Notice of Substitute Trustee's Sale

Date:	February 17, 2024
Substitute Trustee:	KYLE B. DAVIS
Mortgagee:	LEGACY BANK
Note:	Note dated March 28, 2023, in the amount of \$500,000.00
Deed of Trust	
Date:	March 28, 2023
Grantor:	PRIME HARVEST, INC.
Mortgagee:	LEGACY BANK

Recording information: Deed of Trust dated April 24, 2023, executed by PRIME HARVEST, INC. to Michael N. Brown, Trustee, recorded under Instrument No. 2023-00751 Official Public Records of Red River County, Texas.

Property:

Attached hereto as Exhibit "A"

County: Red River

Trustee's/Substitute Trustee's Name:	KYLE B. DAVIS
Trustee's/Substitute Trustee's Address:	P.O. Box 1221 New Boston, Texas 75501

Date of Sale (first Tuesday of month): April 2, 2024

Time of Sale: Not earlier than 10:00 a.m. and not later than 1:00 p.m.

Place of Sale: At the front (North) Entrance of the Red River County Courthouse, Clarksville, Red River County, Texas

Mortgagee has appointed KYLE B. DAVIS as Substitute Trustee under the Deed of Trust. Mortgagee has instructed Substitute Trustee to offer the Property for sale toward the satisfaction of the Note.

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Notice is given that on the Date of Sale, Substitute Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS". The sale will begin at the Time of Sale or not later than three hours thereafter.

KYLE B. AVIS, Substitute Trustee

Notice of Substitute Trustee's Sale

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EXHIBIT A

TRACT I:

BEING all that certain lot, tract of parcel of land out of Robert Ragsdale Survey, Abstract No. 713, the L.D. Dayton Survey Abstract No. 235, the S.M. Fulton Survey, Abstract No. 326, the Lonson Moore Survey, Abstract No. 543, the J. Askay Survey, Abstract No. 7, the James Atkinson Survey, Abstract No. 4 and Samuel Burrus Survey, Abstract No. 36, Red River County, Texas and being property described in deed to Allen Davis Brown, Jr., and wife Deborah Brown as recorded in Volume 423 at Page 69_ of the Deed Records of Red River County, Texas, and described more particularly by metes and bounds as follows:

BEGINNING at a fence corner post found at the terminus of a North-South old wire fence line, along the old south bluff bank of the Red River in the common line of said Robert Ragsdale Survey, Abstract No. 713 and the James Wimberly Survey, Abstract No. 896 and also being the Northwest corner of 566.172 acre tract of land as described in a document styled "Designation of Homestead" declared by Allen Davis Brown, Jr. and wife, Deborah Brown as affiants, and recorded in Volume 633 at Page 465 of the Deed Records of Red River County, Texas, same being in the West line of a called 1555 acre tract of land conveyed to Allen Davis Brown, Jr., and wife Deborah Brown as recorded in Volume 423 at Page 69 of the Deed Records of Red River County, Texas;

THENCE Southeasterly along a fence line following and said South old Bluff Bank line and being the Northerly line of said 566.172 acre tract of land as follows:

(1) THENCE South 73° 08' 27" East for a distance of 1500.58 feet to a 6" post found for corner;

(2) THENCE South 62° 28' 37" East for a distance of 273.54 feet to a 5" post found for corner;

(3) THENCE South 63° 55' 05" East for a distance of 349.95 feet to a 5" post found for corner;

(4) THENCE South 69° 52' 49" East for a distance of 299.40 feet to a 5" post found for corner;

(5) THENCE South 75° 01' 04" East for a distance of 732.60 feet to a 6" post found for the Northeast corner of said 566.172 acre tract;

THENCE Southeasterly and continuing along the existing South Bluff Bank line of the Red River as follows:

(1) THENCE South 62° 12' 39" East for a distance of 176.65 feet to a point for corner;

(2) THENCE South 67° 35' 35" East for a distance of 780.33 feet to a point for corner;

(3) THENCE South 56° 44' 23" East for a distance of 395.31 feet to a point for corner;

(4) THENCE South 73° 11' 11" East for a distance of 449.94 feet to a point for corner;

