

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on the 14th day of May 2020, JESSICA DARLENE JACOBS D/B/A FIVE D CATTLE COMPANY STEAKHOUSE, executed a Deed of Trust, Security Agreement – Financing Statement, conveying to A. DWYATT BELL, Trustee, the Real Estate hereinafter described, to secure TEXAS HERITAGE NATIONAL BANK in the payment of a debt therein described, said Deed of Trust, Security Agreement – Financing Statement, being recorded in County Clerk's File No. 2020002019, Official Public Records of Cass County, Texas; and

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust, Security Agreement – Financing Statement; and

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder of said debt has requested the undersigned to sell said property to satisfy said indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, the 7th day of October, 2025, between 10:00 o'clock a.m. and 1:00 o'clock p.m., I will sell said Real Estate at the North entrance of the Cass County Courthouse located at 100 Houston Street, Linden, Texas 75563, or if the preceding area is no longer the designated area, then in the area designated by the Commissioners Court of Cass County, Texas for real property foreclosures under Section 51.002 of the Texas Property Code, to the highest bidder for cash.

Said Real Estate is described as follows: In the County of Cass, State of Texas:

Property described in Exhibit "A" attached hereto and made a part hereof.

WITNESS MY HAND this 12th day of September, 2025.



JAMES D. VANDEVENTER, Substitute Trustee
909 ESE Loop 323, Suite 400
Tyler, Texas 75701

FILED FOR RECORD
2025 SEP 12 PM 1:57
AMY L. VARNELL
CASS COUNTY CLERK

Exhibit "A"

TRACT ONE:

All that certain lot, tract, or parcel of land situated in the James Anders Survey, Abstract No. 022, Cass County, Texas, and being all of the remainder of that certain called Tract One and all of that certain called Tract Two, conveyed from the City of Avinger to James Jacobs et ux, by Warranty Deed with Vendor's Lien, as recorded in Volume 1029, Page 580, Real Property Records, Cass County, Texas, and being part of Lot No. 5, and all of Lot No. 4, Block No. 3, City of Avinger, according to the map prepared by Joseph Brashear in 1904, (not recorded), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found with a plastic cap stamped (MORPHEW) at the Northeast corner of said Tract One, and the Southeast corner of a called 0.16 acre tract, called Tract Two, conveyed to the City of Avinger, by deed as recorded in File No. 20113379, Official Public Records, Cass County Texas, said point being in the West line of a 20 foot wide alley per said map, from said point, a 1/2 inch iron rod found with a plastic cap stamped (MORPHEW), bears North 22 Degrees 55 Minutes 19 Seconds West, a distance of 75.01 feet;

THENCE, South 22 Degrees 55 Minutes 19 Seconds East, with the East line of the remainder of said Tract One, and the West line of said alley, and passing the Southeast corner of the remainder of said Tract One, and the Northeast corner of said Tract Two, and continuing for a total distance of 51.00 feet to a 1/2 inch iron rod set with a yellow plastic cap stamped (CBG INC) at the Southeast corner of said Tract Two, and the Northeast corner of a called Tract Two conveyed to Herbert Stark Jr., by deed as recorded in Volume 994, Page 089, Real Property Records, Cass County, Texas;

THENCE, South 67 Degrees 04 Minutes 34 Seconds West, with the South line of said Tract Two, (1029/580), and the North line of said Tract Two, (994/089), a distance of 86.44 feet to a point for corner in a brick wall at the Southwest corner of said Tract Two, (1029/580), and the Northwest corner of said Tract Two, (994/089), said point being in the East line of State Highway No. 49, (69.5 foot right of way per said map);

THENCE, North 23 Degrees 12 Minutes 50 Seconds West, with the West line of said Tract Two, (1029/580), and the East line of said State Highway No. 49, and passing the Northwest corner of said Tract Two, and the Southwest corner of the remainder of said Tract One, and continuing on for a total distance of 51.00 feet to an "X" set in concrete at the Northwest corner of the remainder of said Tract One, and the Southwest corner of said 0.16 acre tract;

THENCE, North 67 Degrees 04 Minutes 34 Seconds East, with the North line of the remainder of said Tract one, and the South line of said 0.16 acre tract, a distance of 86.70 feet to the Point of Beginning and containing 4.415 square feet or 0.10 acres of land, more or less.

