

Notice of Substitute Trustee's Sale

FILED FOR RECORD
2023 JUL 24 AM 9:11
AMY L VARNELL
CASS COUNTY CLERK

Date: July 21, 2023

Substitute Trustee: KYLE B. DAVIS

Mortgagee: MARK D. MAYS, JEFF W. MAYS, and MARSHA MAYS INNES

Note: Note dated August 1, 2009, in the amount of \$102,472.00

Deed of Trust

Date: August 1, 2009

Grantor: FREDDY E. WASHINGTON and TINA D. WASHINGTON

Mortgagee: MARK D. MAYS, JEFF W. MAYS, and MARSHA MAYS INNES.

Recording information: Deed of Trust dated August 1, 2009, executed by FREDDY E. WASHINGTON and TINA D. WASHINGTON to Jan Pritchard, Trustee, recorded under Instrument No. 2009003875, Official Public Records of Cass County, Texas.

Property:

All that certain 15.208 acre tract of land in the B.B.B. & C.R.R. Survey, Abstract No. 136, in Cass County, Texas, being part of that certain 22.822 acre Parcel B conveyed by Warranty Deed from Bennie Nixon Giles et ux, to Mark D. Mays et al, dated August 18, 1997, and recorded in Volume 1038, Page 441, of the Real Property Records of Cass County, Texas, and being all of the called 5.076 acre tract as conveyed from Richard Andrew Johnson to Clevester Young et ux, by a Warranty Deed recorded in Volume 753, page 278, all of the called 5.076 acre tract as conveyed from Bennie Giles to Clevester Young et ux, by a Warranty Deed recorded in Volume 709, Page 305, and all of the called 5.076 acre tract as conveyed from Ora Washington to Jettie Lee Young, by a Warranty Deed recorded in Volume 689, Page 122, all of the above being recorded in the Deed Records of Cass County, Texas, said 15.208 acre tract being more particularly described as follows and as shown on Collin Surveying & Mapping Plat No. 2601;

COMMENICING at a 5/8" iron rod set on the East right-of-way of F.M. Highway 2327 at 50.00 feet left of centerline station 110+03.97 for the Southwest corner of a called 3.92 acre tract as conveyed from Avis Knott et al, to Ora Washington by an instrument recorded in Volume 593, Page 840 of the Deed Records of Cass County, Texas, same being the Northwest corner of a tract conveyed from Avis Knott et al, to Cora Miller by an instrument recorded in Volume 593, Page 836, of the Deed Records of Cass County, Texas;

THENCE South 88° 32'33" East 2205.93 feet along the common line between the two above described tracts to a 5/8" iron rod set at the Northeast corner of the Knott to Miller and the Southeast corner of the Knott to Washington tract;

THENCE North 02°13'12" East 76.10 feet to a 3/8" iron rod found for the Northeast corner of the Knott to Washington tract and the Southeast corner of a called 3.92 acre tract conveyed from Avis Knott to Mattie Lincoln by an instrument recorded in Volume 593, Page 834, of the Deed Records of Cass County, Texas;

THENCE North 01°01'14" East 76.97 feet a 3/8" iron rod found for the Northeast corner of the Knott to Lincoln Tract, same being on the South line of a called 5.076 acre tract as conveyed from Cora Miller et al, to Mattie Lincoln in an instrument recorded in Volume 650, Page 129 of the Deed Records of Cass County, Texas;

THENCE North 89°53'05" West 27.52 feet to a 3/4" iron rod found at the Southwest corner of the said Miller to Lincoln tract and the Southeast corner of the called 5.076 acre tract conveyed from Ora Washington to Jettie Lee Young by an instrument recorded in Volume 689, Page 122, of the Deed Records of Cass County, Texas, this being on the North line of the Knott to Lincoln tract, the Point of Beginning;

THENCE North 88°50'56" West 185.40 feet along the common line between the Knott to Lincoln tract and the Washington to Young tract to a 3/8" iron rod found at the Southwest corner of the said Washington to Young tract and for the Southeast corner of a called 5.076 acre tract conveyed from Bennie Giles, to Clevester Young et ux, by an instrument recorded in Volume 709, Page 305, of the Deed Records of Cass County, Texas;

THENCE North 88°54'57" West 210.08 feet along the common line between the Knott to Lincoln tract and the Giles to Young tract, to a 5/8" iron rod set for the Southwest corner of the Giles to Young tract and the Southeast corner of a called 5.076 acre tract conveyed from Richard Andrew Johnson to Clevester Young et ux, by an instrument recorded in Volume 753, Page 278, of the Real Property Records of Cass County, Texas;

