

Notice of 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 SERVE TO THE SENDER OF THIS NOTICE IMMEDIATELY.**

Date: September 10, 2018

Original Trustee: Gary J. Ford

Successor Trustee: Beny Shuping

Grantor: Jon David Moore and Caroline Elizabeth Moore

Current Beneficiary: Vista Bank, formally known as Hamlin National Bank

Note Dated: September 27, 2011

Original Principal Sum: \$850,000.00

Deed of Trust:

Deed of Trust recorded in Volume Number 342, Page 46 of the Official Public Records of Jones County, Texas and as document number 41374 of the Official Public Records of Fisher County, Texas.

Property:

See Exhibit "A".

County: Jones and Fisher County. The sale will be conducted at the Jones County Courthouse.

Successor Trustee: Beny Shuping

Successor Trustee's Address: 231 S. Central Avenue, Hamlin, Texas 79520

Date of Sale (first Tuesday of month): October 2, 2018

Time of Sale: Notice is Hereby Given that on the Date of Sale, specifically, such sale to begin at the south entrance on the steps of the Jones County County Courthouse at 10:00 o'clock a.m., or not later than three hours after such time, being the area designated by the Commissioner's Court of said County as the area where sales pursuant to Deeds of Trust are to take place, to the highest bidder for cash.

Beny Shuping is the Substitute Trustee under the Deed of Trust and has been appointed by the Beneficiary under the Deed of Trust. Beneficiary has instructed Substitute Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS" and subject to any prior liens. There will be no Warranty relating to title, possession, quiet enjoyment, or the like for the property in this disposition. The sale will begin at the Time of Sale or not later than three hours thereafter.

This Notice of Trustee's Sale is also being sent to:

Turner Seed Company, LLC; c/o Alyssa S. Turner, PO Box 2530, Weatherford, TX 76086

Jones County Appraisal District; c/o W. Tracy Crites, Jr., PO Box 6037, Midland, TX 79704

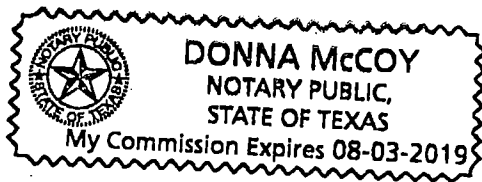
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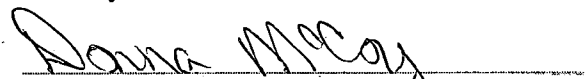
EXECUTED this the 10th day of September, 2018.

  
Beny Shuping, Substitute Trustee

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF JONES     §

This instrument was acknowledged before me on the 10th day of September, 2018, by Beny Shuping, as Substitute Trustee on behalf of said entity.



  
Notary Public, State of Texas

## EXHIBIT A

### Legal Descriptions

#### TRACT ONE: (Fisher & Jones Counties)

This description is for a 202.45 acre tract with approximately 42.87 acres in Fisher County and 159.58 acres in Jones County. This tract is out of the west part of Block 9, the south part of Block 10 both of the Moore's Subdivision of the Charles Gates Survey Number 353 in Jones and Fisher County, Texas as shown by the plat recorded in Volume 97 Page 45 of the Deed Records, Jones County, Texas more particularly described as follows:

Beginning at a recovered ½" rebar being the most northerly northwest corner of this tract and the southwest corner of a 0.85 acre tract described in Volume 204 Page 465 of the Official Public Records, Jones County, Texas;

THENCE N75°24'42"E passing the southeast corner of the 0.85 acre tract at 258.28 feet continuing along the south line of SW 3<sup>rd</sup> Street a total distance of 610.9 feet to a recovered ½" rebar being the most northerly northeast corner of this tract and the northwest corner of a 2.14 acre tract to be conveyed to the Hamlin Independent School District (HISD);

THENCE S14°16'42"E with the west line of the 2.14 acre tract a distance of 310.0 feet to a recovered ½" rebar for an interior corner of this tract and the southwest corner of the 2.14 acre tract;