TRACT TWO:

All that certain 0.21 acre tract of land in the James Anders Survey, Abstract 22, City of Avinger, Cass County, Texas, being all that same property described as Tracts 1, 2 and 3, in Volume 886, Page 304, Cass County Deed Records. Said 0.21 acre tract of land being more particularly described by metes and bounds as follows:

Beginning at: A 1/2" re-bar with cap set where the North line of Center Street (proposed) intersects the West line of a 20 ft. alley for the Southeast corner of this Tract and Tract No. 3, said re-bar being, N 19° 46' 36" W (record bearing source: survey line called on 1.0 acre tract in Volume 976, Page 353), 254.50 ft. from a 90d spike set where the North line of Depot Street intersects with West line of said alley;

Thence: S 70° 13' 24" W, 93.62 ft. with the North line of Center Street to a 1/2" re-bar with cap set in the East right-of-way line of State Highway No. 49 for the Southwest corner of this tract, a 1/2" iron rod with cap set where the North line of Depot Street intersects the East right-of-way line of Highway No. 49 bears, S 21° 37' 30" W, 262.83 ft. (deed call: S 21° E, 262 ft.);

Thence: N 19° 46' 36" W, 100.00 ft. along and with said right-of-way to a 90d spike set where said right-of-way intersects the South line of Church Street for the Northwest corner of this tract;

Thence: N 70° 13' 24" E, 56.62 ft. with the South line of Church Street to a 1/2" re-bar with cap set for the Northeast corner of said Tract No. 1;

Thence: S 19° 46' 36" E, 10.00 ft. to a 1/2" re-bar with cap set for an indenture corner of this tract and the Northwest corner of said Tract No. 3;

Thence: N 70° 13' 24" E, 37.00 ft. with the South line of Church Street to a 1/2" re-bar with cap set in the West line of a 20 ft. alley for the Northeast corner of this tract and Tract No. 3;

Thence: S 19° 46' 36" E, 90.00 ft. with West line of said alley to the Place of Beginning, containing 0.21 acre of land, more or less.

TRACT THREE:

All that certain 0.16 acre tract of land in the James Anders Survey, Abstract 22, City of Avinger, Cass County, Texas, being all that same property described as Tract No. 4 in Volume 886, Page 304, Cass County Deed

Records. Said 0.16 acre tract being more particularly described by metes and bounds as follows:

Beginning at a 1/2" re-bar with cap set where the South line of Center Street (proposed) intersects the West line of a 20 ft. alley, said re-bar being N 19° 46' 36" W (record bearing source: survey line call on 1.0 acre tract in Volume 976, Page 353), 254.50 ft. from a 90d spike set where the North line of Depot Street intersects the West line of said alley;

Thence: S 19° 46' 36" E, 75.00 ft. (deed call 79.00 ft.) with the West line of said alley to a 1/2" re-bar set for the Southeast corner of this tract;

Thence: Along a building line, S 70° 13' 24" W, 91.22 ft. to a "X" chiseled in a concrete sidewalk for the Southwest corner of this tract, said "X" being in the East right-of-way line of State Highway No. 49;

Thence: N 20° 35' 59" W, 75.01 ft. to a 1/2" re-bar with cap set where said right-of-way line intersects the South line of Center Street for the Northwest corner of this tract;

Thence: N 70° 13' 24" E, 93.30 ft. with the South line of Center Street to the Place of Beginning, containing a 0.16 acre tract of land, more or less.