

NOTICE OF SUBSTITUTE TRUSTEE'S 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.

STATE OF TEXAS §
 §
COUNTY OF LAMAR §

WHEREAS, on August 1, 2019, **Thomas McArthur and Kym McArthur** executed a Deed of Trust (the "Deed of Trust") conveying to Kirk L. Lee, 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 as the "Property"), which Deed of Trust is recorded in Document Number 163753-2019 of the Real Property Records of Lamar County, Texas; Assignments of Rents of even date recorded in Document Number 163754-2019 of the Real Property Records of Lamar County, Texas; and

WHEREAS, the Deed of Trust secures, among other things, that certain indebtedness evidenced by that certain Promissory Note (as amended, the "Note") dated August 1, 2019 executed by Thomas McArthur payable to Guaranty Bank & Trust, N.A. in the original principal amount of \$125,000.00 (the Note and all other obligations owing to Holder under the Deed of Trust are hereinafter called the "Indebtedness"); and

WHEREAS, Guaranty Bank & Trust, 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 Donna Hughes, whose address is 100 West Arkansas, Mt. Pleasant, Texas 75455, 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;

RECEIVED BY
LAMAR COUNTY CLERKS OFFICE
ON THIS THE 11th DAY OF June, 2024.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, July 2, 2024**, at **10:00 a.m.**, or within three hours after that time, the undersigned will sell the Property at the Lamar County Courthouse, Paris, Texas, at the place designated by the Lamar County Commissioner's Court in Lamar County, Texas, 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.

Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is, where is" condition, without any implied warranties, except as to the warranties of title (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to Section 51.0075 of the Texas Property Code, the Substitute Trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the Substitute Trustee.

The real property and personal property encumbered by the Deed of Trust will be sold at the sale in accordance with the provisions of the Deed of Trust and as permitted by Section 9.604(a) of the Texas Business and Commerce Code.

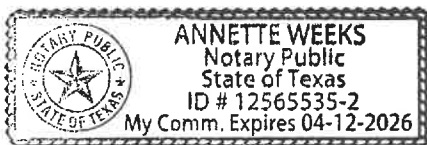
In the event that the sale of the Property is set aside for any reason, the purchaser shall be entitled only to a refund of sums paid. The purchaser shall have no other recourse against Grantor, Holder, any Trustee or substitute Trustee, or Holder's attorney.

WITNESS my and this 11 day of June, 2024.

Donna Hughes
Name: Donna Hughes
Substitute Trustee
Address: 100 West 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 11 day of June, 2024, by Donna Hughes, Substitute Trustee, in the capacity therein stated.



Annette Weeks
Notary Public in and for the State of Texas

EXHIBIT A

Motes and Bounds Description
6.29 Acres
Lamar County, Texas

Being 6.29 acres of land located approximately 7.3 miles N 56° E of the County Courthouse of the County of Lamar, State of Texas, being a part of the W.H. Burton Survey, Abstract Number 46, and being Lot 9, of Golf Club Estates as shown on the plat recorded in Envelope 238-C of the Plat Records of Lamar County, Texas and as conveyed from Ronald H. Abbott and wife Deborah Ann Abbott to Stanley M. Cope and wife Janet B. Cope on January 8, 1998 by deed recorded in volume 741, page 301 of the Real Property Records of Lamar County, Texas. The said 6.29 acre tract fully described by notes and bounds as follows:

Beginning at a 1/4 inch iron rod found at the southeast corner of said 6.29 acre tract, said rod also being the northeast corner of Lot 10 in Golf Club Estates as shown on the aforementioned plat recorded in Envelope 238-C and as conveyed from Mike S. Wright and wife Emily J. Wright to Hilbert S. Nance on April 12, 1982 by deed recorded in volume 643, page 609 of the Deed Records of Lamar County, Texas, said rod also being in the west right of way line of Live Oak Lane, AKA County Road #43390, (50' right of way width as per the plat of Golf Club Estates recorded in Envelope 238-C);

Thence S 88°34'06" W, along the common boundary line of the aforementioned Lot 9 and the aforementioned Lot 10, a distance of 849.11 feet (called 852 feet) to a 3/8 inch iron rod found at the southwest corner of said Lot 9 and at the northwest corner of said Lot 10, said rod also being in the east boundary line of a called 12.73 acre tract of land as conveyed from Daane Ostermole to Jakob Werner Bieser on August 23, 1994 by deed recorded in volume 467, page 24 of the Real Property Records of Lamar County, Texas;

Thence N 02°18'01" W, along the common boundary line of the aforementioned Lot 9 and the aforementioned called 12.73 acre tract, a distance of 302.00 feet to a 1/4 inch capped iron rod set at the northwest corner of said Lot 9, said rod also being the southwest corner of Lot 8 of Golf Club Estates as shown on the aforementioned plat of Golf Club Estates and as conveyed from Michael A. Polmar and wife Diane Polmar to Doyle J. Fowler on October 4, 1892 by deed recorded in volume 549, page 578 of the Deed Records of Lamar County, Texas;

Thence N 88°33'47" E, along the common boundary line of the aforementioned Lot 9, and the aforementioned Lot 8, a distance of 937.00 feet to a 1/4 inch capped iron rod set at the northeast corner of said Lot 9 and at the southeast corner of said Lot 10, said rod also being in the west right of way line of the aforementioned Live Oak Lane at the beginning of a curve to the Right having a Central angle of 25°57'44" and a radius of 547.96 feet, and from said rod a 1/4 inch capped (Nelson) iron rod found in the east right of way line of Live Oak Lane at the beginning of a curve to the right bears N 88°33'47" E, a distance of 50.00 feet;

Thence along said curve to the right an arc distance of 248.29 feet (chord bearing and distance of S 10°59'55" W, 246.18 feet), to a 1/4 inch capped iron rod set at the end of said curve to the right, and from said rod a 1/4 inch capped (Nelson) iron rod found at the end of the aforementioned curve to the right on the east right of way line of Live Oak Lane bears S 65°17'40" E, a distance of 50.00 feet;

Thence S 24°45'30" W, a distance of 68.70 feet to the place of beginning and containing 6.29 acres of land.