

FILED FOR RECORD  
HOPKINS COUNTY, TEXAS

2020 JUN 10 AM 8:18

TRACY SMITH  
COUNTY CLERK

BY \_\_\_\_\_

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

WHEREAS, on December 30, 2005, **Gary L. Yates and Louise M. Yates** executed a Deed of Trust (the "Deed of Trust") conveying to Tyson T. Abston, Trustee, certain real property more particularly described in Exhibit A, which is attached hereto and incorporated herein by reference, together with all improvements, fixtures and personal property located thereon or used in connection therewith and certain other personal property as more fully described in the Deed of Trust (all of the real and personal property covered by the Deed of Trust is hereinafter referred to collectively as the "Property"), said Deed of Trust being recorded in Volume 559, Page 113 of the Real Property Records of Hopkins County, Texas; Assignment of Leases and Rents of even date filed in Volume 559, Page 123 of the Real Property Records of Hopkins County, Texas; Note and Deed of Trust dated June 28, 2006 for \$35,865.00 filed in Volume 583, Page 477 of the Real Property Records of Hopkins County, Texas; Assignment of Leases and Rents of even date filed in Volume 583, Page 486 of the Real Property Records of Hopkins County, Texas; Note and Deed of Trust dated June 22, 2007 for \$49,548.35 filed in Volume 626, Page 677 of the Real Property Records of Hopkins County, Texas; Assignment of Leases and Rents of even date filed in Volume 626, Page 686 of the Real Property Records of Hopkins County, Texas; and

WHEREAS, Guaranty Bank & Trust, N.A. (formerly Guaranty Bond Bank, N.A.) ("Holder") has all interest in, to and under the Note and Deed of Trust and in and to all other indebtedness secured by the Deed of Trust; 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; and

WHEREAS, default has occurred pursuant to the provisions of the Deed of Trust, the indebtedness is now wholly due, and Holder, being the owner and holder of said Indebtedness has requested the undersigned to sell the Property to satisfy the Indebtedness;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, July 7, 2020** at **10:00 a.m.** or within three hours after that time, the undersigned will sell the Property at the entrance of the Hopkins County Courthouse, Sulphur Springs, Texas, as designated by the Commissioner's Court in Hopkins County, Texas, to the highest bidder for cash.

**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.**

WITNESS my and this 10 day of June, 2020.

Donna Hughes

Name: Donna Hughes

Substitute Trustee

Address: 100 W. Arkansas Street

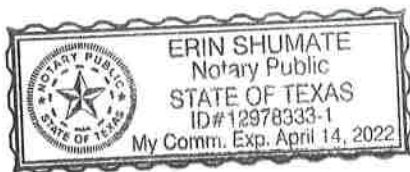
Mt. Pleasant, Texas 75455

Phone: 903-572-9881

THE STATE OF TEXAS

COUNTY OF TITUS

This instrument was acknowledged before me on the 10 day of June, 2020,  
by Donna Hughes, Substitute Trustee, in the capacity therein stated.



Erin Shumate

Notary Public in and for the State of Texas

**EXHIBIT "A"**

All that certain tract or parcel of land situated 1 ½ miles Southwest of the Public Square of the City of Sulphur Springs, being a part of the J. Y'Barbo Survey, A-1102, located in the County of Hopkins County, State of Texas, ore fully described as follows:

**BEGINNING** at a point in the centerline of a public road, being the most northern Northeast corner, of a 59.98 acre tract of land described in a deed from Lillian Cross et al to C. C. Formby and wife, dated February 12, 1945, recorded in Vol. 156, Page 115, Deed Records of Hopkins County, Texas also being the Northwest corner of the J. M. Worsham tract of land;

**THENCE** South 2 deg. West along Worsham West boundary line 359 feet to a stake for corner;

**THENCE** South 86 deg. 42 min. East 141.54 feet to a fence corner post for corner;

**THENCE** South 0 deg. 57 min. East 675.08 feet to a fence corner post for corner, same being in the North ROW line of Interstate Highway No. 30;

**THENCE** North 77 deg. 56 min. West along the North boundary line of said highway 283.96 feet to a stake for corner;

**THENCE** North 888.96 feet to a point in the center of a public road;

**THENCE** North 55 deg. 49 min. East along the center of said public road 166.61 feet to the point of beginning, containing 5.00 acres of land, more or less, and being the East 5 acres of 12.83 acre tract recorded in Vol. 355, Page 525, Deed Records of Hopkins County, Texas.

Being the same land described by deed from Richard L. Wright and wife, Tena K. Wright to James Wilburn and wife, Elfleta Wilburn, dated June 6, 1974, of record in Vol. 356, Page 349, of the Deed Records of Hopkins County, Texas.

Being the same land described in deed from John C. Mayes, a single man, to James Wilburn and wife, Elfleta Wilburn, dated June 14, 1978, of record in Vol. 388, Page 140, of the Deed Records of Hopkins County, Texas.

**LESS HOWEVER:** All that certain 0.61 acre tract of land located in the J. Y'Barbo Survey, A-1102, Hopkins County, Texas. Said 0.61 acre tract of land being a part of the 5.0 acre tract of land as described in Deed from James Wilburn to Larry C. Brown and recorded in Vol. 407, page 659, of the Deed Records, of Hopkins County Texas and bounded as follows:

**BEGINNING** at an iron pin set in the center of Rockdale Road and at the North-Northeast corner of the said 5.0 acre tract and set for the Northeast corner of this tract of land;

**THENCE** South 00 deg. 14 min. 43 sec. West, with a fence, 263.64 feet to an iron stake for the Southeast corner of this tract of land

**THENCE** North 89 deg. 39 min. 16 sec. West, with a fence 124.50 feet to an iron stake set in the West line of said 5.0 acre tract and set for the Southwest corner of this tract of land;

**THENCE** North 01 deg. 04 min. 13 sec West, with a fence and West line of the said 5.0 acre tract 156.93 feet to an iron pin set in the center of said Rockdale Road and for the Northwest corner of this tract of land;

**THENCE** North 50 deg. 24 min. 55 sec. East, with the center of said road, 166.61 feet to the place of beginning, containing 0.61 acres of land.

Being the same land as surveyed by Charles Brewer, Registered Public Surveyor, No. 1898, in the State of Texas on January 30, 1983.