

**ORIGINAL**

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2015 DEC 15 PM 1:09

JOANNA BLANCO  
CASTRO COUNTY/DISTRICT CLERK

**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 5, 2003  
Maker: Brian Hamilton  
Payee: First Ag Credit, FLCA  
Original Principal Amount: \$42,300.00  
Capital Farm Credit, FLCA Loan No. 473810

Deed of Trust:

Date: February 5, 2003  
Grantor: Brian Hamilton, a single person  
Trustee: Terry D. Dane  
Recorded in: Volume 269, Page 184, Official Public Records of Castro 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:

80.00 acres of land being all of the East Half (E/2) of the Southwest Quarter (SW/4) of Section No. 17, W. E. Halsell's Subdivision, Block No. 2, League No. 574, Abner Taylor, Original Grantee, Certificate No. 25, Abstract No. 457, Patent No. 30, Volume 2, dated April 4, 1888, and League No. 579, Abner Taylor, Original Grantee, Certificate No. 29, Abstract No. 458, Patent No. 33, Volume 2, dated April 4, 1888, all situated in Castro County, Texas.

Also together with and including all irrigation equipment, facilities, fixtures and appurtenances thereto, which items are acknowledged by the Grantor to be fixtures and a part of the real estate, expressly including all substitutions and replacements thereof, including but not limited to: Any and all irrigation pumps, column pipe, gearheads, well casing, and underground pipe and tile, now or hereafter located on said premises.

Prior Modification of Note and/or Deed of Trust:

Present Owner of Note and Beneficiary under Deed of Trust:

Capital Farm Credit, FLCA

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

Substitute Trustee: **Linda Booth, Jeff Booth, Carol Goodwin and Darian Goddard**

Appointed by written instrument dated November 19, 2015, executed by Capital Farm Credit, FLCA and recorded or to be recorded in the appropriate Real Property Records of Castro County, Texas.

Date of Sale: January 5, 2016, being the first Tuesday in said month.

Time of Sale: The earliest time at which the sale will occur is 1:00 p.m., Dimmitt, 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 Castro County, Texas

Default has occurred in the payment of the indebtedness evidenced by the Note. Because of such default, Capital Farm Credit, 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 Capital Farm Credit, 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.

  
\_\_\_\_\_  
LINDA BOOTH, 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

**ORIGINAL**

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE** JOHANNA BLANCO  
CASTRO COUNTY/DISTRICT CLERK

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: September 3, 2013  
Maker: Brian Hamilton  
Payee: Capital Farm Credit, PCA  
Original Principal Amount: \$200,000.00  
Capital Farm Credit, PCA Loan No. 226100210

Deed of Trust:

Date: September 3, 2013  
Grantor: Brian Hamilton, a single person  
Trustee: Ben R. Novosad  
Recorded in: Document No. 62229, in Volume 354, Page 575, Official Public Records of Castro County, Texas, and Document No. 1617, in Volume 705, Page 580, Real Property Records of Lamb 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:

Three tracts of land in Castro and Lamb Counties, Texas, more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

Together with all rights, easements, appurtenances, royalties, surface, subsurface and/or mineral rights, now owned or hereafter acquired, 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 (all referred to as "Property").

Notwithstanding any other provision, reservation or exception contained in said Deed of Trust or on any exhibit thereto, the lien shall cover all of Grantor's water rights, including, but not limited to, rights to surface water, groundwater, underground water, percolating waters, rights to any water from lakes, streams or other bodies of water, adjudicated or permitted water rights, riparian and other water rights which are owned or which are hereafter acquired by Grantor whether or not expressly excepted from the description of the Property.

Prior Modification of Note and/or Deed of Trust:

Present Owner of Note and Beneficiary under Deed of Trust:

Capital Farm Credit, PCA

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

Substitute Trustee: Linda Booth, Jeff Booth, Carol Goodwin, Darian Goddard,  
Angelia B. Lee, Tammy Mathis, Elizabeth Hill and Ryan Bigbee

Appointed by written instrument dated November 19, 2015, executed by Capital Farm Credit, PCA and recorded or to be recorded in the appropriate Real Property Records of Castro and Lamb Counties, Texas.