THENCE N75°24'42"E with the south line of the 2.14 acre tract a distance of 300.0 feet to a recovered ½" rebar for the most easterly northeast corner of this tract and the southeast corner of the 2.14 acre tract and the southwest corner of a 2.08 acre tract conveyed to the HISD recorded in Volume 714 Page 627 of the Deed Records, Jones County, Texas and the northwest corner of a 8.14 acre tract to be conveyed to the HISD;

THENCE S14°13'20"E with the west line of the 8.14 acre tract at 1235.3 feet passing a recovered ½" rebar for the southwest corner of the 8.14 acre tract and the northwest corner of a 15.57 acre tract continuing on this bearing with the west line of the 15.57 acre tract for a total distance of 1965.0 feet to a recovered ½" rebar for the most easterly southeast corner of this tract and the southwest corner of the 15.57 acre tract and on the north line of a 22.476 acre tract described in Volume 33 Page 86 of the Official Public Records, Jones County, Texas;

THENCE S71°51'25"W north line of the 22.476 acre tract a distance of 243.2 feet to a set ½" rebar;

THENCE S83°59'25"W north line of the 22.476 acre tract a distance of 932.3 feet to a set ½" rebar;

THENCE S22°47'25"W north line of the 22.476 acre tract a distance of 613.7 feet to a set ½" rebar;

THENCE S08°07'55"W with the west line of the 22.476 acre tract a distance of 306.9 feet to a 4" square steel corner post on the north Right of Way (ROW) line of FM 2142 approximately 8 feet west of the Hamlin west City Limit;

THENCE S75°58'58"W with the north ROW line of FM 2142 crossing into Fisher County continuing a total distance of 2035.0 feet to a 4 ½" steel corner post for the southwest corner of this tract, the southeast corner of a 168.43 acre tract and on the east line Block 11 and the west line of Block 10 of the Moore's Subdivision of the Charles Gates League #353;

THENCE N14°11'30"W with the east line of the 168.43 acre tract and Block 11 and the west line of Block 10 of the Moore's Subdivision of the Charles Gates League #353 a distance of 2608.2 feet to a recovered ½" rebar for the northwest corner of this tract and the most southerly southwest corner of the 135.28 acre tract;

THENCE N75°33'00"E with the south line of the 135.28 acre tract crossing into Jones County and passing the Hamlin west City Limit continuing for a total distance of 2775.2 feet to a recovered ½" rebar for an interior corner of this tract and the southeast corner of the 135.28 acre tract;

THENCE N14°27'00"W with the east line of the 135.28 acre tract a distance of 300.0 feet to the Point of Beginning containing 202.45 acres of land.

Bearing based on WGS84 at latitude of 32°52'47.18273"N and longitude of 100°8'7.63574"W.

#### TRACT TWO: (Jones County)

This 19.10 acre tract is out of the middle section of Block 5 of the Moore's Subdivision of the Charles Gates League Number 353 as shown on Slide 192 Plat Cabinet, Jones County, Texas. The tract is south of and adjoins a 53.995 acre tract described in Volume 286 Page 787 Official Public Records, Jones County, Texas and is north of and adjoins a 67.67 acre tract described in Volume 323 Page 456 Official Public Records, Jones County, Texas and is more fully described as follows:

Beginning at a recovered ½" capped rebar in the center of County Road 115 being the southeast corner of this tract and the northeast corner of said 67.67 acre tract and on the east line of the Charles Gates League and the west line of the Austin and Williams League Number 340 this point bears N14°12'20"W 1553.5 feet from a recovered nail in the center of the intersection of County Road 115 and County Road 150 being the southeast corner of the Charles Gates League;

THENCE S87°24'28"W with the north line of the 67.67 acre tract a distance of 1757.0 feet to a set ½" capped rebar 2 feet west of a south to north fence being the southwest corner of this tract and the northwest corner of the 67.67 acre tract and on the west line of Block 5 and the east line of Block 6 of the Moore's Subdivision;

THENCE N14°12'20"W with the east line of Block 6 232.4 feet to a set ½" capped rebar being the northwest corner of this tract and the southwest corner of said 53.995 acre tract. This point is approximately 2 feet west of a timber corner post;

THENCE N76°11'22"E with the south line of the 53.995 acre tract a distance of 570.6 feet to a recovered  $\frac{3}{8}$ " rebar;