(5) THENCE South 63° 23' 40" East for a distance of 342.49 feet to a point for corner;

(6) THENCE South 56° 45' 01" East for a distance of 319.65 feet to a point for corner;

THENCE South 62° 41' 30" East for a distance of 177.80 feet to a point for corner; (7)(8) THENCE South 78° 37' 24" East for a distance of 156.46 feet to a point for corner; (9) THENCE South 69° 36' 42" East for a distance of 180.71 feet to a point for corner; (10)THENCE South 65° 40' 03" East for a distance of 268.90 feet to a point for corner; (11)THENCE South 81° 51' 13" East for a distance of 312.83 feet to a point for corner; (12)THENCE South 72° 52' 04" East for a distance of 849.65 feet to a point for corner (13)THENCE South 85° 32' 16" East for a distance of 217.00 feet to a point for corner; (14)THENCE South 71° 03 '48" East for a distance of 311.16 feet to a point for corner; THENCE South 83° 55' 15" East for a distance of 142.11 feet to a point for corner; (15)(16)THENCE South 65° 53' 22" East for a distance of 243.60 feet to a point for corner; THENCE South 62° 53' 19" East for a distance of 266.45 feet to a point for corner; (17)THENCE South 59° 39' 20" East for a distance of 235.29 feet to a point for corner; (18)(19)THENCE South 63° 07' 08" East for a distance of 411.52 feet to a point for corner; (20)THENCE South 57° 29' 05" East for a distance of 265.45 feet to a point for corner; (21)THENCE South 73° 32' 25" East for a distance of 242.40 feet to a point for corner; THENCE South 82° 48' 10" East for a distance of 151.99 feet to a point for corner; (22)THENCE South 77° 47' 05" East for a distance of 102.79 feet to a point for corner; (23)THENCE South 58° 17' 44" East for a distance of 69.00 feet to a point for corner; (24)(25)THENCE South 73° 51' 01" East for a distance of 144.93 feet to a point for corner; THENCE South 77° 31' 25" East for a distance of 192.46 feet to a point for corner; (26)(27)

(27) THENCE South 73° 53' 13" East for a distance of 215.89 feet to a fence corner post found for corner;

THENCE South 01° 24' 11" East and departing the South Bluff Bank line of the Red River and following along an old wire fence line common to the aforesaid Allen Davis Brown called 1555 acre tract and the West line of a called 479.12 acre tract of land described in Quit Claim Deed to Jonesboro Farms by deed recorded in Volume 380 at Page 806 of the Deed Records of Red River County, Texas, for a distance of 1214.25 feet to a fence corner post found for corner;

THENCE South 15° 25' 39" East for a distance of 156.32 feet to a fence corner post found;

THENCE South 39° 02' 38" East and following along the common line of said Allen Davis Brown called 1555 acre trace and the West line of a called 22 acre tract of land described in Quit Claim

Deed to Jonesboro Farms as recorded in Volume 516 at Page 742 of the Deed Records of Red River County, Texas for a distance of 1601.34 feet to a fence corner post found for corner;

THENCE South 78° 15' 57" East and following along an old wire fence line and the common line of said Allen Davis brown called 1555 acre tract and the West line of a called 22 acre tract of land described in Quit Claim Deed to Jonesboro Farms as recorded in Volume 516 at Page 742 of the Deed Records of Red River County, Texas for a distance of 359.26 feet to a point for corner;

THENCE South 64° 26' 29" East and continuing along an old wire fence line and the common line of said Allen Davis Brown called 1555 acre tract and the West line of a called 22 acre tract of land described in Quit Claim Deed to Jonesboro Farms as recorded in Volume 516 at Page 742 of the Deed Records of Red River County, Texas, for a distance of 612.15 feet to a point for corner;

THENCE South 36° 47' 13" East and continuing along an old wire fence line and the common line of said Allen Davis Brown called 1555 acre tract and the West line of a called 22 acre tract of land described in Quit Claim Deed to Jonesboro Farms as recorded in Volume 516 at Page 742 of the Deed Records of Red River County, Texas, for a distance of 177.54 feet to a point for corner;

