

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**DATE:** September 9, 2019

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1. **Real Estate Deed of Trust (with Future Advance Clause) ("DEED OF TRUST 1")**

**Dated:** July 3, 2013

**Grantor:** SALH INVESTMENTS, LLC  
612 Triple Creek  
Lufkin, TX 75904

**Grantor's  
County:** Angelina County, Texas

**Beneficiary:** *BANCORPSOUTH BANK*  
P.O. Box 151738  
Lufkin, TX 75915  
(Angelina County)

**Trustee:** JOE E. RICH., JR.  
P.O. Box 151738  
Lufkin, TX 75915  
(Angelina County)

**Recorded:** Angelina County Clerk's Doc. No. 2013-00306931, et seq., Official Public Records of the Angelina County Clerk's Office, located in Lufkin, Texas, on or about July 3, 2013, subject to and including any and all subsequent renewals, extensions, corrections, and/or modifications

**Note(s)/Secured Debt(s):** Universal Note executed by SALH Investments, LLC dated July 3, 2013 in the original principal amount of \$2,000,000.00, as more fully described therein and cross collateralized with other Note(s)/Secured Debt(s)

**FILED**  
AT 1:32 O'CLOCK P M  
**SEP 09 2019**  
AMY FINCHER  
County Clerk, County Court at Law  
Angelina County, Texas  
By MO

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2. **Deed of Trust ("DEED OF TRUST 2")**

**Dated:** January 15, 2016

**Grantor:** SALH INVESTMENTS, LLC

400 Southpark Dr.  
Lufkin, TX 75904

**Grantor's**

**County:** Angelina County, Texas

**Beneficiary:** *BANCORPSOUTH BANK*  
P.O. Box 151738  
Lufkin, TX 75915-1738  
(Angelina County)

**Trustee:** Kristi Gay  
P.O. Box 151738  
Lufkin, TX 75915-1738  
(Angelina County)

**Recorded:** Angelina County Clerk's Doc. No. 2016-00335899, et seq., Official Public Records of the Angelina County Clerk's Office, located in Lufkin, Texas, on or about January 19, 2016, subject to and including any and all subsequent renewals, extensions, corrections, and/or modifications

**Note(s)/Secured Debt(s):** Adjustable Rate Promissory Note executed by SALH Investments, LLC dated January 15, 2016 in the original principal amount of \$855,000.00, as more fully described therein and cross collateralized with other Note(s)/Secured Debt(s)

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3. **WARRANTY DEED WITH VENDOR'S LIEN:**

**Dated:** January 15, 2016

**Grantors:** Weldon Ray Hardy and Alice Hardy  
2807 Southwood Dr.  
Lufkin, TX 75904  
Angelina County, Texas

**Transferee/Beneficiary:** *BANCORPSOUTH BANK*

**Grantees:** SALH INVESTMENTS, LLC  
400 Southpark Dr.  
Lufkin, TX 75904

Angelina County, Texas

**Recorded:** Angelina County Clerk's Doc. No. 2016-00335898, et seq., Official Public Records of the Angelina County Clerk's Office, located in Lufkin, Texas, on or about January 19, 2016

**Note(s)/Secured Debt(s):** Adjustable Rate Promissory Note executed by SALH Investments, LLC dated January 15, 2016 in the original principal amount of \$855,000.00, as more fully described therein

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4. **Deed of Trust (Second Lien)** ("DEED OF TRUST 3")

**Dated:** January 15, 2016

**Grantor:** SALH INVESTMENTS, LLC  
400 Southpark Dr.  
Lufkin, TX 75904

**Grantor's  
County:** Angelina County

**Beneficiary:** *BANCORPSOUTH BANK*  
P.O. Box 151738  
Lufkin, TX 75915-1738  
(Angelina County)

**Trustee:** Kristi Gay  
P.O. Box 151738  
Lufkin, TX 75915-1738  
(Angelina County)

**Recorded:** Angelina County Clerk's Doc. No. 2016-00335900, et seq., Official Public Records of the Angelina County Clerk's Office, located in Lufkin, Texas, on or about January 19, 2016, subject to and including any and all subsequent renewals, extensions, corrections, and/or modifications

**Note(s)/Secured Debt(s):** Adjustable Rate Promissory Note executed by SALH Investments, LLC dated January 15, 2016 in the original principal amount of \$855,000.00, as more fully described therein and cross collateralized with other Note(s)/Secured Debt(s)

