

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

FILED  
AT 11 O'CLOCK PM  
MAY 24 2023

**NOTICE OF FORECLOSURE SALE**

THE STATE OF TEXAS            §  
  
COUNTY OF ANGELINA        §

KNOW ALL MEN BY THESE PRESENTS,

AMY FINCHER  
County Clerk, County Court at Law  
Angelina County, Texas  


WHEREAS, on the 1<sup>st</sup> day of August, 2018, Jason Cooper ("Debtor") executed that certain Deed of Trust (as extended and renewed, "Deed of Trust") conveying to Don W. Duran, Trustee ("Trustee"), the real property more particularly described in Exhibit "A" attached hereto, together with all improvements, fixtures, equipment, and other property located on the real property and any and all other items, rights, or interests described in the Deed of Trust, all of which property is more fully described in the Deed of Trust, to which reference is hereby made for further description of the property covered by this notice (collectively, "Property"); and

WHEREAS, on the 1<sup>st</sup> day of August, 20218, Jason Cooper executed that certain Security Agreement securing the personal property and all proceeds of such property and farm products and standing crops and timber and additionally secured by a UCC-1 Financing Statement filed of record under 15-0022073424, with the Texas Secretary of State;

WHEREAS, the Deed of Trust was recorded under Document No. 2018-00370511, Real Property Records of Angelina County, Texas; and

WHEREAS, the Security Agreement was recorded under Document No. 2018-00370512, Real Property Records of Angelina County, Texas; and

WHEREAS, the UCC-1 Financing Statement was filed under 15-0022073424, Texas Secretary of State; and

WHEREAS, the Deed of Trust was executed and delivered to secure the payment of the following items of indebtedness ("Indebtedness"):

That certain Promissory Note (as extended, renewed, modified or replaced, "Note") dated of even date with the Deed of Trust and executed by Debtor, payable to the order of Robyn 99-1, LLC ("Creditor"), in the original principal amount of \$100,000.00.

WHEREAS, the Indebtedness is due and payable, and despite Creditor's demands, Debtor has failed to pay, and continues to fail to pay, the Indebtedness; and

WHEREAS, Creditor requested and directed Trustee to exercise the power of sale under the Deed of Trust for the purpose of enforcing the collection of the Indebtedness;

NOW, THEREFORE, the undersigned hereby gives notice that, after due publication of this notice as required by law and the Deed of Trust, the undersigned will sell the Property, as an entirety or in parcels, by one or by several sales, held at one time or at different times, all as the undersigned may elect and announce at such sale or sales, at the Angelina County Commissioners Courtroom, Angelina County Courthouse Annex Building, located at 606 E. Lufkin Avenue, Lufkin, Texas; said location having been designated by the County Commissioners of Angelina County, Texas ("Commissioners"). In the event that early voting or elections is going on or in the event the Angelina County Courthouse Annex is closed due to observance of a designated holiday, all sales will be held on the front steps of the entrance to Angelina County Courthouse Annex. If early voting is going on and the weather is bad the sales will be held in the Angelina County Courthouse Annex Foyer located at 606 E. Lufkin Avenue, Lufkin, Texas, (or such other location as may be designated by the Commissioners after the sending of this notice and before the time of the sale), in which county the Property is situated, on July 5, 2023, being the first Wednesday of said month, at 10:00 o'clock A.M. (or within three hours thereafter) to the highest bidder or bidders for cash at a public auction, and will make due conveyance of the Property to the purchaser or purchasers, with special warranty deed binding Debtor, his successors and assigns.

The sale noticed herein shall include the interest of Debtor in all fixtures with personal property covered by the Deed of Trust and any other documents executed in connection with or as security for the Indebtedness, Creditor having directed the undersigned to sell, and the undersigned hereby noticing the sale of, said fixtures and personally pursuant to rights granted to Creditor under Section 9.501(d) of the Texas Business & Commerce Code.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY, OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER CREDITOR NOR TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS, OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS, OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH SHALL BE EXPRESSLY WAIVED BY PURCHASER.

EXECUTED in multiple original copies on the 24<sup>th</sup> day of May, 2023.



