

## NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Property To Be Sold. The property to be sold is described as follows:

Being 6.2 acres out of the Ben Hill Survey, Abstract No. 144, Young County, Texas. The said 6.2 acres also being a part of a 9.2 acre tract described in Vol. 264, Pg. 402 of the Deed Records of Young County, Texas. The said 6.2 acres being described as follows:

BEGINNING at a steel fence corner post found in the west right-of-way line of F. M. Road No. 1287 for the southeast corner of said 9.2 acre tract;

THENCE S 87° 57' 09" W 663.52 feet with the south line of said 9.2 acre tract to a steel fence corner post in the east line of a 1.0 acre tract recorded in Vol. 198, Pg. 387;

THENCE N 11° 58' 17" E 178.54 feet with the east line of said 1.0 acre tract to a steel fence corner post;

THENCE N 89° 13' 59" W 178.64 feet with the north line of said 1.0 acre tract to a steel fence corner post in the east right-of-way line of Old Bunger Road South;

THENCE N 22° 23' 22" E 246.37 feet with said right-of-way line to a ½ inch iron rod set at the southwest corner of a tract of land recorded in Vol. 828, Pg. 41;

THENCE East 663.0 feet with the south line of said tract to a ½ inch iron rod set in the west right-of-way line of said F.M. Road No. 1287;

THENCE S 7° 09' 16" E 384.13 feet with said right-of-way line to the point of beginning containing 6.2 acres more or Less.

2. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: Tuesday, December 1, 2020

Time: The sale shall begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale shall be completed no later than 1:00 p.m.

Place: The area of the Young County Courthouse in Graham, Texas, designated by the Commissioner's Court pursuant to Section 51.002 of the Texas Property Code as a place where foreclosure sales are to take place.

The Deed of Trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiling may be after the date originally scheduled for this sale.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the date the property is sold.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Deed of Trust, the beneficiary has the right to direct the trustee or substitute trustee to sell the property in one or more parcels and/or sell all or only part of the property.

Pursuant to the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for

under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and condition of the property.

Pursuant to the Texas Property Code, the trustee or substitute trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the sale.

**A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. app. Section 501 et seq.) and state law, including section 51.015 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 duty military service to the sender of this notice.**

4. **Type of Sale.** The sale is a nonjudicial Deed of Trust lien foreclosure sale being conducted pursuant to the power of sale granted by that one certain Deed of Trust executed by ITX Ranch Company, Ltd. dated August 31, 2017, and recorded under Clerk's File No. 2017-17002515 of the Official Records of Young County, Texas.

5. **Obligations Secured.** The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described in the original principal amount of \$575,000.00 executed by ITX Investment Company, Ltd. payable to the order of Grand Bank of Texas and all other indebtedness including the indebtedness owed on a Promissory Note dated August 31, 2017 in the original principal sum of \$150,000.00 (collectively the "Obligation"). BancorpSouth Bank successor in

interest by merger with Grand Bank of Texas is the current owner and holder of the Obligation and is the beneficiary under the Deed of Trust.

6. Default and Request To Act. Default has occurred under the Deed of Trust, and the beneficiary has requested me, as trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

DATED: November 5, 2020.



Blake Rasner  
Substitute Trustee  
Haley & Olson, P.C.  
100 N. Ritchie Road, Suite 200  
Waco, Texas 76712  
Telephone: (254) 776-3336  
Facsimile: (254) 776-6823  
Email: [brasner@haleyolson.com](mailto:brasner@haleyolson.com)

FILED FOR RECORD

NOV 11 2020

KAY HENDERSON COUNTY CLERK  
700 AGUERO BLVD, WACO, TEXAS