

FILED FOR RECORDING
HOPKINS COUNTY, TEXAS

2020 DEC 11 P 3:28

TRACY SMITH
COUNTY CLERK

BY *S. Hannon* DEPUTY

NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Deed of Trust. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the following described deed of trust (the "Deed of Trust"):

Date: December 21, 2015

Grantors: Tommy G. Neal a/k/a Tommy Gayle Neal a/k/a Tommy Neal a/k/a Tommie G. Neal and spouse, and Linda Sue Neal a/k/a Linda Williams Neal

Beneficiary: Legacy Land Bank, FLCA

Substitute Trustee: Scott A. Ritcheson, and/or Douglas A. Ritcheson, and/or Charles E. Lauffer, Jr., and/or Lance Vincent

Recording Information: Deed of Trust recorded under Clerk's File No. 20156471 and corrected under Clerk's File Nos. 201688 and 20161677 in the Official Public Records of Hopkins County, Texas.

2. Property to be Sold. The property to be sold (the "Property") is described as follows:

All those certain lots, tracts or parcels of land situated in Hopkins County, Texas, being more particularly described in the above-described Deed of Trust and a copy of such description being attached hereto as Exhibit "A," and all other property therein described.

There is excluded, however, from the Property the property made the subject of the following described partial releases of lien:

a. Those certain tracts including 81.904 acres (more or less) described in the Partial Release dated April 15, 2020, and executed by Legacy Land Bank, FLCA, which instrument is recorded under Clerk's

File No. 2020-1822 in the Official Public Records of Hopkins County, Texas;

b. Those certain tracts of 4.65 acres and 1.03 acres described in the Partial Release dated October 28, 2020, and executed by Legacy Land Bank, FLCA, which instrument is recorded under Clerk's File No. 2020-6118 in the Official Public Records of Hopkins County, Texas; and

c. That certain tract of 21.48 acres described in the Partial Release dated October 28, 2020, and executed by Legacy Land Bank, FLCA, which instrument is recorded under Clerk's File No. _____ in the Official Public Records of Hopkins County, Texas.

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time and place:

Date: **January 5, 2021**

Time: The sale shall begin no earlier than 1:00 p.m. or no later than three (3) hours thereafter. The sale shall be completed by no later than 4:00 p.m.

Place: Hopkins County Courthouse in Sulphur Springs, Texas, at the following location:

In the area of such Courthouse designated by the Hopkins County Commissioners' Court as the area where foreclosure sales shall take place, or, if no such area has been designated, then at the southwest entrance door to the first floor of the Hopkins County Courthouse in Sulphur Springs, Texas.

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

4. 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 unpaid ad valorem taxes and 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 other 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

A purchaser at the sale of the Property “acquires the Property ‘AS IS’ without any expressed or implied warranties” (except as to the warranties of title from the grantor identified in the Deed of Trust described below). Any purchaser acquires the Property “at the purchaser’s own risk.” TEXAS PROPERTY CODE §51.009. Nothing set forth in this Notice is an express or implied representation or warranty regarding the Property, all of which are specifically disclaimed by the undersigned and by the beneficiary of the herein described Deed of Trust.

5. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by Tommy G. Neal a/k/a Tommy Gayle Neal a/k/a Tommy Neal a/k/a Tommie G. Neal and spouse, and Linda Sue Neal a/k/a Linda Williams Neal. The Deed of Trust is dated December 21, 2015, and is

[Note 2]


recorded in the office of the County Clerk of Hopkins County, Texas, under Clerk's File No. 20156471 and corrected under Clerk's File Nos. 201688 and 20161677 in the Official Public Records of Hopkins County, Texas.

6. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including, but not limited to, (1) the December 21, 2015 promissory note in the original principal amount of \$530,000.00, executed by Tommy G. Neal and Linda Sue Neal, and payable to the order of Legacy Land Bank, FLCA; (2) all renewals and extensions of the note; (3) all interest, late charges, fees and other expenses payable under said note on the herein described Deed of Trust; and (4) all other debts and obligations described in the Deed of Trust (including all debts secured by any cross-collateralization clause in the Deed of Trust). Legacy Land Bank, FLCA is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Legacy Land Bank, FLCA, Attention: Brittany Hammond, telephone (903) 885-9566.

7. Default and Request to Act. Default has occurred under the Deed of Trust, and the beneficiary has asked me, as substitute 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: December 7, 2020.



