

**Notice of Foreclosure Sale**

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

BEING 14.196 acres of land, consisting of 1.515 acres out of and part of the M. F. Elfert Survey, Abstract No. 938 (a preemption survey of the NW/4 of Section 30, Block 2, H & TC RR. Co. Survey, 6.546 acres out of and part of the James Webb Survey, Abstract No. 1771 (a preemption survey of the NE/4 of Section 30, Block 2, H & TC RR. Co. Survey) and 6.135 acres out of and part of the Frank E. Larimer Survey, Abstract No. 808 (a preemption survey of the S/2 of Section 30, Block 2, H & TC RR. Co. Survey), Eastland County, Texas and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded in Instrument No: 2012-001213, of the real property records of Eastland County, Texas.

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

Date: December 1, 2015

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be completed by no later than 4:00 p.m.

Place: Eastland County Courthouse at 100 West Main in Eastland, Texas, at the following location: Front steps at south entrance of courthouse (sometimes referred to as Commerce Street entrance)

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. The reposting or refiling may be after the date originally scheduled for this sale.

4. *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.

RECEIVED 3:15 p.m.  
CATHY JENTHO, COUNTY CLERK

NOV 09 2015

EASTLAND COUNTY, TEXAS  
By [Signature] Clerk

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day 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 to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of 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 physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the 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 first sale of the day held by the trustee or any substitute trustee.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by R.W. DASKEVICH.

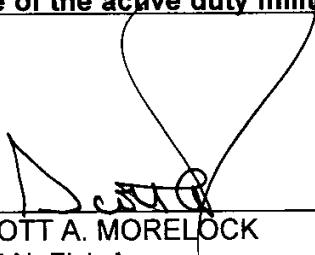
6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$72,000.00, executed by R.W. DASKEVICH, and payable to the order of TEXASBANK; and (b) all renewals and extensions of the note. TEXAS BANK is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned at 207 N. Fisk, Brownwood Texas 76801 or to the beneficiary, TEXAS BANK at 400 Fisk Avenue, Brownwood Texas 76801.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

8. 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.

Dated November 9, 2015.



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SCOTT A. MORELOCK  
207 N. Fisk Ave.  
Brownwood, TX 76801  
325-646-9795 - Telephone  
325-646-7855 - Telecopy

## EXHIBIT "A"

BEING 14.196 acres of land called Parcel 2 in a partition of 94.196 acres of land originally called a 94.16 acre tract conveyed to Jimmy Wayne Hutton by deed recorded in Volume 2366 Page 90, Official Public Records of Eastland County, Texas, said 14.196 acres consisting of 1.515 acres out of and part of the M. F. Elfert Survey, Abstract No. 938 (a preemption survey of the NW/4 of Section 30 Block 2, H. & T. C. R. R. Co. Survey), 6.546 acres out of and part of the James Webb Survey, Abstract No. 1771 (a preemption survey of the NE/4 of Section 30 Block 2, H. & T. C. R. R. Co. Survey) and 6.135 acres out of and part of the Frank E. Larimer Survey, Abstract No. 808 (a preemption survey of the S/2 of Section 30 Block 2, H. & T. C. R. R. Co. Survey), Eastland County, Texas. This survey of said 14.196 acres being made for KKMADD Investments, LLC. by virtue of their request and being more particularly described as follows;

BEGINNING at a ½" rebar with survey cap # 5085 set at the Easterlymost Southeast corner of Jimmy Wayne Hutton called 94.16 acre tract and the Southwest corner of Billy Guy Lyerla 80 acre tract described in Volume 1632 Page 227, Official Public Records of Eastland County, Texas, also being in the North line of Belinda Turner 51.256 acre tract described in Volume 779 Page 80, Deed Records of Eastland County, Texas, for the Easterlymost Southeast corner of this described tract and being located North 89° 54' 03" East, 1325.50 feet from the Southwest corner of the James Webb Survey.

THENCE South 89° 31' 55" West, 334.65 feet with the Easterlymost South line of this described tract and Jimmy Wayne Hutton called 94.16 acre tract, same being the South line of the James Webb Survey and North line of the Frank E. Larimer Survey, also being the North line of Belinda Turner 51.256 acre tract, to a 5/8" iron rod found at the Northwest corner of said Belinda Turner 51.256 acre tract and interior corner of Jimmy Wayne Hutton called 94.16 acre tract, for an angle corner of this described tract.

THENCE South 01° 25' 47" West, 165.75 feet with the Southerlymost East line of this described tract and Jimmy Wayne Hutton called 94.16 acre tract, same being the West line of Belinda Turner 51.256 acre tract, to a ½" rebar with survey cap # 5085 set for the Southeast corner of this described tract.

THENCE South 89° 50' 16" West, 1585.19 feet with the South line of this described tract, to a ½" rebar with survey cap # 5085 set at its intersection with the West line of Jimmy Wayne Hutton called 94.16 acre tract and the East right of way line of State Highway No. 6, for the Southwest corner of this described tract.

THENCE North 00° 36' 04" West, with the West line of this described tract and

**EXHIBIT "A" (continued)**

Jimmy Wayne Hutton called 94.16 acre tract, same being the East right of way line of State Highway No. 6, at 170.90 feet passing the North line of the Frank E. Larimer Survey and South line of the M. F. Elfert Survey, thence continuing along same course for a total distance of 283.36 feet to a ½" rebar with survey cap # 5085 set for the Northwest corner of this described tract.

THENCE South 89° 28' 30" East, 601.46 feet with the North line of this described tract, to a ½" rebar with survey cap # 5085 set in the East line of the M. F. Elfert Survey and West line of the James Webb Survey, for an angle corner of this described tract.

THENCE North 80° 43' 37" East, 1341.29 feet with the North line of this described tract, to a ½" rebar with survey cap # 5085 set in the East line of Jimmy Wayne Hutton called 94.16 acre tract and the West line of Billy Guy Lyerla 80 acre tract, for the Northeast corner of this described tract.

THENCE South 00° 18' 34" East, 321.05 feet with the East line of this described tract and Jimmy Wayne Hutton called 94.16 acre tract, same being the West line of Billy Guy Lyerla 80 acre tract, to the PLACE OF BEGINNING and containing 14.196 acres of land.