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**TRACT ONE PROPERTY:**

- **Physical Address: 400 Southpark Dr., Lufkin, TX 75904; and**
- **Legal Description:  
SEE EXHIBIT “A-1” attached hereto and incorporated herein for all purposes; and**
- **Assignment of Leases and Rents as described in the security instruments securing payment of the NOTES.**
- **Together with all rights, easements, appurtenances, royalties, mineral rights, oil and gas rights, crops, timber, all diversion payments or third party payments made to crop producers, all water and riparian rights, wells, ditches, reservoirs, and water stock and all existing and future improvements, structures, fixtures, and replacements that may now, or at any time in the future, be part of the real estate described above and on the attached Exhibit “A-1” attached hereto and incorporated herein for all purposes.**

**TRACT TWO PROPERTY:**

- **Legal Description:  
SEE EXHIBIT “A-2” attached hereto and incorporated herein for all purposes; and**
- **Assignment of Leases and Rents as described in the security instruments securing payment of the NOTES.**

(referred to herein, collectively, as the “**PROPERTY**”)

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**Date of Sale**

**of Property:** First Tuesday in October, 2019, being Tuesday, **OCTOBER 01, 2019**

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**Time of Sale**

**of Property:** Between the hours of 1:00 p.m. and 4:00 p.m. and to commence at a time no earlier than 1:00 p.m. or within 3 hours thereafter.

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**Place of Sale**

**of Property:** Angelina County Courthouse Annex, 606 East Lufkin Ave., Lufkin, Texas 75901, in the hallway outside the Commissioners' Courtroom adjacent to the Atrium; OR, ALTERNATIVELY, the front steps of the main entrance to the Angelina County Courthouse, 215 East Lufkin Ave., Lufkin, Texas 75901

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Because of default in performance of the obligations of the DEEDS OF TRUST 1, 2, and 3 and WARRANTY DEED WITH VENDOR'S LIEN described herein, the undersigned Substitute Trustee or Dawn Cameron or Callan C. Searcy will sell the Property described hereinabove and in Exhibit "A-1" and "A-2" attached hereto and incorporated herein for all purposes, by public auction to the highest bidder for cash at the place, date and time specified above to satisfy the Note(s)/Secured Debt(s) described herein secured by the DEEDS OF TRUST 1, 2, and 3 and WARRANTY DEED WITH VENDOR'S LIEN, pursuant to authority conferred on said Substitute Trustee in said DEEDS OF TRUST 1, 2, and 3 and WARRANTY DEED WITH VENDOR'S LIEN, except that the above named Beneficiary may credit bid some or all of the Note(s)/Secured Debt(s) described herein secured by the DEEDS OF TRUST 1, 2, and 3 and WARRANTY DEED WITH VENDOR'S LIEN.

If the above named Beneficiary 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 DEEDS OF TRUST 1, 2, and 3 and WARRANTY DEED WITH VENDOR'S LIEN and the Texas Property Code.

The foreclosure sale will be made expressly subject to any title matters set forth in the DEEDS OF TRUST 1, 2, and 3 and WARRANTY DEED WITH VENDOR'S LIEN, 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 full force and effect and have not been subordinated to the DEEDS OF TRUST 1, 2, and 3 and WARRANTY DEED WITH VENDOR'S LIEN. 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 DEEDS OF TRUST 1, 2, and 3 and WARRANTY DEED WITH VENDOR'S LIEN by the above named beneficiary. Prospective bidders are strongly urge 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 express or implied warranties, except as to the warranties (if any) provided for under the DEEDS OF TRUST 1, 2, and 3 and WARRANTY DEED WITH VENDOR'S LIEN. 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 the undersigned Substitute Trustee or Dawn Cameron or Callan C. Searcy 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 1<sup>st</sup> sale of the day held by the undersigned Substitute Trustee or Dawn Cameron or Callan C. Searcy.

**Notice: 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.**

**EXECUTED** this 9<sup>th</sup> day of September, 2019.

  
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JOSHUA P. SEARCY,  
Substitute Trustee  
*c/o Searcy & Searcy, P.C.*  
P.O. Box 3929  
Longview, TX 75606  
Tel (903) 757 3399  
Fax (903) 757 9559  
Email: [joshsearcy@jrsearcy.com](mailto:joshsearcy@jrsearcy.com)

OR

DAWN CAMERON,  
Substitute Trustee  
*Searcy & Searcy, P.C.*  
P.O. Box 3929  
Longview, TX 75606  
Tel (903) 757 3399  
Fax (903) 757 9559  
Email: [dawncs@jrsearcy.com](mailto:dawncs@jrsearcy.com)

OR

CALLAN C. SEARCY,  
Substitute Trustee  
*Searcy & Searcy, P.C.*  
P.O. Box 3929  
Longview, TX 75606  
Tel (903) 757 3399  
Fax (903) 757 9559  
Email: [ccsearcy@jrsearcy.com](mailto:ccsearcy@jrsearcy.com)

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**CERTIFICATE OF POSTING**

My name is BETTY M. ALLEN. I am employed by *Searcy & Searcy, P.C.*, P.O. Box 3929, Longview, TX 75606. I declare under penalty of perjury that on September 9, 2019, I FILED this Notice with the Angelina County Clerk's office AND POSTED or caused to be POSTED a file-marked copy of such Notice at the designated location where such Notices are to be posted for foreclosure sales and located in the Angelina COUNTY COURTHOUSE, Lufkin, Texas.