Don W. Duran, Trustee under the Deed of Trust

Exhibit "A"

Being all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the Zechin P. Fenley Survey, Abstract No. 261 and being a part or portion of that certain 121.391 acre tract described in a deed from Billy Lee Thompson, et ux to C.H. McClure, M.D., et ux dated July 1, 1935 and recorded in Volume 591 on Page 822 of the Real Property Records of Angelina County, Texas, (said 121.391 acre tract includes that certain 80,000 acre tract in Volume 605, Page 134, that certain 21.95 acre tract in Volume 237, Page 471, and that certain 16.25 acre tract in Volume 237, Page 471) to which references are hereby made for any and all purposes and the said tract or parcel being described by metes and bounds as follows, to-wit:

BEGINNING at the East corner of the aforesaid referred to 121.391 acre tract and a North corner of that certain 654.044 acre tract described as Tract No. 3 in a deed from Owens-Illinois, Inc. to Temple-Inland Forest Products Corporation dated July 12, 1939 and recorded in Volume 768 on Page 541 (Page 557) of the Real Property Records of Angelina County, Texas, a 1/4" rod found for corner witnessed by a 10" Pine (obl) bearing N° W 17.7 feet, a 14" Post-Oak (obl) bearing S 57° W 4.8 feet, a 14" Post Oak (obl) bearing S 80° E 23.9 feet, and a 12" Post Oak (obl) bearing S 89° W 20.6 feet;

THENCE S 44° 40' 00" W (called S 45° W) with the Southeast boundary line of the said 121.391 acre tract and a Northwest boundary line of the said 654.044 acre tract, at 1185.40 feet pass on line a 1/2" pipe set for reference, at 1210.40 feet intersect the existing centerline of a creek, a point for corner witnessed by a concrete monument found for an interior ell corner of the said 654.044 acre tract bearing S 44° 40' 00" W 805.83 feet;

THENCE seventy-eight calls with the existing centerline of the said creek as follows:

- (1) N 10° 28' 47" W 30.55 feet, a point for corner;
- (2) N 48° 56' 28" E 18.12 feet, a point for corner;
- (3) N 12° 58' 00" W 28.28 feet, a point for corner;
- (4) N 36° 40' 14" W 35.20 feet, a point for corner;
- (5) N 00° 30' 06" E 38.46 feet, a point for corner;
- (6) S 65° 06' 41" W 39.04 feet, a point for corner;
- (7) N 52° 05' 59" W 26.78 feet, a point for corner;
- (8) N 24° 07' 33" W 18.22 feet, a point for corner;
- (9) N 38° 54' 04" E 24.76 feet, a point for corner;
- (10) N 84° 54' 37" E 42.61 feet, a point for corner;
- (11) N 36° 06' 17" W 38.98 feet, a point for corner;
- (12) N 03° 52' 46" W 28.60 feet, a point for corner;
- (13) S 83° 30' 36" W 75.73 feet, a point for corner;
- (14) N 81° 01' 18" W 16.55 feet, a point for corner;

- (15) N 21° 26' 34" E 58.23 feet, a point for corner;
- (16) N 89° 50' 10" W 53.78 feet, a point for corner;
- (17) N 07° 02' 20" W 34.41 feet, a point for corner;
- (18) N 35° 53' 15" E 33.85 feet, a point for corner;
- (19) N 68° 48' 57" W 57.35 feet, a point for corner;
- (20) N 48° 34' 05" W 24.89 feet, a point for corner;
- (21) N 38° 30' 54" E 40.55 feet, a point for corner;
- (22) N 61° 58' 51" E 55.15 feet, a point for corner;
- (23) N 28° 57' 42" W 55.38 feet, a point for corner;
- (24) N 28° 11' 35" E 17.65 feet, a point for corner;
- (25) N 36° 49' 28" W 34.81 feet, a point for corner;
- (26) N 19° 22' 08" E 37.68 feet, a point for corner;
- (27) S 80° 41' 57" W 62.03 feet, a point for corner;
- (28) N 25° 52' 41" E 45.37 feet, a point for corner;
- (29) N 15° 21' 52" E 57.76 feet, a point for corner;
- (30) N 43° 50' 15" W 29.79 feet, a point for corner;
- (31) S 30° 18' 44" W 58.09 feet, a point for corner;
- (32) N 60° 48' 35" W 43.07 feet, a point for corner;
- (33) N 13° 22' 44" E 48.68 feet, a point for corner;
- (34) N 08° 09' 53" W 61.90 feet, a point for corner;
- (35) N 75° 50' 22" E 55.09 feet, a point for corner;
- (36) N 38° 02' 16" E 100.33 feet, a point for corner;
- (37) N 17° 10' 23" W 26.32 feet, a point for corner;
- (38) N 50° 37' 54" W 50.36 feet, a point for corner;
- (39) S 31° 19' 04" W 75.81 feet, a point for corner;
- (40) N 39° 16' 03" W 76.04 feet, a point for corner;
- (41) N 51° 53' 53" E 65.25 feet, a point for corner;
- (42) N 05° 52' 36" E 75.50 feet, a point for corner;

