

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

NOTICE OF SUBSTITUTE TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEES

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.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DATE: FEBRUARY 12, 2024

NOTE: Note, as subsequently amended, described as follows:

Date: JULY 21, 2017
Maker: ALL PURPOSE LANDSCAPE & MANAGEMENT, LLC
Payee: SIMMONS BANK SUCCESSOR-BY-MERGER TO SOUTHWEST BANK
Original Principal
Amount: \$215,000.00

DEED OF TRUST: Deed of Trust described as follows:

Date: JULY 21, 2017
Grantor: ALAN W. PRINE
Trustee: VERNON W. BRYANT, JR.
Beneficiary: SIMMONS BANK SUCCESSOR-BY-MERGER TO SOUTHWEST BANK
Recorded: Document No. 170777, Real Property Records, FISHER County, Texas

LENDER: SIMMONS BANK SUCCESSOR-BY-MERGER TO SOUTHWEST BANK

BORROWER: ALL PURPOSE LANDSCAPE & MANAGEMENT, LLC

PROPERTY: The property described as follows:

THE PROPERTY LOCATED IN FISHER COUNTY, TEXAS, AS DESCRIBED IN THE DEED OF TRUST AND IN EXHIBIT A, ATTACHED HERETO AND

INCORPORATED HEREIN FOR ALL PURPOSES, together with all buildings, structures, fixtures and improvements thereon and any and all appurtenances and rights thereto, *SAVE AND EXCEPT ANY AND ALL LOTS OR PORTIONS THEREOF THAT HAVE BEEN RELEASED OF RECORD BY THE HOLDER OF THE DEED OF TRUST.*

SUBSTITUTE TRUSTEE: TERRY BROWDER, LAURA BROWDER, MARSHA MONROE, JAMIE OSBORNE, DAVID GARVIN

Substitute Trustee's Mailing Address:

3333 Lee Parkway, 8th Floor
Dallas, Texas 75219

DATE AND TIME OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

MARCH 5, 2024, the first TUESDAY of the month, to commence at 1:00 PM, or within three (3) hours after that time.

PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

In FISHER County, Texas, County Courthouse, in the area designated by the Commissioners Court of such County, pursuant to Section 51.002 of the Texas Property Code (if no such place is designated, then the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

RECITALS

Default has occurred in the payment of the Note and/or in the performance of the obligations under the Deed of Trust that secures the Note. Because of this default, Lender, the owner and holder of the Note and the Deed of Trust lien under Texas Property Code Section 51.002, has requested that Substitute Trustee sell the Property according to the terms of the Deed of Trust and applicable law.

Formal notice is now given of Lender's election to proceed against and sell the real property described in the Deed of Trust, consistent with Lender's rights and remedies under the Deed of Trust and applicable law.

Therefore, notice is given that on the Date and Time of Substitute Trustee's Sale of Property and at the Place of Substitute Trustee's Sale of Property, I, as Substitute Trustee, or any other substitute trustee Lender may appoint, will sell the Property by public sale to the highest bidder for cash or acceptable certified funds, according to the Deed of Trust and applicable law. The sale and conveyance of the Property will be subject to all matters of record applicable to the Property that are superior to the Deed of Trust and to any permitted exceptions to title described in the Deed of Trust. Substitute Trustee has not made and will not make any covenants, representations, or warranties about the Property other than providing the successful bidder at the sale with a deed to the Property containing any warranties of title required by the

Deed of Trust. The Property will be sold AS IS, WHERE IS, AND WITH ALL FAULTS.

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.

APPOINTMENT OF SUBSTITUTE TRUSTEE

DEED OF TRUST: Deed of Trust described as follows:

Date: JULY 21, 2017
Grantor: ALAN W. PRINE
Trustee: VERNON W. BRYANT, JR.
Beneficiary: SIMMONS BANK SUCCESSOR-BY-MERGER TO SOUTHWEST BANK
Recorded: Document No. 170777, Real Property Records, FISHER County, Texas

PROPERTY: The property described as follows:

THE PROPERTY LOCATED IN FISHER COUNTY, TEXAS, AS DESCRIBED IN THE DEED OF TRUST AND IN EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, together with all buildings, structures, fixtures and improvements thereon and any and all appurtenances and rights thereto, ***SAVE AND EXCEPT ANY AND ALL LOTS OR PORTIONS THEREOF THAT HAVE BEEN RELEASED OF RECORD BY THE HOLDER OF THE DEED OF TRUST.***

SUBSTITUTE TRUSTEE: TERRY BROWDER, LAURA BROWDER, MARSHA MONROE, JAMIE OSBORNE, DAVID GARVIN

Substitute Trustee's Mailing Address:
c/o 3333 Lee Parkway, 8th Floor
Dallas, Texas 75219

Each Substitute Trustee is appointed **effective as of FEBRUARY 12, 2024**, pursuant to Texas Property Code § 51.0075 to succeed to all title, powers, and duties of the original or successor trustees under the Deed of Trust.