THENCE South 00° 04' 58" West and following along the East line of said Allen Brown called 1555 acre tract the West line of the aforesaid called 479.12 acre tract as described in Quit Claim Deed to Jonesboro Farms as recorded in Volume 380 at Page 806 of the Deed Records of Red River County, Texas, same being West line of a called 60.034 acre tract as described in Quit Claim Deed to Jonesboro Farms as recorded in Volume 516 at Page 742 (4th Tract) of the Deed Records of Red River, County, Texas, same being the general line of old wire fence line, referred to as the common line of the Sally Reed Survey, Abstract No. 703 and the Lonson Moore Survey, Abstract No. 543, for a distance of 1529.04 feet to a 5/8" iron rod set for the Southeast corner of said Allen Brown called 1555 acre tract;

THENCE North 89° 55' 47" West along the South line of said Allen Brown called 1555 acre tract for a distance of 4221.46 feet to a 5/8: iron rod set for corner;

THENCE South 01° 12' 07" West for a distance of 311.04 feet to a 5/8" iron rod found for corner in the North right-of-way line of FM Highway 410 said point being in the Southwest corner of a called 65.555 acre tract of land described in Quit Claim Deed to Jonesboro Farms as recorded in Volume 516 at Page 742 (2nd Tract) of the Deed Records of Red River County, Texas;

THENCE North 72° 58' 15" West and following along said North right-of-way line of FM 410 for a distance of 122.03 feet to a 5/8" iron rod set for corner;

THENCE North 67° 15' 37" West and continuing along said North right-of-way line of FM 410, for a distance of 100.50 feet to a 5/8" iron rod set for corner;

THENCE North 72° 58' 15" West and continuing along said North right-of-way line of FM 410, for a distance of 400.00 feet to a 5/8" iron rod set for corner;

THENCE North 78° 40' 53" West and continuing along said North right-of-way line of FM 410 for a distance of 100.50 feet to a 5/8" iron rod set for corner;

THENCE North 72° 58' 15" West and continuing along said North right-of-way line of FM 410, for a distance of 30.18 feet to a 5/8" iron rod set for corner;

THENCE North 10° 33' 49" East and departing the North right-of-way line of said FM 410 and following along the East line of a called 6.67 acre tract of land conveyed to Nona Brown by deed recorded in Volume 525 at Page 378 of the Deed Records of Red River County, Texas, for a distance of 393.12 feet to a 5/8" iron rod set for the Northeast corner of said called 6.67 acre tract;

THNECE South 89° 55' 15" West and following along the North line of said 6.67 acre tract for a distance of 347.92 feet to a 5/8" iron rod set for corner;

THENCE North 02° 23' 26" East and continuing along the line of said 6.67 acre tract for a distance of 308.86 feet to a 5/8" iron rod set for corner;

THENCE North 89° 10' 09" West and along the North line of said 6.67 acre tract and the North line of a called 9.13 acre tract of land conveyed to Nona Brown by deed recorded in Volume 525 at Page 378 of the Deed Records of Red River County, Texas, for a distance of 1140.01 feet to a 5/8" iron rod set for the Northwest corner of said 9.13 acre tract;

THNECE South 20° 00' 51" West and following along the West line of said 9.13 acre tract for a distance of 105.66 feet to a 5/8" iron rod set for corner;

THENCE North 77° 20' 56" West for a distance of 423.38 feet to a 5/8" iron rod set for corner;

THENCE South 16° 05' 57" West for a distance of 296.47 feet to a 5/8" iron rod set for corner in the aforesaid North right-of-way line of FM 410;

THENCE NORTH 80° 36' 44" West and following along the North right-of-way line of said FM 410, for a distance of 195.25 feet to a 5/8" iron rod for corner;

THENCE North 89° 29' 07" West and continuing along the North right-of-way line of said FM 410 for a distance of 95.04 feet to a 5/8" iron rod set for corner;

THENCE North 80° 24' 15" West and continuing along the North right-of-way line of said FM 410 for a distance of 976.08 feet to a 5/8" iron rod set for corner;

THENCE North 39° 36' 15" West and continuing along the North right-of-way line of said FM 410 for a distance of 73.33 feet to a 5/8" iron rod set for corner;