(Signature)

BETTY M. ALLEN

Date: 09-09-2019

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**TO BE FILE-MARKED AND POSTED-**  
**THIS NOTICE WAS SUBMITTED AND PREPARED BY:**

Joshua P. Searcy  
*Searcy & Searcy, P.C.*  
Attorneys for Lender/Beneficiary, *BancorpSouth Bank*  
P.O. Box 3929  
Longview, TX 75606  
Tel 903.757.3399  
fax 903.757.9559  
email: [joshsearcy@jrsearcylaw.com](mailto:joshsearcy@jrsearcylaw.com)



# EXHIBIT A-1

## EXHIBIT "A"

All that certain lot, tract or parcel of land lying and situated in Angelina County, Texas and being Lot 3 and Lot 4 of the Southpark Industrial Subdivision to the City of Lufkin, as the same appears upon the official map or plat, which is of record in Cabinet D, Slide 9-A, Map and Plat Records, of Angelina County, Texas, to which reference is hereby made for any and all purposes.



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# EXHIBIT A-2

## Exhibit A

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the J.A. LONGARIO SURVEY, ABSTRACT NO. 24 and being all of those certain four tracts described as First Tract (8.94 acres), Second Tract (9.20 acres), Third Tract (8.9 acres), and Fourth Tract (8.364 acres - 8.94 acres save and except 0.576 acre) in a deed from Bertie Jane Largent, et al to Weldon Ray Hardy, et ux dated August 2, 1983 and recorded in Volume 402 on Page 832 of the Deed Records of Angelina County, Texas, to which reference is 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 Northwest corner of the aforesaid referred to 8.364 acre tract and the Southwest corner of that certain 35.467 acre tract described in a deed from the Angelina Chamber of Commerce Foundation to Angelina College dated November 8, 2012 and recorded in Document No. 2013-00301077 of the Deed Records of Angelina County, Texas, a 1/2" pipe found for corner (at a fence corner) in the East right-of-way line of the Union Pacific Railroad (old H. E & W. T. Railroad and old Southern Pacific Railroad - right-of-way plans show 50 feet from centerline), said pipe witnessed by a railroad iron bearing N 78° 01' 33" E 1.10 feet;

THENCE six calls with the South boundary line of the said 35.467 acre tract as follows:

- (1) N 70° 36' 03" E (called N 70° E) with the North boundary line of the said 8.364 acre tract, at 365.46 feet (called 370.83 feet) the Northeast corner of the said 8.364 acre tract and the Northwest corner of the aforesaid referred to 8.9 acre tract, a 1/2" pipe found for corner;
- (2) N 70° 12' 50" E (called N 70° E) with the North boundary line of the said 8.9 acre tract and a North boundary line of the aforesaid referred to 9.20 acre tract, at 826.26 feet (called 530.56 feet and 317.50 feet) an interior ell corner of the said 9.20 acre tract, a 1/2" pipe found for corner witnessed by a fence corner bearing N 24° W 4.9 feet;
- (3) N 18° 53' 27" W (called N 20° W) with a West boundary line of the said 9.20 acre tract, at 37.05 feet (called 30.00 feet) a Northwest corner of the said 9.20 acre tract, a fence corner found for corner;
- (4) N 60° 22' 39" E (called N 49° 30' E) with a North boundary line of the said 9.20 acre tract, at 210.81 feet (called 213.33 feet) a Northeast corner of the said 9.20 acre tract, a fence corner found for corner;
- (5) S 21° 58' 23" E (called S 20° E) with the East boundary line of the said 9.20 acre tract, at 72.89 feet (called 71.95 feet) the Northwest corner of the aforesaid referred to 8.94 acre tract, a 1/2" pipe found for corner witnessed by a fence corner bearing N 25° W 0.9 feet;
- (6) N 70° 15' 14" E (called N 70° E) with the North boundary line of the said 8.94 acre tract, at 465.79 feet pass on line a 1/2" pipe found for reference in the West right-of-way line of F.M. Highway No. 819 (120 feet wide right-of-way - 60 feet from centerline - see right-of-way easement (parcel no. 10) in volume 700 on Page 27 of the Deed Records), at 534.53 feet the Northeast corner of the said 8.94 acre tract and the Southeast corner of the said 35.467 acre tract, a point for corner witnessed by a concrete right-of-way monument bearing S 28° 03' 30" E 366.15 feet and a concrete right-of-way monument bearing S 09° 14' 20" E 367.36 feet;