SCOTT A. RITCHESON, Substitute Trustee
821 ESE Loop 323, Suite 530
Tyler, Texas 75701
Tel: (903) 535-2900
Fax: (903) 533-8646

Notice to Members of the Armed Forces of the United States:

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.

EXHIBIT "A"

All those certain tracts or parcels of land situated in Hopkins County, about 12 miles SE from Sulphur Springs, being a part of the Levi Landers Survey, A-548, and described by metes and bounds as follows, to-wit:

TRACT ONE:

BEGINNING at a stake set for the SWC of Block No. 6 of said Survey, a pin oak marked No. 6, brs. N 45 deg. E 3 vrs., also being the NEC of W. H. Coker tract described in Deed in Vol. 83, Page 571, Deed Records, Hopkins County, Texas;

THENCE South with the EBL of John H. Cowan Block of 156 acres, 494-24/100 varas to a stake the NWC of a 15.74 acre tract of land deeded by F. E. White et ux, to O. M. Cook, recorded in Vol. 119, Page 432, Deed Records, Hopkins County, Texas;

THENCE East with the NBL of said 15.74 acre tract, 395 varas a stake, the NEC of said 15.74 acre tract;

THENCE North 492-24/100 varas to a stake in the SBL of Weems tract;

THENCE West with the SBL of said Weems tract, 395 varas to the place of beginning, containing 34.26 acres of land, more or less.

LESS HOWEVER FROM THE ABOVE DESCRIBED TRACT ONE, THE FOLLOWING TWO PARCELS OF LAND:**PARCEL A:**

Being a lot, tract or parcel of land situated in the Levi Landers Survey, Abstract No. 548, and being part of that certain 34.26 acre tract of land, called Tract One, conveyed from Richard Irby to Tommy Neal et ux, by Warranty Deed, as recorded in Vol. 476, Page 387, Official Public Records, Hopkins County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a steel spindle set at the Southwest corner of said 34.26 acre tract, and the Northeast corner of a 15.74 acre tract of land, called Second Tract, conveyed to Terry Tucker, by deed recorded in Vol. 19, Page 274, Real Property Records, Hopkins County, Texas, said point lying in the West line of a 58 acre tract of land conveyed to Michael Greer et al, by deed recorded in Vol. 156, Page 242, Real Property Records, Hopkins County, Texas, and in the centerline of County Road No. 2431;

THENCE South 89 deg. 25 min. 14 sec. West, along the South line of said 34.26 acre tract, and the North line of said 15.74 acre tract, passing at a distance of 22.22 feet, a 1/2 inch iron rod set with a yellow plastic cap marked (D C & A INC), and continuing the same course along the South line of said 34.26 acre tract, and the North line of said 15.74 acre tract in all a total distance of 181.77 feet to a 1/2 inch iron rod set with a yellow plastic cap marked (D C & A INC) for corner;

THENCE North, a distance of 239.65 feet to a 1/2 inch iron rod set with a yellow plastic cap marked (D C & A INC) for corner;

THENCE North 89 deg. 25 min. 14 sec. East, passing at a distance of 158.69 feet, a 1/2 inch iron rod set with a yellow plastic cap marked (D C & A INC), and continuing the same course in all a total distance of 181.77 feet to a steel spindle set for corner in the East line of said 34.26 acre tract, the West line of said 58 acre tract, and in the centerline of said County Road No. 2431;

THENCE South, (Reference Bearing), along the East line of said 34.26 acre tract, the West line of said 58 acre tract, and the centerline of said County Road No. 2431, a distance of 239.65 feet to the point of beginning and containing 43,560 square feet, more or less, or 1.00 acre of land, more or less.

PARCEL B:

Being a lot, tract or parcel of land situated in the Levi Landers Survey, Abstract No. 548, and being part of that certain 34.26 acre tract of land, called Tract One, conveyed from Richard Irby to Tommy Neal et ux, by Warranty Deed, as recorded in Vol. 476, Page 387, Official Public Records, Hopkins County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a steel spindle found at a Southeast corner of the remainder of said 34.26 acre tract, and the Northeast corner of a 1.00 acre tract of land conveyed to Brinker Water Supply Corporation, by deed recorded in Vol. 572, Page 450, Official Public Records, Hopkins County, Texas, said point lying in the West line of 58 acre tract of land conveyed to Michael Greer et al, by deed recorded in Vol. 156, Page 242, Real Property Records, Hopkins County, Texas, and in County Road No. 2431;

