

## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Notice is hereby given that a public sale at auction of the Property (as that term is defined and described below) will be held at the date, time and place specified herein.

### **Information regarding the indebtedness and lien that is the subject of this sale:**

#### Note:

Date: February 7, 2008  
Maker: Wade Alan Cowan and Valerie Ann Cowan  
Payee: AgTexas, FLCA  
Original Principal Amount: \$1,075,000.00  
AgTexas, FLCA Loan No. 875378

#### Deed of Trust:

Date: February 7, 2008  
Grantor: Wade Alan Cowan and spouse, Valerie Ann Cowan  
Trustee: Mitchell Harris  
Recorded in: Volume 756, Page 866, Official Public Records of Terry County, Texas.

#### Property:

The following described real property, together with all mineral interests, improvements, fixtures, personal property and intangible property, if any, described in and presently covered by the Deed of Trust and all other rights, privileges and appurtenances pertaining thereto:

Five tracts of land in Terry County, Texas, more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

#### Prior Modification of Note and/or Deed of Trust:

Modification, Renewal and Extension Agreement dated April 25, 2013, between AgTexas, FLCA, as Lender, and Wade Alan Cowan and Valerie Ann Cowan, Borrower, recorded under Document No. 260527 in Volume 851, Page 500, Official Public Records of Terry County, Texas.

#### Present Owner of Note and Beneficiary under Deed of Trust:

AgTexas, FLCA

**Information regarding the public sale to be held:**

Substitute Trustees: Angelia B. Lee, Tammy Mathis, Matthew M. McKee and Ryan Bigbee

Appointed by written instrument dated August 3, 2017, executed by AgTexas, FLCA and recorded or to be recorded in the appropriate Official Public Records of Terry County, Texas.

Date of Sale: February 6, 2018, being the first Tuesday in said month.

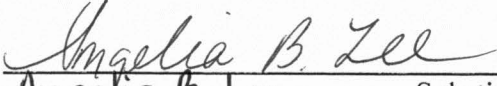
Time of Sale: The earliest time at which the sale will occur is 10:00 a.m., Brownfield, Texas local time, and shall begin not later than 3 hours thereafter.

Place of Sale: The designated area of the County Courthouse as designated by the Commissioners Court of Terry County, Texas

Default has occurred in the payment of the indebtedness evidenced by the Note. Because of such default, AgTexas, FLCA appointed Substitute Trustee and has requested Substitute Trustee to enforce the Deed of Trust.

Therefore, notice is given that on the date and time and at the place set forth hereinabove, any one of the above-named Substitute Trustees will sell the above-referenced Property by public sale to the highest bidder for cash in accordance with the Deed of Trust and the laws of the State of Texas.

Prospective bidders are advised to make their own examination of title to the Property to determine the existence of any easements, restrictions, liens or other matters affecting title to the Property. Neither Substitute Trustee nor the AgTexas, FLCA make any representation or warranty (express or implied) regarding title to or the condition of the Property. The Property to be sold at the public sale will be sold in its present "AS IS" condition and subject to all ad valorem taxes then owing with respect to the Property.

  
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Angelia B. Lee, Substitute Trustee

Please return File-Stamped Copy to:

Tommy J. Swann  
McCleskey, Harriger, Brazill & Graf, L.L.P.  
5010 University Ave, Floor 5  
Lubbock, TX 79413-4422

**EXHIBIT "A"**

**TRACT 1:** The West Half (W/2) of Section 96, Block T, D & W Ry. Co. Survey in Terry County, Texas.

**TRACT 2:** The South Half (S/2) and the Northeast Quarter (NE/4) of Section 95, Block 4-X, C & M Ry. Co. Survey in Terry County, Texas.

**TRACT 3:** The Northwest Quarter (NW/4) of Section 95, Block 4-X, C & M Ry. Co. Survey in Terry County, Texas, SAVE AND EXCEPT 2.5 acres, more or less, out of the Northeast corner of the Northwest Quarter (NW/4) of Section 95, Block 4-X, C & M Ry. Co. Survey in Terry County, Texas, described by metes and bounds as follows: BEGINNING at a 3/8" iron rod set in the East line of the Northwest Quarter (NW/4) of Section 95, Block 4-X, for the Northeast and beginning corner of this tract, whence the Northeast corner of Section 95, Block 4-X bears North 280 feet and South 89°50' East 2640.0 feet;  
THENCE North 89°50' West a distance of 340.3 feet to a 3/8" iron rod set for the Northwest corner of this tract;  
THENCE South a distance of 320.0 feet to a 3/8" iron rod set for the Southwest corner of this tract;  
THENCE South 89°50' East a distance of 340.3 feet to a 3/8" iron rod set in the East line of the Northwest Quarter (NW/4) of Section 95, Block 4-X, for the Southeast corner of this tract;  
THENCE North along the East line of the Northwest Quarter (NW/4) of Section 95, Block 4-X a distance of 320.0 feet to the Place of Beginning.

**TRACT 4:** The East One-Half (E/2) of Section 160, Block T, D & W Ry. Co. Survey, Terry County, Texas.

**TRACT 5:** 208.3 acres being a part of Section 164, Block T, E.L. & R.R. Ry. Co. Survey in Terry County, Texas, described by metes and bounds as follows, to wit: BEGINNING at the Southwest corner of Section 164, for the Southwest and beginning corner of this tract;  
THENCE North a distance of 1730.3331 feet following the West line of said Section 164 to a point for the Northwest corner of this tract;  
THENCE East following a line 1730.3331 feet North of and parallel to the South base line of said Section 164 a distance of 5245.555 feet to a point for the Northeast corner of the tract herein conveyed which point is 12.4 varas West of the East line of said Section 164 above described;  
THENCE South a distance of 1730.3331 feet to a point in the South line of said Section 164, which is 5245.5555 feet East of the Southwest corner of said Section 164 above described;  
THENCE West along the South line of said Section 164 a distance of 5245.5555 feet to the Place of Beginning.