THENCE N27°44'17"E with the south line of the 53.995 acre tract a distance of 142.2 feet to a set PK nail in the pavement of a lane;

THENCE N75°07'43"E with the south line of the 53.995 acre tract a distance of 375.4 feet to a set  $\frac{1}{2}$ " capped rebar;

THENCE N28°05'16"E with the south line of the 53.995 acre tract a distance of 223.7 feet to a recovered  $\frac{3}{8}$ " rebar;

THENCE S73°42'10"E with the south line of the 53.995 acre tract a distance of 333.0 feet to a recovered  $\frac{3}{8}$ " rebar;

THENCE S67°27'19"E with the south line of the 53.995 acre tract at distance of 265.8 feet passing the southeast corner of the 53.995 acre tract and a 4" steel corner post continuing a total distance of 303.0 feet to a set  $\frac{1}{2}$ " capped rebar in the center of County Road 115 being the northeast corner of this tract and on the east line of the Charles Gates League;

THENCE S14°11'20"E with the east line of the Charles Gates League and the center of County Road 115 a distance 507.4 feet to the Point of Beginning.

Bearing based on WGS84 at latitude of 32°52'54.97123"N and longitude of 100°7'19.18551"W.

#### TRACT THREE: (Jones County)

This 445.01 acre tract is out of the south part of the Charles Gates three fourths League of Land Survey Number 353 and is located east of the Town of Hamlin in Jones County Texas. The tract includes all of Block 6 (except for a 3 acre tract in the southeast corner described in Volume 157 Page 192 Deed of Trust Records, Jones County, Texas), all of Block 7 and a portion of Block 8 of the Moore's Subdivision of the Charles Gates League described by plat Slide 192 Plat Cabinet, Jones County, Texas with corrections described in Volume 128 Page 300 Deed Records, Jones County, Texas more fully described as follows:

Beginning at a set  $\frac{1}{2}$ " capped rebar just north of the center of County Road 150 on the south line of the Charles Gates League and being the southwest corner of the said 3 acre tract and the most southerly southeast corner of this tract. This point is 2082.1 feet S76°00'03"W from a recovered nail in the intersection of County Road 115 and County Road 150 being the southeast corner of the Charles Gates League;

THENCE S76°00'03"W with the south line of the Charles Gates League and the north line of Austin and Williams League of Land Survey Number 354 and generally following County Road 150 a distance of 4520.7 to a set ½" capped rebar being the most southerly southwest corner of this tract and the southeast corner of a 17.288 acre tract described Volume 733 Page 337 Deed Records, Jones County, Texas. This set point is approximately 1 foot inside the north metal beam guard fence of the bridge approach and 4 feet from the east bridge end;

THENCE N14°27'00"W with the east line of the 17.288 acre tract a distance of 1051.2 feet to a set ½" capped rebar in a east to west fence line 8 feet west of steel corner post for the northeast corner of the 17.288 acre tract and an interior corner of this tract;

THENCE S75°33'00"W with the north line of the 17.288 acre tract a distance of 1330.0 feet to a set ½" capped rebar approximately 1.2 feet east of an old steel corner post being the northwest corner of the 17.288 acre tract and on the east line of SE Avenue C of the Shadycrest Addition to the Town of Hamlin;

THENCE N14°27'00"W with the east line of SE Avenue C a distance of 277.6 feet to a set ½" capped rebar approximately 5 feet north of a steel corner post;

THENCE N75°33'00"E a distance of 100.3 feet to a set ½" capped rebar approximately 4 feet south of a east to west fence line and on for the northeast corner of a 0.95 acre tract described as the 2<sup>nd</sup> tract in Volume 44 Page 108 Deed Records, Jones County, Texas;

THENCE N63°10'00"W with the north line of said 0.95 acre tract a distance of 402.1 feet to a set ½" capped rebar at the base of a 12" timber post in the east line of the Revised Plat of the Town of Hamlin in the center of SE Avenue B and the southwest corner of an 1 acre tract described in Volume 149 Page 353 Deed Records, Jones County, Texas;