THENCE South 89 deg. 25 min. 14 sec. West, along a South line of the remainder of said 34.26 acre tract, and the North line of said 1.00 acre tract, passing at a distance of 23.08 feet, a 1/2 inch iron rod found with a yellow plastic cap marked (D C & A INC), and continuing the same course along a South line of the remainder of said 34.26 acre tract, and the North line of said 1.00 acre tract, passing at a distance of 181.77 feet, a 1/2 inch iron rod found with a yellow plastic cap marked (D C & A INC) at an ell corner of the remainder of said 34.26 acre tract, and the Northwest corner of said 1.00 acre tract, and continuing the same course in all a total distance of 228.62 feet to a 1/2 inch iron rod set with a yellow plastic cap marked (D C & A INC) for corner;

THENCE North, a distance of 190.55 feet to a 1/2 inch iron rod set with a yellow plastic cap marked (D C & A INC) for corner;

THENCE North 89 deg. 25 min. 14 sec. East, passing at a distance of 203.69 feet, a fence corner post, and continuing the same course in all a total distance of 228.62 feet to a steel spindle set for corner in the East line of the remainder of said 34.26 acre tract, in the West line of said 58 acre tract, and in said County Road No. 2431;

THENCE South, along an East line of the remainder of said 34.26 acre tract, the West line of said 58 acre tract, and said County Road No. 2431, a distance of 190.55 feet to the point of beginning and containing 43,560 square feet, more or less, or 1.00 acre of land, more or less.

TRACT TWO:

BEGINNING at a stake, the SEC of a 50 acre tract in the SBL of Block No. 6 of said survey, a Black Jack marked X brs. SW 3 varas, also being the NEC of land described in deed to H. Churchwell et ux, recorded in Vol. 226, Page 441, Deed Records, Hopkins County, Texas;

THENCE West with the SBL of said Block passing the SWC of a 50 acre tract and SEC of a 70 acre tract at 363 varas and in all West 836 varas, to a stake, the SWC of Block No. 6, a Water Oak mkd. X brs. E. 1 vara;

THENCE North of the West line of said Block No. 6, 474-5/10 varas a stake;

THENCE East 836 varas to a stake in the East line of 50 acre tract;

THENCE South 474-5/10 varas to the place of beginning, containing 70-2/10 acres of land, more or less.

BEING the same land described in a Deed from J. R. Barnes et ux, to Grover Sellers et al, dated 10-21-1961, recorded in Vol. 278, Page 284, Deed Records, Hopkins County, Texas.

ALSO BEING the same 2 tracts of land described in a Deed from Guy Jumper et ux, to Rickey J. Gilbreath et ux, dated 9-10-1976, recorded in Vol. 373, Page 76, Deed Records, Hopkins County, Texas.

TRACT THREE:

Being all of that certain lot, tract or parcel of land situated in the E. S. Emerson Survey, A-306, Hopkins County, Texas, and being all of a called 17 acre tract described in a deed from Horace Stribling et al, to S. H. Lewis and wife, Mollie Lewis, dated May 15, 1956, as shown of record in Vol. 234, Page 212, Deed Records, Hopkins County, Texas, and all of another 17 acre tract described in a deed from Marietta Portwood to S. H. Lewis and wife, Mollie Lewis, dated Nov. 5, 1956, as shown of record in Vol. 237, Page 203, Deed Records, Hopkins County, Texas, said lot, tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod set for the Southeast corner of said Portwood to Lewis 17 acre tract said point of beginning being in the called South line of said Emerson Survey and being S 89 deg. 09 min. 32 sec. W, a distance of 769.23 feet and S 89 deg. 53 min. 54 sec. W, a distance of 704.94 feet from the occupied Southeast corner of said Survey;

THENCE S 89 deg. 53 min. 54 sec. W along the South lines of said 17 acre tracts, same being the called South line of said Emerson Survey, a distance of 466.33 feet to the occupied Southwest corner of said Stribling to Lewis 17 acre tract, said corner being a 16 inch hackberry tree fence corner;

THENCE N 00 deg. 26 min. 09 sec. E along the West line of said Stribling 17 acre tract, passing through a fence intersection at 1761.64 feet, continuing along said West line, in all, a total distance of 3065.56 feet to a 1/2 inch iron rod set for the Northwest corner of said tract, a 14 inch oak marked "X" (new) bears West, a distance of 7.5 feet;

THENCE N 89 deg. 53 min. 54 sec. E along the north line of said Stribling 17 acre tract and said Portwood 17 acre tract, a distance of 347.86 feet to a 1/2 inch iron rod set for an ell corner of said Portwood 17 acre tract;

