

POSTED

12:00pm

NOV 09 2023

*Skinner, Clerk*

Motley County and District  
Clerk's Office

Notice of Trustee's Sale

**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 SERVE TO THE SENDER OF THIS NOTICE IMMEDIATELY.**

Date: November 9, 2023

Original Trustee: Troy Stegemoeller

Grantor: Motley Mill & Cube Corp., James Gwinn and Darla Gwinn

Original Beneficiary: Security Bank

Current Beneficiary: Vista Bank

Note Dated: May 5, 2008

Original Principal Sum: \$540,000.00

Deed of Trust:

Deed of Trust recorded in Volume 95, Page 239 of the Official Public Records of Motley County, Texas.

Property:

The following real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; and all easements, rights of way, and appurtenances; all water and water rights; and all other rights, royalties, and profits relating to the real property, including without limitation such rights as Grantor may have in all minerals, oil, gas, geothermal and similar matters, (the "Real Property") located in Motley County, Texas:

All of acreage Block No. 6 in the City of Roaring Springs, Motley County, Texas, according to the map of said town of record in the Deed Records of Motley County, Texas and containing 25.3 acres of land, more or less, subject to the following reservations.

1. A 0.551 acre tract deeded in a 0.157 acre easement granted to West Texas Utilities Company recorded in volume 64, Page 96 of the Deed Records of Motley County, Texas.
2. A 14.20 acre tract deeded to Quail Pipe Company, recorded in Volume 63, Page 498, of the Deed Records of Motley County, Texas.

A right-of-way Easement granted for highway purposes to the State of Texas, recorded in Volume 24, Page 3, of the Deed Records of Motley County, Texas.

Said Tract containing 10.549 acres, more or less; LESS 0.59 acres described as follows:

Legal description of a 0.59 acre tract of land out of Acreage Block 6 of the Original Town of Roaring Springs, Motley County, Texas according to the map, plat and/or dedication deed thereof recorded in Volume 13, Page 467 of the Deed Records of Motley County, Texas described by metes and bounds as follows:

BEGINNING at a 1 inch iron pipe found in the East line of Acreage Block 6 and in the West line of a 60 foot road for the Northeast corner of a 0.551 acre tract of land recorded in Volume 64, Page 96 of said Deed Records and the Southeast corner of this tract, the Southeast corner of Acreage Block 6 bears S 0°37'35" W a distance of 160.00 feet.

THEN N 89°49'20" W at 150.00 feet pass the Northwest corner of said 0.551 acre tract continuing a total distance of 235.00 feet to a 1/2 inch steel rod with cap set for the Southwest corner of this tract;

THEN N 0°37'35" E a distance of 110.00 feet to a 1/2 inch steel rod with cap set for the Northwest corner of this tract;

THEN S 89°49'20" E a distance of 235.00 feet to a 1/2 inch steel rod with cap set in the East line of Acreage Block 6, in said road for the Northeast corner of this tract;

THEN S 0°37'35" W a distance of 110.00 feet to the POINT OF BEGINNING.

County: Motley

Substitute Trustee: Chad Smith

Trustee's Address: 8008 Slide Road, Suite 33, Lubbock, Texas 79424

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

Time of Sale: Notice is Hereby Given that on the Date of Sale, specifically, such sale to begin at 10:00 o'clock a.m., or not later than three hours after such time, at the place designated by the Motley County Commissioners Court as the area where sales pursuant to Deeds of Trust are take place, to the highest bidder for cash or, if no area is designated by the commissioners court, the front entrance to the Motley County Courthouse, 701 Dundee Avenue, Matador, Texas.

Chad Smith is the Substitute Trustee under the Deed of Trust and has been appointed by the Beneficiary under the Deed of Trust. Beneficiary 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, the Substitute Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS" and subject to any prior liens. There will be no Warranty relating to title, possession, quiet enjoyment, or the like for the property in this disposition. The sale will begin at the Time of Sale or not later than three hours thereafter.

This Notice of Trustee's Sale is also being sent to:

Motley Mill & Cube Corp., PO Box 299, Roaring Springs, Texas 79256

James Gwinn, PO Box 299, Roaring Springs, Texas 79256

Darla Gwinn, PO Box 299, Roaring Springs, Texas 79256

Motley Mill & Cube Corp., 791 State Hwy 70, Roaring Springs, Texas 79422

Darla Gwinn, 791 State Hwy 70, Roaring Springs, Texas 79422

James Gwinn, 791 State Hwy 70, Roaring Springs, Texas 79422

Motley County Chief Appraiser, Jim Finley, Box 249, Floydada, Texas 79235

Motley County Tax Assessor-Collector, Ronda Miller, P.O. Box 727, Matador, Texas 79244

EXECUTED this the 9th day of November, 2023.



Chad Smith, Substitute Trustee

THE STATE OF TEXAS   §  
                                  §  
COUNTY OF LUBBOCK   §

This instrument was acknowledged before me on the 9th day of November, 2023, by Chad Smith as Substitute Trustee on behalf of said entity.

*Bobbie Bentancourt*  
Notary Public, State of Texas