Date of Sale: January 5, 2016, being the first Tuesday in said month.

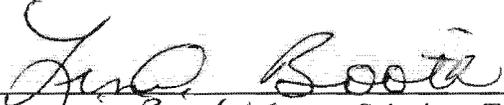
Time of Sale: The earliest time at which the sale will occur is 1:00 p.m., Dimmitt, Texas local time, and shall begin not later than 3 hours thereafter.

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

Default has occurred in the payment of the indebtedness evidenced by the Note. Because of such default, Capital Farm Credit, PCA 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 Capital Farm Credit, PCA 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.

  
\_\_\_\_\_  
LINDA BOOTH, 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 ONE:**

All of the Southwest Quarter (SW/4) of Section Forty-three (43), Block One (1), W. E. Halsell's Subdivision, Lamb County, Texas, as shown by map or plat of said Subdivision recorded in Volume 3, Page 550, Deed Records of Lamb County, Texas, SAVE AND EXCEPT 4 acres of land, more or less, previously conveyed to Springlake Cemetery Association comprised of the 2 acres excepted in that certain Warranty Deed with Vendor's Lien from D. B. Shiflett, et ux, to P. D. Vore dated May 19, 1911, and recorded in Volume 7, Page 341, Deed Records of Lamb County, Texas, and that certain 2-acre tract conveyed to Springlake Cemetery Association in the Warranty Deed recorded in Volume 67, Page 121, Deed Records of Lamb County, Texas, and more fully described as follows:

BEGINNING at a point 902.6 feet South and 208.7 feet East from the NW corner of the SW/4 of Section 43, Block 1, W. E. Halsell's Subdivision, said point being the Northeast corner of the present cemetery;

THENCE South 417.4 feet to stake for corner; THENCE East 208.7 feet to stake for corner; THENCE North 417.4 feet to stake for corner; THENCE West 208.7 feet to the PLACE OF BEGINNING.

### **TRACT TWO:**

All of Section Ninety-three (93), Block H out of League 571, Thomas Kelly Subdivision, Abner Taylor, Original Grantee, Abstract No. 454, Certificate No. 25, Patent No. 27, Volume 2, dated April 1888, Castro County, Texas;

SAVE AND EXCEPT 2 acres of land out of the Southeast corner of the S/2 of Section 93, Block H, Thomas Kelly Subdivision, being out of State Capitol League 571, Castro County, Texas, described as follows:

BEGINNING at the Southeast corner of the S/2 of Section 93, Block H, Thomas Kelly Subdivision, being out of State Capitol League 571, Castro County, Texas;

THENCE North, and parallel to the East line of Section 93, a distance of 295.15 feet; THENCE West, and parallel to the South line of Section 93, a distance of 295.15 feet; THENCE South, and parallel to the East line of Section 93, a distance of 295.15 feet;

THENCE East, and parallel to the South line of Section 93, a distance of 295.15 feet to the Southeast corner of Section 93, the PLACE OF BEGINNING; and

SAVE AND EXCEPT a 2-acre tract of land out of Section 93, Block H, Thomas Kelly Subdivision, State Capitol Lands, League 571, Castro County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod set for the Southeast and beginning corner of this tract from whence the Southeast corner of Section 93, Block H bears South 1°16' West, 1209.0 feet;

THENCE North 89°39' West at 25.0 feet pass a 3/8" iron rod, continuing for a total distance of 260.05 feet to a 3/8" iron rod set for the Southwest corner of this tract;

THENCE North 1°16' East, 335.0 feet to a 3/8" iron rod set for the Northwest corner of this tract;

THENCE South 89°39' East at 235.05 feet pass a 3/8" iron rod, continuing for a total distance of 260.05 feet to a 3/8" iron rod set for the Northeast corner of this tract;

THENCE South 1°16' West, 335.0 feet to the PLACE OF BEGINNING and containing 2.0 acres, more or less.

