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RUTH SISSON  
COUNTY CLERK

BY \_\_\_\_\_ DEPUTY

**NOTICE OF FORECLOSURE SALE**

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Deed of Trust. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the following described deed of trust:

Date: August 12, 2016  
Grantor: Middelkoop Dairy, LLC  
Beneficiary: Alliance Bank  
Substitute Trustee: Scott A. Ritcheson, and/or Charles E. Lauffer, Jr., and/or Douglas A. Ritcheson and/or Lance Vincent  
Recording Information: Deed of Trust recorded under Clerk's File No. 135740-2016, in the Official Public Records of Lamar County, Texas.

2. Property to be Sold. The property to be sold (the "Property") is described as follows:

**All of that certain lot, tract or parcel of land situated in Lamar County, Texas which is more particularly described on what is attached hereto as Exhibit "A" and incorporated herein for all purposes.**

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

Date: **October 3, 2017**  
Time: The sale shall begin no earlier than 1:00 p.m. or no later than three (3) hours thereafter. The sale shall be completed by no later than 4:00 p.m.  
Place: Lamar County Courthouse in Paris, Texas, at the following location:

In the area of such Courthouse designated by the Lamar County Commissioners' Court as the area where foreclosure sales shall take place, or, if no such area has been designated, then the east

foyer, just inside the first floor east entrance to the Lamar County Courthouse at 119 North Main Street, Paris, Lamar County, Texas.

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 reporting or refileing 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.

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 unpaid ad valorem taxes and 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 other 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

A purchaser at the sale of the Property "acquires the Property "AS IS" without any expressed or implied warranties" (except as to the warranties of title from the grantor identified in the deed of trust described below). Any purchaser acquires the Property "at the purchaser's

own risk." Texas Property Code §51.009. Nothing set forth in this Notice is an express or implied representation or warranty regarding the Property, all of which are specifically disclaimed by the undersigned and by the beneficiary of the herein described deed of trust.

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 Middelkoop Dairy, LLC. The deed of trust is dated August 12, 2016, and is recorded in the office of the County Clerk of Lamar County, Texas, under Clerk' File No. 135740-2016, in the Official Public Records of Lamar County, Texas.

6. Obligations Secured. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including, but not limited to, (1) the August 12, 2016 promissory note in the original principal amount of \$606,600.00, executed by Middelkoop Dairy, LLC, and payable to the order of Alliance Bank; (2) all renewals and extensions of the note; (3) all interest, late charges, fees and other expenses payable under said note on the herein described deed of trust; and (4) all other debts and obligations described in the deed of trust (including all debts secured by any cross-collateralization clause in the deed of trust). Alliance 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 or to the beneficiary, Alliance Bank, Attention: Jason Thompson, telephone (903) 885-2187.

7. Default and Request to Act. Default has occurred under the deed of trust, and the beneficiary has asked 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.

DATED: September 11, 2017.



SCOTT A. RITCHESON, Substitute Trustee  
821 ESE Loop 323, Suite 530  
Tyler, Texas 75701  
Tel: (903) 535-2900  
Fax: (903) 533-8646

**Notice to Members of the Armed Forces of the United States:**

**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.**

## EXHIBIT "A"

### PARCEL ONE:

Situated about 13.5 miles North, 74 Degrees East of the City of Paris, Lamar County, Texas, a part of Quarter Section 1, Section 14 of the Lamar County School Lands, Abstract No. 528, also being the same land described as Tracts One, Two, Three and Four in a Deed to John O. Rater and wife, Ahmay D. Rater, recorded in Volume 487, Page 03 of the Lamar County Real Property Records, and being further described as follows:

BEGINNING at an iron pin set for corner in the South line of County Road 44800, the present Northwest corner of the said Tract Four;

THENCE South 89 Degrees, 37 Minutes East with said South line a distance of 687.16 feet to a point for corner;

THENCE South 83 Degrees, 38 Minutes East, continuing with said South line a distance of 1159.90 feet to an iron pin set at the present Northeast corner of the said Tract Three;

THENCE South 3 Degrees, 21 Minutes 10 Seconds West a distance of 2137.78 feet to a point for corner;

THENCE South 5 Degrees, 19 Minutes West a distance of 496.01 feet to an iron pin set for corner;

THENCE South 89 Degrees, 18 Minutes, 10 Seconds West a distance of 1639.31 feet to an iron pin set at the Southwest corner of the said Tract Two;

THENCE North 0 Degrees, 46 Minutes, 50 Seconds West a distance of 2680.42 feet to the place of beginning and containing 106.781 acres of land.

PARCEL TWO:

A part of the LAMAR COUNTY SCHOOL LAND SURVEY, No. 528, part Section 14, about 13 miles North 74 Deg. East of the City of Paris, and a part of a 61.551-acre tract of land conveyed to Lucky Ramsey by Deed of record in Book 696, Page 28, Lamar County Deed Records; described by metes and bounds as follows:

BEGINNING at an iron pin at the NE corner of the above mentioned 61.551-acre tract of land;

THENCE NORTH 89 Deg. 53 Min. West with the SB line of a County Road and the NB line of said 61.551-acre tract 608.4 feet, an iron pin;

THENCE SOUTH 1933.4 feet, an iron pin;

THENCE EAST with the SB line of said 61.551-acre tract of land 654.7 feet, an iron pin at its SE corner;

THENCE NORTH 1 Deg. 22 Min. West with the EB line of the above mentioned 61.551-acre tract 1932.8 feet to the place of beginning, containing 28.017 acres of land.

SAVE, EXCEPT AND LESS the following described tract or parcel of land:

A part of the LAMAR COUNTY SCHOOL LAND SURVEY, No. 528, part Section 14, about 13 miles North 74 Deg. East of the City of Paris, and a part of a 28.017-acre tract of land described in Deed from Lucky Ramsey to Stella Lorene Ramsey, of record in Book 703, Page 590, Lamar County Deed Records; described by metes and bounds as follows:

BEGINNING at an iron pin at the SW corner of the Ramsey/Ramsey 28.017-acre tract of land above mentioned;

THENCE EAST with the SB line of said 28.017 acre tract of land 654.7 feet, an iron pin at its SE corner;

THENCE NORTH 1 Deg. 22 Min. West, with the EB line of said 28.017-acre tract, 143 feet, a point;

THENCE WEST 651.28 feet, more or less, a point in the WB line of said 28.017-acre tract of land;

THENCE SOUTH with the WB line of the above mentioned 28.017-acre tract of land to the place of beginning.

The above described property is the same as that described in Deed from Stella Lorene Ramsey to Calvin Miller and wife, Ada Miller, dated September 10, 1987, of record in Book 713, Page 954, Lamar County Deed Records; and reference is expressly made to all the above mentioned instruments and records for all necessary purposes.