

2019000374

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, on *July 13, 2017*, a Deed of Trust and Security Agreement (the “Deed of Trust”) was executed by *D and R Acquisitions, L.L.C.* (“Borrower”), conveying to *William P. Schonacher, Trustee*, the hereinafter described real property, fixtures and personal property to secure the payment of the Debt (as defined in the Deed of Trust), said Deed of Trust being recorded in *Book 0120, Page 0692* in the Official Public Records of *Floyd* County, Texas, reference to which is hereby made for all purposes; and

WHEREAS, default has occurred in the payment of said Debt, and said Debt is now all due, and International Bank of Commerce (“IBOC”), the legal owner and holder thereof, has demanded payment thereof and has requested the undersigned to enforce the power of sale set forth in the Deed of Trust and to sell said real property, fixtures and personal property pursuant to the terms of said Deed of Trust; and

WHEREAS, the undersigned has been appointed as Substitute Trustee in accordance with the provisions of said Deed of Trust.

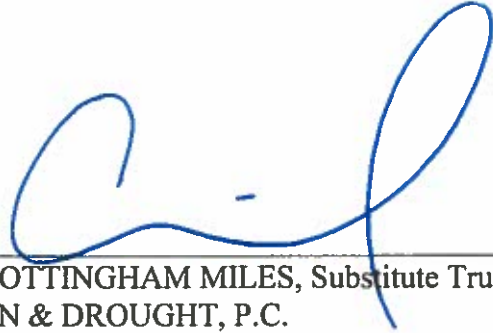
THEREFORE, NOTICE is given that the undersigned or such other person appointed as Substitute Trustee pursuant to the provisions of the Deed of Trust will sell the hereinafter-described real property, fixtures and personal property securing the repayment of the Debt on Tuesday, the *7th day of May, 2019*, that being the first Tuesday in said month, beginning not earlier than *12:00 Noon* and ending not later than *3:00 P.M.*, at the area designated by the Commissioner’s Court of *Floyd* County, Texas pursuant to Section 51.002(a) of the Texas Property Code, at public sale to the highest bidder for cash, such real property, fixtures and personal property being described as follows, to-wit:

(i) The real property described on Exhibit "A" attached hereto and incorporated herein by reference, and all other real property interests on which IBOC holds a lien pursuant to the terms of the Deed of Trust; and

(ii) All fixtures and personal property on which IBOC holds a lien or security interest pursuant to the terms of the Deed of Trust.

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 HAND on *April 15, 2019*.



M. C. COTTINGHAM MILES, Substitute Trustee
MARTIN & DROUGHT, P.C.
Bank of America Plaza, 25th Floor
300 Convent Street
San Antonio, Texas 78205
Tel.: (210) 220-1354
Fax: (210) 227-7924
Email: mcmiles@mdtlaw.com

Exhibit "A"

FLOYD COUNTY

215 S. Main

TRACT I:

Lots Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), and Nineteen (19), Block Eighty-Three (83), Original Town of Floydada, Floyd County, Texas, according to the map, plat, and/or dedication deed thereof recorded in Volume 2-F, Page 294, Deed Records of Floyd County, Texas.

TRACT II:

All of Lots Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Eighty-Four (84), Original Town of Floydada, Floyd County, Texas, according to the map, plat, and/or dedication deed thereof recorded in Volume 2-F, Page 294, Deed Records of Floyd County, Texas.

TRACT III:

All of Lots Ten (10) and Eleven (11), Block Ninety-Three (93), Original Town of Floydada, Floyd County, Texas, according to the map, plat, and/or dedication deed thereof recorded in Volume 2-F, Page 294, Deed Records of Floyd County, Texas.

TRACT IV:

Lots Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-One (21), Twenty-Two (22), Twenty-Three (23), and Twenty-Four (24), Block Ninety-Four (94), Original Town of Floydada, Floyd County, Texas, according to the map, plat, and/or dedication deed thereof recorded in Volume 2-F, Page 294, Deed Records of Floyd County, Texas.

TRACT V:

A tract of three & 75/100 (3.75) acres of land, more or less, in Floyd County, Texas, out of Blocks Nos. 9 and 10, in Price First Addition to the Town of Floydada, in Floyd County, Texas, being out of a parcel of 5-31/100 acres out of Blocks Nos. 1, 9, and 10 in such Price First Addition as such parcel is described in Deed dated November 11, 1976, recorded Vol. 208, Page 400, Deed Records of Floyd County, Texas, from J.M. Willson, Jr., to Floydada Motel Inc., to which reference is here made for all purposes; such tract of 3-75/100 acres of land being described by metes and bounds, according to field notes prepared by Carl Williams, Registered Public Surveyor, dated October 6, 1978, recorded Vol. 214, Page 880, Deed Records of Floyd County, Texas, as follows:

BEGINNING at a steel rod 30 feet west and 187 feet north of the southeast corner of such Block No. 10, Price First Addition, for the southeast corner of this tract;

THENCE West 661-3/10 feet to 1-inch pipe for the southwest corner of this tract;

THENCE North 45° East 177-36/100 feet to square bar for a reentrant corner of this tract;

THENCE North 45° West 231-9/10 feet to steel rod for the most southerly northwest corner of this tract;

THENCE North 45° East 186-3/10 feet to 3/4-inch pipe for the most northerly northwest corner of this tract;

THENCE South 44° 46' 14" East 293 feet to 3/4-inch pipe for a corner of this tract;

THENCE South 89° 49' 12" East 362-5/10 feet to 3/4-inch pipe for the northeast corner of this tract;

THENCE South 0° 11' 10" West 212 feet to the POINT OF BEGINNING.

FILED
at 10:08 o'clock A.M.

APR 15 2019