

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Notice is hereby given that a public sale at auction of the Property (as that term is defined and described below) will be held at the date, time and place specified herein.

Information regarding the indebtedness and lien that is the subject of this sale:

Note:

Date: November 27, 2012
Maker: Tommy DeLoera, Jr. and Elizabeth DeLoera
Payee: Capital Farm Credit, FLCA
Original Principal Amount: \$202,017.60
Capital Farm Credit, FLCA Loan No. 908166

2018 DEC 10 AM 10:35
MELODY APPLETON
COUNTY CLERK SCURRY CO. TX
BY _____ DEPUTY

FILED

Deed of Trust:

Date: November 27, 2012
Grantor: Tommy DeLoera, Jr. and spouse, Elizabeth DeLoera
Trustee: Ben R. Novosad
Recorded in: Document No. 2012-20125355 in Volume 786, Page 757, Official Public Records of Scurry County, Texas.

Property:

The following described real property, together with all mineral interests, improvements, fixtures, personal property and intangible property, if any, described in and presently covered by the Deed of Trust and all other rights, privileges and appurtenances pertaining thereto:

All of the Northeast Quarter (NE/4) and the Southwest Quarter (SW/4) of Section No. 187, in Block No. 97, of the H&TC Ry. Co. Survey, Scurry County, Texas, containing 329 acres, more or less,

SAVE AND EXCEPT that certain 4.315 acre tract out of the NE/4 of Section 187, Block 97, H&TC Ry. Co. Survey, Scurry County, Texas, previously conveyed to Tommy DeLoera

and wife, Elizabeth Deloera, by Warranty Deed dated November 17, 2000, recorded in Volume 470, Page 732, Official Public Records, Scurry County, Texas.

SAVE AND EXCEPT all oil, gas and other minerals in, on and under the above-described property; same having been previously reserved.

SUBJECT TO any and all valid and subsisting covenants, restrictions, reservations, easements and rights-of-way properly found of record.

Together with all rights, easements, appurtenances, royalties, surface, subsurface and/or mineral rights, now owned or hereafter acquired, oil and gas rights, crops, timber, all diversion payments or third party payments made to crop producers, all water and riparian rights, wells, ditches, reservoirs, and water stock and all existing and future improvements, structures, fixtures and replacements that may now, or at any time in the future, be part of the real estate described above (all referred to as "Property").

Notwithstanding any other provision, reservation or exception contained in said Deed of Trust or on any exhibit thereto, the lien shall cover all of Grantor's water rights, including, but not limited to, rights to surface water, groundwater, underground water, percolating waters, rights to any water from lakes, streams or other bodies of water, adjudicated or permitted water rights, riparian and other water rights which are owned or which are hereafter acquired by Grantor whether or not expressly excepted from the description of the Property.

Prior Modification of Note and/or Deed of Trust:

Present Owner of Note and Beneficiary under Deed of Trust:

Capital Farm Credit, FLCA

Information regarding the public sale to be held:

Substitute Trustees: Terry Browder, Laura Browder and Marsha Monroe

Appointed by written instrument dated November 30, 2018, executed by Capital Farm Credit, FLCA and recorded or to be recorded in the appropriate Official Public Records of Scurry County, Texas.

Date of Sale: January 2, 2019

Time of Sale: The earliest time at which the sale will occur is 1:00 p.m., Snyder, Texas local time, and shall begin not later than 3 hours thereafter.

Place of Sale: The designated area of the County Courthouse as designated by the Commissioners Court of Scurry County, Texas

Default has occurred in the payment of the indebtedness evidenced by the Note. Because of such default, Capital Farm Credit, FLCA appointed Substitute Trustee and has requested Substitute Trustee to enforce the Deed of Trust.

Therefore, notice is given that on the date and time and at the place set forth hereinabove, any one of the above-named Substitute Trustees will sell the above-referenced Property by public sale to the highest bidder for cash in accordance with the Deed of Trust and the laws of the State of Texas.

Prospective bidders are advised to make their own examination of title to the Property to determine the existence of any easements, restrictions, liens or other matters affecting title to the Property. Neither Substitute Trustee nor the Capital Farm Credit, FLCA make any representation or warranty (express or implied) regarding title to or the condition of the Property. The Property to be sold at the public sale will be sold in its present "AS IS" condition and subject to all ad valorem taxes then owing with respect to the Property.


_____, Substitute Trustee

Please return File-Stamped Copy to:

Tommy J. Swann
McCleskey, Harriger, Brazill & Graf, L.L.P.
5010 University Ave, Floor 5
Lubbock, TX 79413-4422