THENCE North 88°59'09" West 209.93 feet along the common line between the Knott to Lincoln tract and the Johnson to Young tract, to a 1/2" iron rod found at the Southwest corner of the said Johnson to Young tract and an interior corner of the Knott to Lincoln tract for the Southwest corner of this tract;

THENCE North 01°07'57" East 1.96 feet along the West line of the Johnson to Young tract to a 5/8" iron rod set for the Northeast corner of the Knott to Lincoln tract, same being the Southeast corner of a called 3.92 acre tract conveyed from Avis Knott et al, to Lillie Barber by an instrument recorded in Volume 593, Page 838, of the Deed Records of Cass County, Texas;

THENCE North 01°13'37" East 104.15 feet along the common boundary between said Johnson to Young tract and said Knott to Barber tract to a 1/2" iron rod found for the Southeast corner of

the called 3.92 acre tract conveyed by Lillie Barber et al, to Avis Knott, by instrument recorded in Volume 593, Page 842, of the Deed Records of Cass County, Texas;

THENCE North 01°06'32" East 106.36 feet along the common boundary between said Johnson to Young tract and said Barber to Knott tract, to a ½" iron rod found at a 42" Oak Tree, same being the Northeast corner of said Barber to Knott tract and the Southeast corner of the Jerry Walters tract as recorded in Volume 997, Page 617, of the Real Property Records of Cass County, Texas;

THENCE North 01°30'14" East 838.58 feet along the common line between the Johnson to Young tract and the Walters tract, also being a common line for the Connie Sanders tract as described by an instrument recorded in Volume J-6, Page 232, of the Deed Records of Cass County, Texas, to a 5/8" iron rod found for the Northwest corner of the Johnson to Young tract and the Southwest corner of the International Paper Company called 275.60 acre tract as described by an instrument recorded in Volume 672, Page 51, of the Deed Records of Cass County, Texas, same being the Northwest corner of this tract;

THENCE South 88°55'56" East 654.46 feet along the upper South line of said International Paper Company tract to a 5/8" iron rod set for the Northeast corner of this tract and the Northerly Northwest corner of the Mattie Lincoln called 5.076 acre tract described in Deed recorded in Volume 650, Page 129, of the Deed Records of Cass County, Texas;

THENCE South 01°22'53" W with the West line of said Lincoln tract, 525.89 feet to a cross-tie fence corner post for the most Easterly Southeast corner of this tract and an ell corner of said Lincoln tract;

THENCE North 88°40'52" W 50.46 feet to a cross-tie fence corner post, an ell corner of this tract and the Westerly Northwest corner of said Lincoln tract;

THENCE South 01°20'14" W with the West line of said Lincoln tract, 525.50 feet to a ¾" iron rod found for its Southwest corner and the Southeast corner of this tract in the North line of said Knott to Lincoln tract, same being the Southwest corner of a 30 foot wide easement conveyed by Mattie Lincoln et vir, to Clevester Young et ux, by Right-of-Way Deed dated February 22, 1983, and recorded in Volume 700, Page 303, of the Deed Records of Cass County, Texas, said ¾" iron rod also being the Point of Beginning, containing 15.205 acres of land, more or less. Also, that certain Grant of Right-of-Way from Mattie Lincoln et vir, to Clevester Young et ux, dated February 22, 1983, and recorded in Volume 700, Page 303, of the Real Property Records of Cass County, Texas, to which instrument reference is here made for all purposes.

County: Cass

Trustee's/Substitute Trustee's Name: KYLE B. DAVIS

Trustee's/Substitute Trustee's Address: P.O. Box 1221
New Boston, Texas 75501

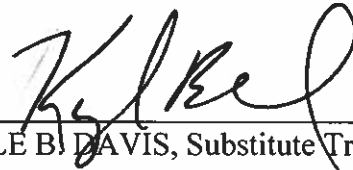
Date of Sale (first Tuesday of month): September 5, 2023

Time of Sale: Not earlier than 10:00 a.m. and not later than 1:00 p.m.

Place of Sale: At the front (North) Entrance of the Cass County Courthouse, Linden, Cass County, Texas

Mortgagee has appointed KYLE B. DAVIS as Substitute Trustee under the Deed of Trust. Mortgagee has instructed Substitute Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Substitute Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS". The sale will begin at the Time of Sale or not later than three hours thereafter.



KYLE B. DAVIS, Substitute Trustee