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THENCE S 18° 24' 51" E (called S 20° E) with the East boundary line of the said 8.94 acre tract (within the said F.M. Highway No. 819 - College Drive), at 737.90 feet (called 733.33 feet) the Southeast corner of the said 8.94 acre tract; a point for corner witnessed by a concrete right-of-way monument bearing N 09° 51' 47" E 133.20 feet and a concrete right-of-way monument bearing N 44° 06' 54" E 131.77 feet;

THENCE S 70° 00' 00" W (called S 70° W) with the South boundary line of the said 8.94 acre tract, the South boundary line of the aforesaid 9.20 acre tract, the South boundary line of the aforesaid 8.9 acre tract, a South boundary line of the aforesaid 8.364 acre tract, the North boundary line of the SOUTHPARK INDUSTRIAL SUBDIVISION, a subdivision in the City of Lufkin, Texas, as recorded in Cabinet D on Slide 9-A of the Map and Plat Records of Angelina County, Texas, the North boundary line of the SOUTHPARK INDUSTRIAL SUBDIVISION LOT 2 REVISED, a subdivision in the City of Lufkin, Texas, as recorded in Cabinet E on Slide 99-B of the Map and Plat Records of Angelina County, Texas, and a North boundary line of that certain 1.994 acre tract described in a deed from Jeff Corbett, et al to Zivmat, L.P. dated May 6, 2010 and recorded in Document No. 2010-00267851 of the Deed Records of Angelina County, Texas, at 59.12 feet pass on line a 1/2" pipe found for the Northeast corner of the said SOUTHPARK INDUSTRIAL SUBDIVISION in the West right-of-way line of the said F.M. Highway No. 819, at 1817.74 feet pass on line a concrete monument found for a Northwest the said SOUTHPARK INDUSTRIAL SUBDIVISION and the Northeast corner of the said 1.994 acre tract, at 1836.26 feet (called 530.56 feet, 530.56 feet, 530.56 feet, and 213.89 feet) an angle corner of the said 8.364 acre tract and an angle corner of the said 1.994 acre tract, a 1/2" rod found for corner;

THENCE N 86° 09' 59" W (called N 85° W) with a South boundary line of the said 8.364 acre tract and a North boundary line of the said 1.994 acre tract, at 225.54 feet a Southwest corner of the said 8.364 acre tract and the Southeast corner of that certain 0.576 acre tract described in a deed from Freddy Lynn Hensley, et ux to Mark McCollum, et ux dated October 10, 1990 and recorded in Volume 814 on Page 435 of the Deed Records of Angelina County, Texas, a 1/2" pipe set for corner witnessed by a 1/2" rod found for the Northwest corner of the said 1.994 acre tract (75 feet from centerline of the aforesaid Union Pacific Railroad) bearing N 86° 09' 59" W 175.96 feet;

THENCE N 03° 41' 59" W with a West boundary line of the said 8.364 acre tract and the East boundary line of the said 0.576 acre tract, at 80.00 feet pass on line a 1/2" pipe set for reference, at 147.50 feet an interior ell corner of the said 8.364 acre tract and the Northeast corner of the said 0.576 acre tract, a point for corner in a pond;

THENCE S 86° 07' 20" W with a South boundary line of the said 8.364 acre tract and the North boundary line of the said 0.576 acre tract, at 83.65 feet pass on line a 1/2" pipe set for reference, at 173.65 feet the Southwest corner of the said 8.364 acre tract and the Northwest corner of the said 0.576 acre tract, a 1/2" pipe set for corner in the East right-of-way line of the said Union Pacific Railroad (50 feet from centerline per right-of-way plans);

THENCE N 08° 17' 33" E (called N 9° E) with a West boundary line of the said 8.364 acre tract and the East right-of-way line of the said Union Pacific Railroad, at 529.83 feet the point and place of beginning and containing 34.994 acres of land, more or less.

Basis of Bearings: A North boundary line of the SOUTHPARK INDUSTRIAL SUBDIVISION, a subdivision in the City of Lufkin, Texas, as recorded in Cabinet D on Slide 9-A of the Map and Plat Records of Angelina County, Texas (subdivision plat call - S 70° 00' 00" W 1758.79 feet - found 1/2" pipe (N.E.C.) and a concrete monument (N.W.C.) 1758.62 feet apart).