THENCE N 00 deg. 19 min. 48 sec. E along the most Northerly West line of said Portwood 17 acre tract, a distance of 208.33 feet to a 1/2 inch iron rod set for the most Northerly Northwest corner of said tract;

THENCE N 89 deg. 53 min. 54 sec. E along the most Northerly North line of Portwood 17 acre tract, a distance of 112.72 feet to a 1/2 inch iron rod set for the northwest corner of said tract;

THENCE S 00 deg. 19 min. 43 sec. W along the East line of said Portwood 17 acre tract, same being the West line of a called 8.5 acre tract described as "Second Tract" in a deed from B. B. Payne to Rex Randolph dated January 7, 1977, as shown of record in Vol. 376, Page 66, Deed Records, Hopkins County, Texas, a distance of 3273.85 feet to the point of beginning and containing 33.154 acres of land, more or less.

TRACT FOUR:

Being all of that certain lot, tract or parcel of land situated in the E. S. Emerson Survey, A-306, Hopkins County, Texas, and being all of that called 17 acre tract described in a deed from Ernest Dawson et al, to S. H. Lewis and wife, Mollie Lewis, dated March 27, 1962, as shown of record in Vol. 273, Page 1, Deed Records, Hopkins County, Texas, said lot, tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found in the called South line of said Emerson Survey, and being S 89 deg. 09 min. 32 sec. W, a distance of 769.23 feet from the occupied Southeast corner of said survey;

THENCE S 89 deg. 53 min. 54 sec. W along the occupied South line of said Emerson Survey, a distance of 236.98 feet to a 1/2 inch iron rod set for a corner, a 4 inch elm marked "X" (new) bears N 55 deg. E, a distance of 6.0 feet;

THENCE N 00 deg. 13 min. 16 sec. E along the East line of a called 17 acre tract conveyed to Lonie Portwood as shown of record in Vol. 188, Page 354, Deed Records, Hopkins County, Texas, a distance of 3065.48 feet to a 1/2 inch iron rod set for the Northeast corner of said tract on the South bank of a creek, a 18 inch oak marked "X" (new) bears N 73 deg. E, a distance of 12.5 feet, a 12 inch pecan marked "X" (new) bears S 20 deg. W, a distance of 10.8 feet;

THENCE N 89 deg. 53 min. 54 sec. E, a distance of 234.07 feet to a 1/2 inch iron rod set for the Northeast corner of said 17 acre tract, a 8 inch sweet gum marked "X" (new) bears N 66 deg. W, a distance of 9.4 feet, another 8 inch sweet gum marked "X" (new) bears S 30 deg. W, a distance of 9.4 feet;

THENCE S 00 deg. 10 min. 00 sec. W at 607.52 feet, a 1/2 inch iron rod found at the Northeast corner of a called 43.5 acre tract deeded to J. D. Simms dated Oct. 14, 1916, as shown of record in Vol. 94, Page 461, Deed Records, Hopkins County, Texas, continuing along the West line of said 43.5 acre tract, in all, a total distance of 3065.47 feet to the point of beginning and containing 16.574 acres of land, more or less.

TRACT FIVE:

All that certain lot, tract or parcel of land part of the E. S. Emerson Survey, A-306, Hopkins County, Texas part of that certain called 80 acre tract conveyed to C. M. Turner by Mrs. V. E. Jones, Feb. 1, 1904, and recorded in Vol. 75, Page 273, of the Deed Records, Hopkins County, Texas, and being more completely described as follows, to-wit:

BEGINNING at a 1/2 inch iron rod for corner in a county road, in the west line of the above mentioned 80 acre tract at a point that is North 0 deg. 52 min. 40 sec. East, a distance of 1779.37 ft. from the Southwest corner of said tract, and being the northwest corner of a certain 30 acre tract;

THENCE North 0 deg. 52 min. 40 sec. East with the west line of said 80 acre tract, and with a county road, a distance of 1779.37 ft. to the northwest corner of said tract in the north line of the E. S. Emerson Survey;

THENCE South 89 deg. 57 min. 07 sec. East with said line, a distance of 1085.80 feet to the occupied Northeast corner of the above mentioned 80 acre tract;

THENCE South 0 deg. 03 min. 05 sec. East with the East line of said tract, a distance of 1777.85 feet to a stake for corner;

THENCE West 376.99 feet to a stake, same being the Northeast corner of the 30 acre tract;

THENCE West with the North line of said 30 acre tract of land a distance of 737.8 feet to the place of beginning, containing 44.926 acres of land, more or less, of which approximately 1.75 acres, more or less, in the Northwest corner is occupied by a Lone Star Compressor Station of which we have no record on.