THENCE N76°45'00"E with the south line of the 1 acre tract a distance of 163.0 feet to a set ½" capped rebar 0.6 feet north of a steel corner post for the southeast corner of the 1 acre tract;

THENCE N01°00'00"W with the east line of the 1 acre tract a distance of 238.0 feet to a set ½" capped rebar 5.2 feet north of a steel corner post for the northeast corner of the 1 acre tract;

THENCE S75°33'00"W with the north line of the 1 acre tract a distance of 216.0 feet to a set ½" capped rebar in the west side of a gravel road for the northwest corner of the 1 acre tract and on the east line of Original Town of Hamlin;

THENCE N14°08'46"W with east line of the Original Town of Hamlin a distance of 584.8 feet to a set ½" capped rebar being the southwest corner of a 5 acre tract described in Volume 117 Page 97 Deed Records, Jones County, Texas and on the south line of the remaining portion of a 28 acre tract described in Volume 44 Page 108 Deed Records, Jones County, Texas;

THENCE N68°47'40"E along the south boundary line of the 5 acre tract a distance of 1107.0 feet to a set ½" capped rebar being the southeast corner of the 5 acre tract;

THENCE N21°12'20"W with the east line of the 5 acre tract a distance of 354.1 feet to a set ½" capped rebar for the northeast corner of the 5 acre tract and in the south line of a 43.606 acre tract described in Volume 121 Page 678 Official Public Records, Jones County, Texas;

THENCE N46°16'56"E with the south line of the 43.606 acre tract a distance of 266.1 feet to a set ½" capped rebar;

THENCE N56°16'56"E with the south line of the 43.606 tract a distance of 635.0 feet to a set ½" capped rebar being the southeast corner of the 43.606 acre tract and the southwest corner a 1 acre "slaughter pen" tract (a recovered ½" rebar bears S35°W 3.4 feet);

THENCE N75°33'00"E a distance of 179.3 feet to a set ½" capped rebar in a fence line 1.3 feet north of a steel corner post being the most westerly northwest corner of a 13.57 acre tract described in Volume 689 Page 364 Deed Records, Jones County, Texas;

THENCE S14°27'00"E with the west line of the 13.57 acre tract generally following a fence line a distance of 666.4 feet to a set ½" capped rebar being the southwest corner of the 13.57 acre tract;

THENCE N77°36'58"E with the south line of the 13.57 acre tract generally following a fence line a distance of 712.0 feet to a recovered ¾" pipe being the southeast corner of the 13.57 acre tract and on the east line of Block 8 and the west line of Block 7 of the Moore's subdivision;

THENCE N14°16'50"W with the east line of the 13.57 acre tract and Block 8 and generally following a fence line a distance of 854.0 feet to a set 60D nail set north of at the base of a 18" mesquite tree being the northeast corner of the 13.57 acre tract, the northeast corner of Block 8, the northwest corner of Block 7 of the Moore's Subdivision and on the south line of the Hamlin Townsite Company's Addition to the Town of Hamlin;

THENCE N75°44'49"E with the south line of the Townsite Addition and the north line of Block 7 and Block 6 a distance of 2851.5 feet to a recovered ½" capped rebar for the southeast corner of the Townsite Addition and an interior corner of Block 6;

THENCE N14°04'42"W with the east line of the Townsite Addition a distance of 899.3 feet to a 4" steel pipe corner post being the southwest corner of Block 4 of the Moore's Subdivision, the most westerly southwest corner of a 101.19 acre tract described in Volume 323 Page 466 Official Public Records, Jones County, Texas. This post is also the most northerly northwest corner of Block 6;

THENCE N75°53'26"E with the south line of Block 4 along a fence line a distance of 990.8 feet to a 4" steel pipe corner post being the northeast corner of this tract and Block 6 and the northwest corner of Block 5 and on the south line of Block 4 and an interior corner of the 101.19 acre tract;