Appointment of Substitute Trustees:

By: 

Name: Michael P. Menton, Attorney for
SIMMONS BANK SUCCESSOR-BY-
MERGER TO SOUTHWEST BANK

Notice of Sale executed by:


Name: 

Substitute Trustee

EXHIBIT A

TRACT ONE:

A tract being out of the south parts of the J. Nickless and the J.E. Burleson Survey in Fisher County, Texas.

BEGINNING at a point for the Southeast corner of the J. Nickless Survey and the Southwest corner of the J.E. Burleson Survey and being on the north line of the L.L. Lovett Survey. From this point an old corner post bears North $16^{\circ} 57'$ West at 1.4".

THENCE North $74^{\circ} 31'$ East for 1368.7' to the Northeast right of way of a railroad track for a corner of this tract.

THENCE North $31^{\circ} 01' 20''$ East along the right of way for 237.8' for a corner of this tract on the east line of the J.E. Burleson Survey.

THENCE North $16^{\circ} 54'$ West for 1779.8' to a stake on the south right of way of U.S. Highway No. 180 for the Northeast corner of this tract.

THENCE South $85^{\circ} 41' 30''$ West at 1585.0' pass the common line between the J. Nickless and the J.E. Burleson Survey continue same course for a total distance of 4268.4' to a stake on the west line of the J. Nickless Survey for the Northwest corner of this tract.

THENCE South $16^{\circ} 50' 20''$ East for 2748.7' along the general course of a fence to a stake by a corner post for the Southwest corner of the J. Nickless Survey for the Southwest corner of this tract and an ell corner of the J.S. Davis Survey.

THENCE North $75^{\circ} 21' 40''$ East for 1509.7' to the common corner of the J.S. Davis Survey and the L.L. Lovett Survey for a corner of this tract.

THENCE North $74^{\circ} 31'$ East for 1115.6' to the place of beginning and containing 224.8 acres as described in the foregoing field notes of which 150.7 acres is in the J. Nickless Survey and 74.1 acres is in the J.E. Burleson Survey.

TRACT TWO:

14.148 ACRES OF LAND OUT OF THE J.L. MABERRY PRE-EMPTION SURVEY, FISHER COUNTY, TEXAS. DESCRIBED FURTHER BY METES AND BOUNDS AS FOLLOWS:

BEGINNING: AT A SET 1/2" IRON PIN WITH CAP MARKED MORRIS 2426 FOR THE SOUTHEAST CORNER OF THE J.L. MABERRY PRE-EMPTION SURVEY

THENCE: S $77^{\circ} 24' 06''$ W - 683.54' ALONG THE SOUTH LINE OF THE J.L. MABERRY PRE-EMPTION SURVEY TO SET 1/2" IRON PIN WITH CAP MARKED MORRIS 2426

THENCE: N $11^{\circ} 45' 53''$ W - 975.45' TO A FOUND 2" IRON PIPE IN THE SOUTH RIGHT OF WAY OF HIGHWAY 180.

THENCE: N $87^{\circ} 56' 06''$ E - 676.46' ALONG THE SOUTH RIGHT OF WAY OF HIGHWAY 180 TO A SET 1/2" IRON PIN WITH CAP MARKED MORRIS 2426 IN THE EAST LINE OF THE J.L. MABERRY PRE-EMPTION SURVEY

THENCE: S $12^{\circ} 53' 11''$ E - 851.70' ALONG THE EAST LINE OF THE J.L. MABERRY PRE-EMPTION SURVEY TO THE POINT OF BEGINNING AND CONTAINING 14.148 ACRES OF LAND MORE OR LESS.

EXHIBIT A - LEGAL DESCRIPTION
TDFNPESC_ExhibitA-LegalDescription (11-07)

