

2023-017 FC

FILED FOR RECORD
SHELBY COUNTY, TEXAS
NOV 14 2023
COUNTY CLERK

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SUBSTITUTE TRUSTEE'S NOTICE

THE STATE OF TEXAS }
COUNTY OF SHELBY }
BY _____ DEPUTY

NOTICE IS HEREBY GIVEN THAT, WHEREAS, on the 28th day of July, 2011, Dustin Lee Magby and wife, Bridget Ashton Magby, executed a Deed of Trust to David Chadwick, for the benefit of Farmers State Bank, in Center, Texas, on the hereinafter described real estate, which Deed of Trust appears of record as Instrument No. 2011006047 in the Official Public Records, of Shelby County, Texas, to which record, reference is here made to more fully show the wording and effect of such instrument and the property covered by it; and

WHEREAS, the said Deed of Trust specifically authorizes the appointment of a Substitute Trustee by the beneficiary of said Deed of Trust; and

WHEREAS, the said Trustee has become incapacitated to serve as such, or has resigned or has failed and refused to act as such; and

WHEREAS, by authority of the said Deed of Trust, the beneficiary thereunder did, on the 17th day of July, 2023, appoint me, Randy McLeroy, as Substitute Trustee;

WHEREAS, the said Dustin Lee Magby and wife, Bridget Ashton Magby, have made default in the payment of the note described in such instrument, leaving a delinquent balance on this date remaining unpaid thereon; and

WHEREAS, Farmers State Bank, the said beneficiary, has requested me to enforce such trust;

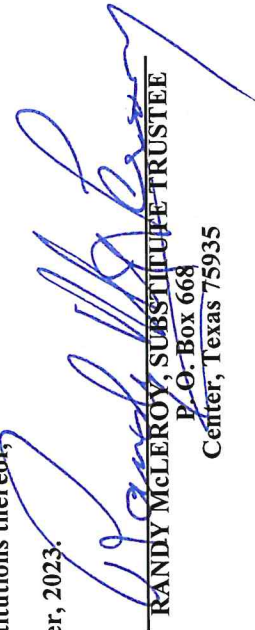
NOW, THEREFORE, I, RANDY McLEROY, Substitute Trustee has aforesaid, hereby give notice that I will accordingly, after due posting of this notice as required by said Deed of Trust and the law, for at least twenty-one days successively next before the day of sale at the Door of the District Courthouse in Center, Texas, and, after serving written notice of such sale, at least twenty-one days preceding the date specified herein as the date upon which said property will be sold, by certified mail, return receipt requested, on each debtor obligated to pay the above mentioned debt according to the records of the holder of said indebtedness, sell at public venue to the highest bidder, or bidders, for cash, in the area designated by the Commissioners' Court of Shelby County, Texas, pursuant to TEX. PROP. CODE, § 51.002, or, if no such area has been designated, within 100 feet of the main entrance to the building where the district court is usually held in Center, Shelby County, Texas, that being the county in which said property is situated, between the hours of 10:00 o'clock a.m., and 4:00 o'clock p.m., but no earlier than 1:00 o'clock p. m., nor later than 4:00 o'clock p. m., of the first Tuesday in the month of December, 2023, the same being the 5th day of December, 2023, the following described real estate so described in and secured by such Deed of Trust:

Being 32 acres of land, more or less, a part of the JONATHAN ANDERSON SURVEY, A-6, Shelby County, Texas, and being the land described in Deed from Kenneth Rash and wife, Martha Rash, to Dustin Lee Magby and wife, Bridget Ashton Magby, dated July 28, 2011, recorded under Clerk File No. 2011006044, Official Public Records, Shelby County, Texas, and being more fully described by metes and bounds as follows, to-wit:

BEGINNING at an old fence corner on or near the East line of the Jonathan Anderson Survey, A-6, and the West line of the John English Survey, A-177, Shelby County, Texas at the NEC of the J. H. Price Estate 320 acre tract and the SEC of the R. J. Eddins J 98.6 acre tract in said Anderson Survey;
THENCE S 23 deg. 00 min. E along an old fence on the recognized East line of said Price tract a distance of 452.8 vrs. to a pine stake;
THENCE S 67 deg. 00 min. W into said Price tract a distance of 399 vrs. to a pine stake in an open field;
THENCE N 23 deg. 00 min. W a distance of 452.8 vrs. to a pine stake on the centerline of a public road on the recognized North line of said Price tract and the South line of the R. J. Eddins 198.6 acre tract;
THENCE N 67 deg. 00 min. E along the centerline of said road a distance of 399 vrs. to the PLACE OF BEGINNING, containing 32 acres of land, more or less;

Together with all waterers, feeders, controllers, heaters, curtains, fans, feed bins, cool cells, foggers, generators, incinerators, composters, freezers, partitions, winch and screen doors, medicators, water manifolds with regulators and filters, drills, feed carts, feed scoops and thermometers, and any and all other poultry house equipment and fixtures, and any replacements, and/or substitutions thereof;

WITNESS my hand on this, the 7th day of November, 2023.


RANDY McLEROY, SUBSTITUTE TRUSTEE
P.O. Box 668
Center, Texas 75935

Notice pursuant to Section 51.002, Texas Property Code:

“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 MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.”