THENCE S14°12'20"E at 465.1 feet pass a recovered ½" capped rebar being the most southerly southwest corner of the 101.19 and the northwest corner of a 53.995 acre tract described in Volume 286 Page 787 Official Public Records, Jones County, Texas; continuing with this bearing, passing a recovered ½" capped rebar at 2410.8 feet being the northwest corner of a 67.67 acre tract

described in Volume 323 Page 456 Official Public Records, Jones County, Texas; continuing with this bearing, at a total distance of 3950.3 feet to a ½" capped rebar 6 feet east of a south to north fence line being the most easterly southeast corner of this tract and the northeast corner of a 3 acre tract described in Volume 157 Page 192 Deed of Trust Records, Jones County, Texas;

THENCE S76°00'03"W a distance of 361.5 feet to a set ½" capped rebar being the northwest corner of the 3 acre tract;

THENCE S14°12'20"E a distance of 361.5 feet to the Point of Beginning.

Bearing based on WGS84 at latitude of 32°52'54.97123"N and longitude of 100°7'19.18551"W.

**TRACT FOUR: (Jones County)**

This 170.08 acre tract includes all of the MEP&P RR Company Survey Number 1, the west portion of the Wallace and Pool Survey Number 1 (abstract 1825) and the north portion of Austin and Williams Survey League Number 340 that is to the north of the north Right of Way (ROW) of the defunct Texas Central Railroad, to the east of County Road 117 and to the west of County Road 136. This 170.08 acre tract is further described as follows:

Beginning at a recovered ¾" rebar near the center of County Road 136 and on line with an extended line of County Road 117 to the south being the northwest corner of this tract and the MEP&P RR Company Survey, the northeast corner of the I. W. Brashear Survey which is a 312.44 acre tract described in Volume 96 Page 529 of the Official Public Records, Jones County, Texas. The recovered monument is on the south line of Section 5, Block 3 of the GH&H RR Company Survey and the south line of a 223.09 acre tract shown by plat in Volume 97 Page 107 Deed Records, Jones County, Texas. A recovered ¾" rebar being the southwest corner of said Section 5 and the southeast corner of Section 155 BBB&C RR Company Survey bears S89°43'W 81.5 feet;

THENCE N89°48'36"E with County Road 136 and the south line of Section 5 and the north line of the MEP&P RR Company Survey at a distance of 4138.9 feet (1490 varas by record) passing the northeast corner of the MEP&P RR Company Survey and the northwest corner of the Wallace and Pool Survey; continuing at a distance of 5313.5 passing a recovered ¾" rebar being the southeast corner of Section 5 and the southwest corner of Section 6, Block 3 of the GH&H RR Company Survey and the most westerly southwest corner of a 320.66 acre tract described in Volume 539 Page 264 of the Deed Records, Jones County, Texas; continuing for a total distance of 6163.6 to a set ½" capped rebar set below the surface of a plowed field at the point of intersection (PI) of extended lines of the county road to the west and to the south. This set point is the northeast corner of this tract;

THENCE S13°58'43"E at an approximate distance of 334.5 feet passing the north line of the Austin and Williams Survey and the south line of the Wallace and Pool Survey; continuing a total distance of 408.4 feet to a set ¾" capped rebar being the southeast corner of this tract and on the north ROW line of the old Texas Central Railroad and in the center of County Road 136;



THENCE S75°41'59"W with the north ROW line of the old Texas Central Railroad and generally following a fence line passing the west line of Subdivision 31 and the east line of Subdivision 32 of the Mary Sayles Subdivision of the Austin and Williams League #340 at a distance of 1863 feet, passing the west line of Subdivision 32 and the east line of Subdivision 33 at 3684 feet, passing the west line of Subdivision 33 and the east line of Subdivision 34 at 5549 feet, continuing a total distance of 6474.9 feet to a recovered  $\frac{3}{8}$ " rebar in the center of County Road 117 being the southwest corner of this tract;

THENCE S75°41'59"W with the center of County Road 117 at 122.7 feet passing a recovered  $\frac{3}{8}$ " rebar being in the north line of the Austin and Williams Survey and being the southwest corner of the MEP&P Survey and the southeast corner of the I. W. Brashear Survey, continuing a total distance of 1975.2 feet to the Point of Beginning.

Bearing based on WGS84 at latitude of 32°54'34.44789"N and longitude of 100°3'31.13004"W.