THENCE North 89° 52' 15" West and continuing along the North right-of-way line of said FM 410 for a distance of 311.16 feet to a 5/8" iron rod set for the beginning of a curve to the left having a radius of 5646.84 feet with a central angle of 07° 39' 00" and a chord bearing North 86° 06' 26" West at a distance of 753.40 feet;

THENCE Northwesterly along said curve to the left and along the North right-of-way line of said FM 410 for an Arc distance of 753.96 feet to a 5/8" iron rod set for corner;

THENCE North 89° 49' 55" West and continuing along said North right-of-way line of FM 410 for a distance of 821.94 feet to a 5/8" iron rod set for corner;

THENCE North 81° 20' 15" West and continuing along said North right-of-way line of FM 410 for a distance of 101.09 feet to a 5/8" iron rod set for corner;

THENCE North 89° 57' 04" West and continuing along said North right-of-way line of FM 410 for a distance of 694.81 feet to a 5/8" iron rod set for corner;;

THENCE North 89° 57' 00" West and continuing along said North right-of-way line of FM 410 for a distance of 101.77 feet to a 5/8" iron rod set for corner;

THENCE South 87° 15' 53" West and continuing along said North right-of-way line of FM 410 for a distance of 103.49 feet to a 5/8" iron rod set for corner;

THENCE South 89° 45' 46" West and continuing along said North right-of-way line of FM 410 for a distance of 46.85 feet to a 5/8" iron rod set for the Southeast corner of a called 96.33 acre tract of land described in deed to Travis Wright as recorded in Volume 393 at Page 74 of the Deed Records of Red River County, Texas;

THENCE North 00° 21' 21" East and departing the North right-of-way lined of said F.M. 410 and following along the common line of said called 96.33 acre Wright tract and the Allen Brown called 1555 acre tract as evidenced by a wire fence line and referred to as the common line of the Samuel Burrus Survey. Abstract No 36 and the James Wimberly Survey, Abstract No. 898, and passing the Northeast corner of said called 96.33 acre tract at a distance of 2035.19 feet, said point of passing also being the Southeast corner of called 131.853 acre tract of land described in deed to Brown Enterprises by deed recorded in Volume 633 at Page 462 of the Deed Records of Red River County, Texas, and continuing for a distance of 2439.25 feet to a 5/8" iron rod set for corner;

THENCE North 89° 33' 20" East and following along the common line of said Allen Brown called 1555 acre tract and the Brown Enterprises called 131.1014 acre tract for a distance of 987.29 feet to a point for corner;

THENCE North 00°16' 56" West and continuing along the common line of said Allen Brown called 1555 acre tract and the Brown Enterprises and the called 131.1014 acre tract, also referred to as the common line of the Samuel Burrus Survey, Abstract No. 36 and the James Wimberly Survey, Abstract No. 89 for a distance of 876.57 feet to a VI" iron rod found at an old fence corner, said point also being the Southeast corner of a called 50.00 acre tract of land described in deed to Larry C. Townes as recorded in Volume 431 at Page 170 of the Deed Records of Red River County, Texas;

THENCE North 00° 13' 18" East and following along the West line of said Allen Brown called 1555 acre as evidenced by the general line of an old wire fence line same being also referred to as the common line of the Robert Ragsdale Survey, Abstract No. 713 and the James Wimberly Survey, Abstract No. 89 for a distance of 4375.20 feet to the POINT OF BEGINNING and CONTAINING 1474.1197 ACRES OF LAND, more or less.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

TRACT II:

BEING all that certain lot, tract, or parcel of land out of James Wimberly Survey, Abstract No. 898 and G. W. Wright Survey, Abstract No. 895 Red River County, Texas and being the 119.476 acre tract of land, conveyed to Brown Enterprises by deed and recorded in Volume 633 at Page 462 (Tract 1) of the Deed Records of Red River County, Texas and the 131.853 acres of land and conveyed to Brown Enterprises (Tract 2) by deed and recorded in Volume 633 at Page 462, of the Deed Records of Red River County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a fence corner post found at the terminus of a North-South old wire fence line, along the old South Bluff Bank of the Red River in the common line of the Robert Ragsdale Survey, Abstract No. 713 and the James Wimberly Survey, Abstract No. 896 and also being the Northwest corner of 566.172 acre tract of land as described in document styled "Designation of Homestead" declared by Allen Davis Brown Jr. and wife, Deborah Brown as affiants, and recorded in <u>Volume</u> 633 at Page 465_ of the Deed Records of Red River County, Texas, same being in the West line of a called 1555 acre tract of land conveyed to Allen Davis Brown, Jr. and wife Deborah Brown as recorded in Volume 423 at Page 69 of the Deed Records of Red River County, Texas and also being in the East line of a called 255.49 acre tract of land described in deed recorded in Volume 430 at Page 756 (Tract 1) of the Deed Records of Red River County, Texas;

THENCE South 00°13'18" West and following along the common line of said Allen Brown called 1555 acre tract and Linda Tarrant Tract 1, 2 and 3 as evidenced by the general line of an old wire fence line same being also referred to as the common line of the Robert Ragsdale Survey, Abstract No. 713 and the James Wimberly Survey, Abstract No.8 for distance of 4375.20 feet to W iron rod found at an old fence corner for the POINT OF BEGINNING for this description, said point being the Northeast corner of the called 131.853 acre tract of land conveyed to Brown Enterprises by deed recorded in Volume 633 at Page 462_of the Deed Records of Red River County, Texas and the Southeast corner of a called 50.00 acre tract of land conveyed to Larry C. Townes by deed recorded in Volume 431 at Page 170 of the Deed Records of Red River County, Texas;

THENCE South 00° 16' 56" East along the common line of said Allen Brown called 1555 acre tract and the Brown Enterprises called 131.1014 acre tract, also referred to as the common line of the Samuel Burrus Survey, Abstract No. 36 and the James Wimberly Survey, Abstract No. 89 for the distance of 876.57 feet to a point for corner;

THENCE South 89° 33' 20" West and following along the common line of said Allen Brown called 1555 acre tract and Brown Enterprises called 131.1014 acre tract for a distance of 987.29 feet to a point for corner;

THENCE South 00° 21' 21" West for a distance of 404.06 feet and following along the common line of said Allen Brown called 1555 acre tract and the Brown Enterprises called 131.1014 acre tract to a fence corner post found for the Southeast corner of said Brown Enterprises called 131.1014 acre tract, same being the Northeast corner of a called 96.33 acre tract of land described in deed to Travis Wright as recorded in Volume 393 at Page <u>74</u> of the Deed Records of Red River County, Texas;

THENCE South 82° 46' 06" West and following along the common line of said Brown Enterprises called 131.1014 acre tract and the called 96.33 acre tract conveyed to Travis Wright and generally along an old wire fence line for a distance of 1391.53 feet to a fence corner post found for corner;

THENCE South 59° 57' 07" West and continuing along the common line of said Brown Enterprises called 131.1014 acre tract and the called 96.33 acre tract conveyed to Travis Wright and generally along an old wire fence line for a distance of 1117.33 feet to a fence corner post found for corner;

THENCE South 03° 43' 09" East and continuing along the common line of said Brown Enterprises called 131.1014 acre tract and the called 96.33 acre tract conveyed to Travis Wright and generally along an old wire fence line for a distance of for a distance of 1324.23 feet to a 5/8" iron rod found for corner in the North right-of-way line of F.M. Highway 410;

THENCE South 89° 45' 17" West and following along the North right-of-way line of F.M. Highway 410, for a distance of 978.97 feet to a 5/8" iron rod found for the Southwest corner of the aforesaid called Brown Enterprises 119.476 acre tract;

THENCE North 00° 20' 10" West and departing the North right-of-way line of said F.M. Highway 410, and following along an old wire fence line for West line of said Brown Enterprises 119.476 acre tract for a distance of 3331.17 feet to fence post for corner;

THENCE North 89° 45' 01" East along an old wire fence line for a distance of 523-61 feet to a fence post for corner;

THENCE North 00° 07' 51" West for a distance of 2800.50 feet to a fence post found for the Northwest corner of said 119.476 acre tract;

