

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

AUG 14 2023

STATE OF TEXAS §
 §
COUNTY OF VAN ZANDT §

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX
BY _____, DFP

WHEREAS, by that certain Deed of Trust, Security Agreement and Financing Statement dated May 27, 2014, executed by Corry Davis Marketing, Inc., recorded at Document No. 2014-004609 in the Official Public Records of Van Zandt County, Texas (the "Deed of Trust"), Corry Davis Marketing, Inc. (referred to hereinafter as "Grantor"), conveyed to David Monk, as Trustee, all of the following property described therein situated in Van Zandt County, Texas (including any improvements) and all other property described in and conveyed by the Deed of Trust to secure the payment of that certain Promissory Note executed by Corry Davis Marketing, Inc., dated May 27, 2014, originally payable to Citizens State Bank in the original principal amount of \$113,930.96 (the "Note");

AND WHEREAS, the Note and liens evidenced by the Deed of Trust were modified and extended by that certain Modification of Deed of Trust dated November 24, 2017, executed by Corry Davis Marketing, Inc., recorded at Document No. 2018-000323, Official Public Records, Van Zandt County, Texas; (the "Modification");

AND WHEREAS, the Note, the Deed of Trust, and the Modification were modified and/or extended by that certain Second Amended Plan of Reorganization as confirmed March 1, 2022 (the "Plan"), in Bankruptcy Case No. 21-60280 styled *In re: Corry Davis Marketing, Inc.*, in the United States Bankruptcy Court, Eastern District of Texas, Tyler Division (the "Bankruptcy Case");

AND WHEREAS, LBC1 Trust is holder and owner of the Indebtedness evidenced by the Note, Deed of Trust, Modification, the Bankruptcy Plan, all liens securing same, and any other modifications or extensions thereof, and is entitled to receive all amounts due thereunder, as assignee of L & PK #1, LLC, assignee of Citizens State Bank;

AND WHEREAS, the undersigned has been appointed Substitute Trustee in place of said Original Trustee and any other Substitute Trustees, upon the contingency and in the manner authorized by said Deed of Trust; and

AND WHEREAS, default has occurred in the payment of the Indebtedness evidenced by the Note and the same is now wholly due, and the owner and holder of said Indebtedness has requested the undersigned to sell said property to satisfy said Indebtedness, and has the right under the Bankruptcy Plan to foreclose on its liens without further order of any court.

NOW, THEREFORE, Notice is hereby given that on Tuesday, the 5th day of September, 2023, between ten o'clock a.m. and four o'clock p.m. (10 a.m. to 4 p.m.), I will sell to the highest bidder at public auction the Property ("Property") described below, at THE STEPS OF THE NORTH ENTRANCE TO THE VAN ZANDT COUNTY COURTHOUSE, 121 E. Dallas Street, Canton, Texas 75103, or, if the preceding area is no longer the designated area, at such other area place as has been designated by the Commissioners' Court of Van Zandt County, Texas, as the place where foreclosure sales are to take place, pursuant to Section 51.002 of the Texas Property Code. The

Substitute Trustee's sale will begin no earlier than 1:00 p.m. and must be concluded within three hours of such starting time. Said sale shall be to the highest bidder for cash

The real property to be sold, including any improvements, is the following described property (hereinafter collectively referred to as the "Property") situated in Van Zandt County, Texas (including any improvements), to wit:


SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

The property is located in Van Zandt County at 5.64 ACRES AND 13.039 ACRES, CANTON, Texas 75103.

TOGETHER WITH all other collateral and other interests granted and conveyed under said Deed of Trust to secure the payment of the aforementioned Note.

Notice Pursuant To Texas Property Code Sec. 51.002(i): 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.

Signed this 14th day of August, 2023.



H. Clinton Milner, Substitute Trustee
111 Garvin Way
Midlothian, Texas 76065
TEL (214) 342-0700

Exhibit A

TRACT 1:

All that certain lot, tract or parcel of land situated in Van Zandt County, Texas, on the D. Town Survey, A-845 and Q. C. Nugent Survey, A-618 and being a part of the called 149.28 acre tract conveyed to Vess Barnes, Jr., IRA Rollover by Caren C Courtney, Substitute Trustee, by Substitute Trustee's Deed dated July 7, 1998 and recorded in Volume 1472, Page 329 of the Van Zandt County Real Records. Said lot, tract, or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found at the Southeast corner of a 0.586 acre road easement tract mentioned in Volume 1478, Page 94, at the Southeast corner of a 39.512 acre tract surveyed this date and in the West right-of-way of F. M. Highway 17; WITNESS: Found ½" iron rod at the Southeast corner of the William C. Bone 10.736 acre tract recorded in Volume 1313, Page 415, North 47 degrees 32 minutes 34 second East 83.73 feet;

THENCE along the West right-of-way of F. M. Highway 17 (80 foot right-of-way) and an East line of the 149.28 acre tract, South 47 degrees 19 minutes West 981.80 feet to a ½" iron rod set at angle, South 43 degrees 10 minutes West 216.00 feet to a ½" iron rod set at P. C. of curve and around a curve to the left with a Long Chord of South 40 degrees 40 minutes West 151.63 feet to a ½" iron rod found at the East corner of the Wild Willies Two Mountain Phase Four, Section Two recorded in Glide 215-A of the Van Zandt County Plat Records and the South Corner of a 30 foot wide road and utility easement mentioned as less and except Tract Two recorded in Volume 1472, Page 329;

THENCE NORTH 51 degrees 13 minutes 18 seconds West, along fence, 687.44 feet to a ½" iron rod found at the North corner of Wild Willies Two Mountain, Phase Four, Section One recorded in Glide 215-A, in the East line of the Corry Davis Marketing, Inc. 37.11 acre tract recorded in Volume 1478, page 94;

THENCE along fence and the East line of the 37.11 acre tract with meanders as follows: North 41 degrees 35 minutes East 457.13 feet to a ½" iron rod found, South 76 degrees 43 minutes 09 seconds East 450.44 feet to a ½" iron rod found, North 39 degrees 23 minutes East 102.89 feet to a ½" iron rod found, and North 48 degrees 37 minutes 37 seconds East 134.30 feet to a ½" iron rod found at the East corner of the 37.11 acre tract and South corner of the 0.586 acre tract;

THENCE along the 0.586 acre tract, North 80 degrees 04 minutes East 297.79 feet to a ½" iron rod found and North 80 degrees 43 minutes 26 seconds East 307.07 feet to the place of beginning and containing 13.039 acres of land.

TRACT 2:

The surface estate only of all the certain lot, tract or parcel of land situated in Van Zandt County, TX being a part of the Q. C. Nugent Survey, Abstract No. 618, and being all of WILD WILLIES II MOUNTAIN, PHASE IV SECTION I AND II, including streets and roads as shown on plat recorded as Glide 215A, Plat Records of Van Zandt County, Texas.

LESS AND EXCEPT: All those certain lots, tracts or parcels of land situated in Van Zandt County, Texas, being part of the Q. C. Nugent Survey, Abstract No. 618, and being Lots: 125, 126, 127, 128, 130, 131, 137, 140, 141, 147, 149, 150, 151, 152, 157, 158, 161, 165, 172, 174A, 186, 191, 192, 195, 202, and 206 of WILD WILLIES II MOUNTAIN, PHASE IV, SECTIONS I AND II, as shown on plat recorded on Glide 215A, Plat Records of Van Zandt County, Texas (the "Property").