TRACT SIX:

All that certain lot, tract or parcel of land situated about 5 miles South of the Town of Pickton, being a part of the E. S. Emerson Survey, A-306;

BEGINNING at a stake in the S. B. line of original Emmerson Survey, at a point 173.6 varas West from the SE corner of a 43-1/3 acre tract of land described in deed from C. B. Bowen et ux, to M. P. Portwood, dated April 18, 1932, of record in Vol. 127, Page 167, a deed record of Hopkins County, Texas, the same being the SW corner of a 17 acre tract of land set apart to Hester Hoffman et al, in the partition and division of the Estate of M. P. Portwood, deceased;

THENCE West with the S. B. line of said Emmerson Survey, 43-4/10 varas, a stake, the SE corner of 8-1/2 acre tract set apart to William Bomor;

THENCE North 1109 varas, a stake in S. B. line of a 13 acre tract out of said Emmerson Survey;

THENCE East 43-4/10 varas, a stake, the NW corner of said 17 acre tract set apart to Hester Hoffman et al;

THENCE South 1109 varas to the place of beginning, containing 8-1/2 acres of land, more or less.

BEING the same land described in deed from B. D. Maddox to B. B. Payne, of date April 22, 1974, of record in Vol. 355, Page 352, Deed Records of Hopkins County, Texas.

TRACT SEVEN:

All that certain lot, tract or parcel of land situated about 5 miles South of the Town of Pickton, being a part of the E. S. Emmerson Survey, A-306;

BEGINNING at a stake in the S. B. line of the original E. S. Emmerson Survey, at a point 170.8 varas East of the SW corner of 160 acre tract conveyed by J. L. Blackwell to C. Bullock by Deed dated February 20, 1884, of record in Vol. 70, Page 521, a Deed Record of Hopkins County, Texas, the same being the SE corner of a 17 acre tract set apart to Mareitta Portwood in the partition and division of the Estate of M. P. Portwood, deceased;

THENCE North 1184 varas, a stake in N. B. line of a one acre tract out of said Emmerson Survey;

THENCE East 33-2/10 varas, a stake NE corner of said one acre tract;

THENCE South 75 varas, a stake, the SE corner of said one acre tract;

THENCE East 8 varas, a stake, the NW corner of 8-1/2 acre tract set apart to Katie Tillis;

THENCE South 1109 varas, a stake in S. B. line of said Emmerson Survey;

THENCE West with the S. B. line of said Emmerson Survey, 41-2/10 varas to the place of beginning, containing 8-1/2 acres of land, more or less.

BEING the same land described in Sheriff's Deed to B. B. Payne, dated May 6, 1975, of record in Vol. 362, Page 644, Deed Records of Hopkins County, Texas.

TRACT EIGHT:

All that certain lot, tract or parcel of land, a part of the E. S. Emerson Survey, A-306, Hopkins County, Texas, part of that certain called 80 acre tract conveyed to C. M. Turner by Mrs. V. E. Jones, February 1, 1904, and recorded in Vol. 75, Page 273, of the Deed Records of Hopkins County, Texas, and being more completely described as follows:

BEGINNING at the Southeast corner of the original 80 acre tract of land;

THENCE South 88 deg. 48 min. 49 sec. West with the South line of the Emerson Survey, a distance of 405.68 feet to the Southeast corner of a 30 acre tract of land;

THENCE North 0 deg. 52 min. 40 sec. East with the East line of said 30 acre tract a distance of 1764.09 feet to the Northeast corner of said 30 acre tract of land;

THENCE East 376.99 feet to a stake in the East boundary line of said original 80 acre tract;

THENCE South 0 deg. 3 min. 5 sec. East with the East line of said 80 acre tract a distance of 1755.48 feet to the place of beginning, containing 15.01 acres of land, more or less.

BEING the same tract described in deed from Mollie Lewis et al, to Rex Randolph, dated January 5, 1985, recorded in Vol. 444, Page 429, Deed Records, Hopkins County, Texas.

BEING a part of the same land described in a Deed from Rex Randolph et al, to Robert Watkins dated 8-28-1991, recorded in Vol. 119, Page 887, Real Property Records, Hopkins County, Texas.