THENCE North 89° 50' 21" East and following along an old wire fence line for the North line of said 119.476 tract to a fence corner post found for the Northeast corner of said 199.476 acre tract;

THENCE South 00° 09'52" East and following along an old wire fence line for the East line of said Brown Enterprises 119.476 acre tract for a distance of 2798.05 feet to a fence post found for corner;

THENCE North 89° 47' 15" East and following along an old wire fence for the North line of the aforesaid Brown Enterprise 131.853 acre tact for a distance of 2482.65 feet to the POINT OF BEGINNING and CONTAINING 251.7415 ACRES OF LAND, more or less.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

TRACT III:

BEING all that certain lot, tract or parcel of land out of J Askay Survey, Abstract No. 7, and being a portion of a tract of land conveyed to Allen Davis Brown Jr. and wife Deborah Brown, by Deed and recorded in Volume 229, Page 444 of the Deed Records of Red River County, Texas And being more particularly described by metes and bounds as follows:

BEGINNING at a fence corner in the South right-of-way line of F. M. Highway No. 410 for the Northwest corner of a called 43.53 acre tract of land described in deed to Clarence L. Killough & wife Beverly Killough as recorded in Volume 307 at Page 434 of the Deed Records of Red River County, Texas;

THENCE South 10° 11' 01" West and departing the South right-of-way line of said F. M. Highway No. 410 and following an old fence line and the West line of said Killough called 43.53 acre tract, for a distance of 546.66 feet to a point for corner;

THENCE South 19° 13' 12" West and continuing along an old fence line and the West line of said Killough called 43.53 acre tract, for a distance of 126.00 feet to a point for corner;

THENCE South 41° 13' 12" West and continuing along an old fence line and the West line of said Killough called 43.53 acre tract, for a distance of 125.00 feet to a point for corner;

THENCE South 16° 13' 12" West and continuing along an old fence line and the West line of said Killough called 43.53 acre tract, for a distance of 119.00 feet to a point for corner;

THENCE South 22° 31' 12" West and continuing along an old fence line and the West line of said Killough called 43.53 acre tract, for a distance of 118.00 feet to a point for corner;

THENCE South 15° 13' 12" West and continuing along an old fence line and the West line of said Killough called 43.53 acre tract, for a distance of 109.00 feet to a point for corner;

THENCE South 23° 46' 12" West and continuing along an old fence line and the West line of said Killough called 43.53 acre tract, for a distance of 102.00 feet to a $\frac{1}{2}$ " iron rod found for the Southeast corner of said Allen Davis Brown called 22 acre tract;

THENCE North 89° 43' 38" West along the South line of said called 22 acre tract for a distance of 1637.25 feet to a $\frac{1}{2}$ " iron rod found for the Southwest corner of said Allen Davis Brown called 22 acre tract;

THENCE North 00° 24' 38" East and following along an old fence line for the West line of said called 22 acre tract for a distance of 531.02 feet to a fence post for the Northwest corner of said Allen Davis Brown called 22 acre tract;

THENCE North 88° 57' 07" East and following along the North Ione of said 22 acre tract for a distance of 1200.25 feet to a fence post found for corner;

THENCE North 39° 05' 42⁻⁻ West and following along an old fence line for the Westerly line of the aforesaid Allen Brown called 40 acre tract, for a distance of 1139.51 feet to fence corner post found for corner in the aforesaid South right-of-way line of F. M. Highway No. 410;

THENCE South 80° 24' 15" East along the South right-of-way line of said F. M. Highway No. 410, for a distance of 580.16 feet to a fence corner post found for corner;

THENCE South 71° 52' 24" East and continuing along the South right-of-way line of said F. M. Highway No. 410, for a distance of 101.12 feet to a concrete highway monument found for corner;

THENCE South 80° 24' 15" East and continuing along the South right-of-way line of said F. M. Highway No. 410, for a distance of 610.45 feet the POINT OF BEGINNING and CONTAINING 40.0972 ACRES OF LAND, more or less.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

IU:54 o'clock H M. on FEB 2 9 2024 Shawn Weemer SHAWN WEEMES, COUNTY CLERK RED RIVER CO., TX