11. In compliance with the Texas Property Code, Claimant is sending one copy of this affidavit to Owner at his last known address. As stated above, Claimant is the original contractor for the project for which a lien is claimed.


Ingrid Schultz (Aug 9, 2024 10:37 CDT)

Ingrid Schultz
Authorized representative of Claimant,
Skyco LLC

SUBSCRIBED AND SWORN TO before me on this 9th day of August, 2024, by Ingrid Schultz.


Notary Public, State of Texas

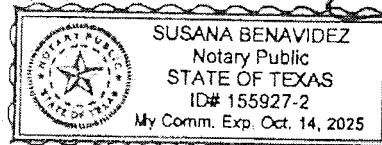


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7. N 38°13'23" W 337.80 feet to a point, and
8. N 35°44'31" W 39.01 feet to PK nail set for the southwest corner of the said Tract 9 and northwest corner of this tract, from which a 5/8" iron rod set for reference in the east right of way line of said County Road 3659 bears N 59°57'51" E 30.15 feet;

THENCE: N 59°57'51" E with the south line of said Tract 9 a distance of 2162.42 feet to the POINT OF BEGINNING, containing 52.811 acres of land, more or less.

When recorded please return to:

Carroll Maloney Henry & Nelson, PLLC
Attn: Kyle J. Nelson
1327 Dominion Plaza Suite 100
Tyler, Texas 75703

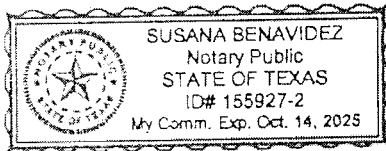
DECLARATION OF AUTHENTICITY


STATE OF TEXAS §

COUNTY OF SMITH §

The attached document, Affidavit Claiming Mechanic's and Materialman's Lien of Skyco LLC, dated August 9, 2024, and containing five (5) pages, is a true and correct copy of an electronic record printed by me or under my supervision. At the time of printing, no security features present on the electronic record indicated any changes or errors in an electronic signature or other information in the electronic record after the electronic record's creating or execution. This declaration is made under penalty of perjury.

Signed this 9th day of August 2024.




Signature of Notary Public

Printed Name: Susana Benavidez

My Commission Expires: Oct. 14, 2025

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Amy L. Varnell, County Clerk
Cass County, Texas

August 12, 2024 11:43:17 AM

FEE: \$45.00 **2024004824**