

Notice of Substitute Trustee's Sale

Date: March 3, 2020

Substitute Trustee: Carly W. Wall, Anne Marie Odefey, Sandra Witte or John T. Villafranca
P.O. Box 9
Port Lavaca, Texas 77979

Borrowers: Caleb Cook and Jennifer Menard
847 Farik Road
Port Lavaca, Texas 77979

Mortgagee: Randy L. Boyd and Debra J. Boyd
346 Bay Meadows Drive
Port Lavaca, Texas 77979

Note: Promissory Note dated April 11, 2017 in the original amount of \$159,384.91.

Deed of Trust

Date: April 11, 2017

Grantor: Caleb Cook and Jennifer Menard
847 Farik Road
Port Lavaca, Texas 77979

Mortgagee: Randy L. Boyd and Debra J. Boyd
346 Bay Meadows Drive
Port Lavaca, Texas 77979

Recording information: Deed of Trust is recorded as Instrument Number 151721 in the Official Records of Calhoun County, Texas.

Property:

TRACT I: BEING a tract or parcel of land containing 1.0 acres, more or less SAVE AND EXCEPT, a 0.07-acre portion, more or less, situated in and a part of the Manuel Lopez Survey, Abstract no. 25, Calhoun County, Texas, the metes and bounds of which are attached as Exhibit "A" to the Deed and Deed of Trust described above.

TRACT II: BEING a tract or parcel of land containing 2.07 acres, more or less, situated in and a part of the Manuel Lopez Survey, Abstract No. 25, Calhoun County, Texas, the metes and bounds of which are attached as Exhibit "A" to the Deed and Deed of Trust described above.

AT 11:05 FILED O'CLOCK A M

MAR 03 2020

CALHOUN COUNTY TEXAS
BY: [Signature] DEPUTY

SUBJECT TO all easements, restrictions, reservations and other documents appearing of record affecting the above described property.

County: Calhoun

Date of Sale (first Tuesday of month): April 7, 2020

Time of Sale: No earlier than 10:00 a.m. on said date, and no later than 1:00 p.m. on said date.

Place of Sale: Calhoun County Courthouse Foyer, 211 South Ann, Port Lavaca, Calhoun County, Texas.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Randy L. Boyd and Debra J. Boyd's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Randy L. Boyd and Debra J. Boyd, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Randy L. Boyd and Debra J. Boyd passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Randy L. Boyd and Debra J. Boyd. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

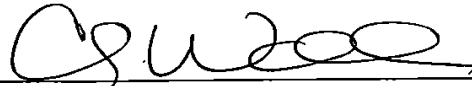
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such

further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



Carly W. Wall, Substitute Trustee
2206 North Highway 35
P. O. Box 9
Port Lavaca, Texas 77979
Telephone: (361) 552-2971
Telecopier: (361) 552-5368
Email: carly@portlavacalaw.com

TRACT I

A tract or parcel of land containing 1.0 acre, more or less, situated in and a part of the Hensel Lopez Survey, A-23, Calhoun County, Texas. Said 1.0 acre also being in and a part of the same 200 acres of land described in a Warranty Deed from Green Lake-Southern Corporation to Jim Tumber et al, dated May 1, 1942, and recorded in Volume 43, Pages 238-239 of the Deed Records of Calhoun County, Texas. This 1.0 acre is more fully described by notes and bounds as follows:

BEGINNING at a railroad spike set for corner in the centerline of Park Road. Said railroad spike also being the North corner of the aforementioned 200 acre tract;

THENCE S. 35 deg. 37' E. with said centerline of Park Road for a distance of 208.7 feet to a railroad spike set for corner;

THENCE S. 54 deg. 25' W. for a distance of 208.7 feet to a 5/8 inch iron rod set for the South corner of this 1.0 acre being described;

THENCE N. 85 deg. 37' W. for a distance of 208.7 feet to a 5/8 inch iron rod set for corner in the centerline of an existing county road. Said centerline also being the West line of the aforesaid 200 acre tract;

THENCE N. 54 deg. 25' E. with said West line of the aforementioned 200 acre tract, said being the West line of this 1.0 acre tract, for a distance of 208.7 feet to the PLACE OF BEGINNING.

SAVE AND EXCEPT

A tract or parcel of land containing .07 acres, more or less, situated in and a part of the Hensel Lopez Survey, A-23, Calhoun County, Texas. Said .07 acres also being in and a part of that same 1.00 acre of land described in a Warranty Deed from Randy Boyd, et al to John E. Wilkinson, et al, recorded in Volume 198, Page 629, Official Records of Calhoun County, Texas. This .07 acres is more fully described by notes and bounds as follows:

BEGINNING at a railroad spike set for corner in the centerline of Park Road. Said railroad spike also being the North corner of the aforementioned 1 acre tract;

THENCE S 35° 37' E. with said centerline of Park Road for a distance of 25 feet;

THENCE N 54° 25' W for a distance of 100.7 feet for the South corner of this .07 acres being described;

THENCE N 35° 37' E for a distance of 25 feet to a point in the centerline of an existing county road. Said centerline also being the West line of the aforesaid 1 acre tract;

THENCE N 54° 25' E for a distance of 208.7 feet to THE PLACE OF BEGINNING, containing within these notes and bounds .07 acres, more or less.

TRACT II:

A tract or parcel of land containing 2.07 acres, more or less, situated in and a part of the Hensel Lopez Survey, A-23, Calhoun County, Texas. Said 2.07 acres also being in and a part of that same 154.98 acres of land described in a Warranty Deed from Lewis Turner to Leon H. Turner, dated May 23, 1951, recorded in Volume 29, Page 6, Official Records of Calhoun County, Texas. This 2.07 acres is more fully described by notes and bounds as follows:

BEGINNING at a point in the centerline of Park Road for the North corner of the aforementioned 154.98 acre tract;

THENCE S 35° 37' E. with said centerline of Park Road for a distance of 208.7 feet, to the PLACE OF BEGINNING of this 2.07 acre tract;

THENCE continuing S 35° 37' E. with said centerline of Park Road for a distance of 132.40 feet;

THENCE N 54° 25' W for a distance of 208.7 feet for the South corner of this 2.07 acres being described;

THENCE N 35° 37' E for a distance of 208.70 feet to a point, the same being the South corner of a 1.00 acre tract previously sold to John E. Wilkinson, et al, recorded in Volume 198, Page 629, Official Records of Calhoun County, Texas;

THENCE N 54° 25' E for a distance of 208.7 feet to THE PLACE OF BEGINNING, containing within these notes and bounds 2.07 acres, more or less.

EXHIBIT A