- (43) N 40° 26' 05" W 47.38 feet, a point for corner;  
(44) N 01° 13' 38" E 27.92 feet, a point for corner;  
(45) N 30° 29' 33" W 43.33 feet, a point for corner;  
(46) N 63° 08' 43" E 34.11 feet, a point for corner;  
(47) N 04° 50' 30" W 48.86 feet, a point for corner;  
(48) N 51° 33' 18" W 113.53 feet, a point for corner;  
(49) S 71° 45' 08" W 65.87 feet, a point for corner;  
(50) S 45° 20' 20" W 83.59 feet, a point for corner;  
(51) N 63° 20' 05" W 286.11 feet, a point for corner;  
(52) N 02° 20' 34" E 57.07 feet, a point for corner;  
(53) N 33° 08' 01" E 38.02 feet, a point for corner;  
(54) N 63° 48' 14" E 38.90 feet, a point for corner;  
(55) N 19° 39' 49" W 130.65 feet, a point for corner;  
(56) S 25° 54' 52" W 66.82 feet, a point for corner;  
(57) N 61° 16' 37" W 42.33 feet, a point for corner;  
(58) N 15° 49' 23" W 51.06 feet, a point for corner;  
(59) S 50° 19' 15" W 40.33 feet, a point for corner;  
(60) N 28° 11' 48" W 101.21 feet, a point for corner;  
(61) S 81° 26' 51" W 33.85 feet, a point for corner;  
(62) N 57° 57' 57" W 27.26 feet, a point for corner;  
(63) N 46° 00' 43" E 32.35 feet, a point for corner;  
(64) N 41° 13' 23" W 38.82 feet, a point for corner;  
(65) N 22° 35' 22" E 22.71 feet, a point for corner;  
(66) N 38° 02' 00" W 30.61 feet, a point for corner;  
(67) N 01° 42' 58" W 45.96 feet, a point for corner;  
(68) N 64° 51' 44" W 59.42 feet, a point for corner;  
(69) N 16° 45' 24" W 87.95 feet, a point for corner;  
(70) N 02° 39' 06" E 69.11 feet, a point for corner;

- (71) N 80° 54' 18" E 128.63 feet, a point for corner;
- (72) N 18° 11' 46" W 128.71 feet, a point for corner;
- (73) N 42° 01' 43" E 68.45 feet, a point for corner;
- (74) N 02° 41' 06" E 52.45 feet, a point for corner;
- (75) N 10° 17' 19" W 48.19 feet, a point for corner;
- (76) N 20° 45' 15" E 138.87 feet, a point for corner;
- (77) N 81° 37' 48" E 92.11 feet, a point for corner;

(78) N 24° 19' 42" E, at 31.20 feet intersect the Northeast boundary line of the aforesaid 121.391 acre tract (and the Northeast boundary line of the aforesaid referred to 90.009 acre tract), a point for corner, witnessed by a concrete monument found for the North corner of the said 121.391 acre tract (and the North corner of the said 90.009 acre tract) bearing N 44° 48' 07" W 206.48 feet, said monument witnessed by a 7" Ash (obt) bearing S 76° E 7.8 feet, a 18" Ash (obt) bearing S 24° W 5.8 feet, and a fence corner bearing N 46° E 49.2 feet;

THENCE two calls with the West boundary line of the said 121.391 acre tract (and to the Northeast is that certain 150 acre tract described in a deed from George Glenn Galloway to The George Glenn Galloway Separate Property Trust dated August 11, 1993 and recorded in Volume 934 on Page 152 of the Real Property Records of Angelina, Texas—unable to determine the Southwest boundary line of the said 150 acre tract at this time) as follows:

- (1) S 44° 46' 07" E, at 25.00 feet pass on line a ½" pipe set for reference, at 1483.25 feet a concrete monument found for corner (called to be the East corner of the said 90.009 acre tract);
- (2) S 45° 04' 43" E, at 776.02 feet the point and place of beginning and containing 40.02 acres of land, more or less.

Basis of Bearings: A Northwest boundary line of the said 654.944 acre tract (deed call— S 44° 40' 00" W 2116.34 feet—found a ½" rod (North corner) and a concrete monument (interior ell corner) 2116.87 feet apart)

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.