TRACT NINE:

All that certain tract or parcel of land situated in Hopkins County, Texas, being a part of the E. S. Emerson Survey, A-306, and being a part of an 80 acre tract of land conveyed to C. M. Turner, by Mrs. V. E. Jones, on Feb. 1st, 1904, by deed of record in Vol. 75, Page 273, of the Deed Records of Hopkins County, Texas, and described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch iron rod for corner in an old fence corner at the SW corner of the above mentioned 80 acre tract;

THENCE North 0 deg. 52 min. 40 sec. East with the West line of said 80 acre tract and with the center line of a County Road, a distance of 1779.37 feet to a 1/2 inch iron rod for corner;

THENCE East a distance of 737.80 feet to a 1/2 inch iron rod for corner;

THENCE South 0 deg. 52 min. 40 sec. West parallel to the West line of the above mentioned 80 acre tract, a distance of 1764.09 feet to a 1/2 inch iron rod for corner in the South line of said 80 acre tract;

THENCE South 88 deg. 48 min. 49 sec. West with the South line of said tract and with an old fence line a distance of 738.07 feet to the place of beginning, containing 30 acres of land, more or less.

BEING the same land described in deed from Lynn Owens to Coy Owens, dated 2-8-1983, recorded in Vol. 427, Page 267, Deed Records, Hopkins County, Texas.

BEING the same land described in a Deed from Coy Owens et ux, to Rex Randolph et al, dated 4-21-1987, recorded in Vol. 35, Page 390, Real Property Records, Hopkins County, Texas.

LESS HOWEVER OUT OF TRACTS 1,5,8 & 9:

All that certain tract or parcel of land situated in the E. S. Emerson Survey, A-306, located about 15.07 miles S 45° E from the City of Sulphur Springs, Hopkins County, Texas; being a part of that certain Tract One - 33.154 acres, all of that certain Tract Three - 44.926 acres, a part of that certain Tract Six - 15.01 acres and a part of that certain Tract Seven - 30 acres described in a Deed from Weldon R. Watkins and wife, Jerry Nan Watkins to Tommy Neal and wife, Roxann Neal, dated March 15, 2004, recorded in Vol. 476, Page 390, Official Public Records of Hopkins County, Texas; and being more particularly described as follows:

BEGINNING at a 1/2" rebar set on the North West corner of said 44.926 acre tract, being on the North East corner of a CALLED 7.300 acre tract described in a Deed to Glendell Sims Williams, dated July 25, 1989, recorded in Vol. 83, Page 386, Real Property Records, and being on the South boundary line of a 14.03 acre tract described in a Deed to Charlene Chauley, Cleatis R. Sims & Sandra Kay Sims, dated August 25, 1977, recorded in Vol. 385, Page 383, Deed Records;

THENCE N 89° 59' 09" E along the North boundary line of said 44.926 acre tract a distance of 1085.80 feet to a 1/2" rebar set on the North East corner of said 44.926 acre tract, and being on an internal angle corner of a 23.95 acre tract described as Tract Two in a Deed to Morris D. McClure, Nicholas V. McClure & Terry W. McClure, dated October 1, 2004, recorded in Vol. 506, Page 241, Official Public Records;

THENCE S 0° 26' 09" W along the East boundary line of said 44.926 acre tract a distance of 466.51 feet to a 1/2" rebar set on the most Westerly North West corner of said 33.154 acre tract;

THENCE N 89° 53' 54" E along the North boundary line of said 33.154 acre tract a distance of 348.07 feet to a 1/2" rebar set on an internal angle corner of said 33.154 acre tract;

THENCE S 0° 52' 40" W a distance of 1912.97 feet to a 1/2" rebar set for a corner;

[Note 2]

THENCE S 89° 57' 59" W a distance of 1437.47 feet to a ½" rebar set for a corner on the West boundary line of said 30 acre tract, being on the East boundary line of a 46.14 acre tract described in a Deed to Myrna Williams Mason & Curtis Mason Sr., dated January 29, 1998, recorded in Vol. 263, Page 346, Real Property Records, and being on the center of County Road 2415, a set ½" rebar bears N 89° 57' 59" W a distance of 13.42 feet;

THENCE N 0° 52' 40" E (bearing basis) along the center of said County Road and the West boundary line of said 30 acre tract and said 44.926 acre tract a distance of 2379.48 feet to the **PLACE OF BEGINNING** and containing 74.760 acres of land, more or less.