

Notice of Foreclosure Sale

September 26, 2022

Deed of Trust ("Deed of Trust"):

Dated: September 17, 2018
Grantor: Epic Ag Services, Inc., a Texas corporation
Trustee: Mike Shaw
Lender: R Bank, a Texas State Bank
Recorded: Jackson County, Texas, under Document No. 2018-02488

Legal Description:

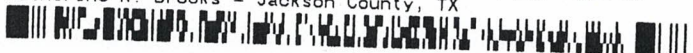
TRACT ONE:

Being a 9.04 acre tract of land situated in the Nestor Clay League, Abstract No. 13, Jackson County, Texas, said 9.04 acres being comprised of a portion of a 9.04 acre tract of land conveyed from Union Pacific Railroad Company to Hermes & Steffek Fertilizer, Inc. by deed dated October 19, 2001 as recorded in Volume 201, Page 256 of the Official Records of Jackson County, Texas, and a portion of an 86 acre tract of land conveyed from Lon R. Drushel to L.A. Hermes by deed dated April 28, 2009 as recorded in Volume 352, Page 695 of the Official Records of Jackson County, Texas.

TRACT TWO:

Along with a 0.241 acre (10,500 square foot) easement for access, 50 feet in width, situated in the Nestor Clary League, Abstract No. 13, Jackson County, Texas, said 0.241 acres being across a portion of the 9.04 acre tract of land conveyed from Union Pacific Railroad Company to Hermes & Steffek Fertilizer, Inc. by deed dated October 19, 2001 as recorded in Volume 201, Page 256 of the Official Records of Jackson County, Texas.

Secures: Note ("Note") in the original principal amount of \$160,000.00, executed by Kevin Janssen, Director of Epic Ag Services, Inc. ("Borrower") and payable to the order of Lender



Modifications: Effective September 17, 2019, recorded in Jackson County, Texas, under Document No. 2019-02674

Effective December 17, 2019, recorded in Jackson County, Texas, under Document No. 2019-02674

Effective June 17, 2020, recorded in Jackson County, Texas, under Document No. 2020-01860

Effective December 17, 2020, recorded in Jackson County, Texas, under Document No. 2021-00269

Effective June 17, 2021, recorded in Jackson County, Texas, under Document No. 2021-02303

Effective December 17, 2021, recorded under in Jackson County, Texas, under Document No. 2022-00205

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Substitute Trustee: Paul H. Jordan

Substitute Trustee's Address: 108 E. 8th St., Georgetown, Texas 78626

Foreclosure Sale:

Date: November 1, 2022

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time; **the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three hours thereafter.**

Place: At the place designated by the Commissioners Court of Jackson County, pursuant to §51.002 of the Texas Property Code as the place where foreclosures sales are to take place (if such place is not so designated, the sale will take place in the area where this Notice of Foreclosure Sale is posted), in the City of Edna, Jackson County, Texas.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that R Bank's bid may be by credit against the indebtedness secured by

the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, R Bank, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of R Bank's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with R Bank's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If R Bank passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by [Lender/Beneficiary]. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "**AS IS,**" without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

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.

Sincerely yours,

SNEED, VINE & PERRY, P.C.

By: _____


Paul H. Jordan

Texas Bar No. 11015750

pjordan@sneedvine.com

108 East 8th Street

Georgetown, Texas 78626

Tel. (512) 930-9775

Fax (512) 819-9707

Attorney for R Bank, a Texas State Bank

FILED and RECORDED

Instrument Number: 2022-03149 B: OR V: 674 P: 568

Filing and Recording Date: 09/29/2022 01:00:53 PM Recording Fee: 38.00

I hereby certify that this instrument was FILED on the date and time stamped heron and RECORDED in the OFFICIAL PUBLIC RECORDS of Jackson County, Texas.



A handwritten signature in black ink, appearing to read "K.R. Brooks", is written over a horizontal line.

Katherine R. Brooks, County Clerk
Jackson County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.