**TRACT THREE:**

All of the Northeast Quarter (NE/4) of Section Thirty-One (31), Block Two (2), W. E. Halsell's Subdivision, Lamb and Castro Counties, Texas.

**ORIGINAL**

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

FILED FOR RECORD  
2015 DEC 15 PM 1:10

JOHANNA BLANCO  
CASTRO COUNTY DISTRICT CLERK

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: September 3, 2013  
Maker: Brian Hamilton  
Payee: Capital Farm Credit, FLCA  
Original Principal Amount: \$436,000.00  
Capital Farm Credit, FLCA Loan No. 914766

Deed of Trust:

Date: September 3, 2013  
Grantor: Brian Hamilton, a single person  
Trustee: Ben R. Novosad  
Recorded in: Document No. 62062, in Volume 353, Page 472, Official Public Records of Castro County, Texas, and Document No. 1740, in Volume 706, Page 343, Real Property Records of Lamb 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:

Three tracts of land in Castro and Lamb Counties, Texas, more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

Together with all rights, easements, appurtenances, royalties, surface, subsurface and/or mineral rights, now owned or hereafter acquired, 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 (all referred to as "Property").

Notwithstanding any other provision, reservation or exception contained in said Deed of Trust or on any exhibit thereto, the lien shall cover all of Grantor's water rights, including, but not limited to, rights to surface water, groundwater, underground water, percolating waters, rights to any water from lakes, streams or other bodies of water, adjudicated or permitted water rights, riparian and other water rights which are owned or which are hereafter acquired by Grantor whether or not expressly excepted from the description of the Property.

The Property specifically includes all irrigation equipment, facilities, fixtures and appurtenances thereto, which items are acknowledged by the Grantor to be fixtures and a part of the real estate, expressly including all additions thereto, and all substitutions and replacements and proceeds thereof, including but not limited to: 1 - 1995 Zimmatic 7 - Tower Pivot, S/N #L57274; 1 - 2000 Zimmatic 7 - Tower Pivot, S/N #L72378; and 1 - 2000 Zimmatic 7 - Tower Pivot, S/N #L69623.

Any and all irrigation pumps, column pipe, gear heads, well casing, and underground pipe and tile, now or hereafter acquired and located on said premises.

Prior Modification of Note and/or Deed of Trust:

Present Owner of Note and Beneficiary under Deed of Trust:

Capital Farm Credit, FLCA

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

Substitute Trustee: Linda Booth, Jeff Booth, Carol Goodwin, Darian Goddard,  
Angelia B. Lee, Tammy Mathis, Elizabeth Hill and Ryan Bigbee

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Date of Sale: January 5, 2016, being the first Tuesday in said month.

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LINDA BOOTH, Substitute Trustee

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5010 University Ave, Floor 5  
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Substitute Trustee's Sale

## EXHIBIT "A"

### TRACT ONE:

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BEGINNING at the Southeast corner of the S/2 of Section 93, Block H, Thomas Kelly Subdivision, being out of State Capitol League 571, Castro County, Texas;

THENCE North, and parallel to the East line of Section 93, a distance of 295.15 feet; THENCE West, and parallel to the South line of Section 93, a distance of 295.15 feet; THENCE South, and parallel to the East line of Section 93, a distance of 295.15 feet;

THENCE East, and parallel to the South line of Section 93, a distance of 295.15 feet to the Southeast corner of Section 93, the PLACE OF BEGINNING; and

SAVE AND EXCEPT a 2-acre tract of land out of Section 93, Block H, Thomas Kelly Subdivision, State Capitol Lands, League 571, Castro County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod set for the Southeast and beginning corner of this tract from whence the Southeast corner of Section 93, Block H bears South 1°16' West, 1209.0 feet;

THENCE North 89°39' West at 25.0 feet pass a 3/8" iron rod, continuing for a total distance of 260.05 feet to a 3/8" iron rod set for the Southwest corner of this tract;

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All of the Northeast Quarter (NE/4) of Section Thirty-One (31), Block Two (2), W. E. Halsell's Subdivision, Lamb and Castro Counties, Texas.