

October 6, 2020

002139

**NOTICE OF ACCELERATION AND  
NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**NOTE AND DEED OF TRUST INFORMATION:**

Note #1 expressly secured by the Deed of Trust: Promissory note dated October 26, 2005 in the original principal amount of \$813,000.00 from Loyd Gene Yocham and Cordelia F. Yocham to Ballinger National Bank

Note #2 expressly secured by the Deed of Trust: Promissory note dated October 26, 2005 in the original principal amount of \$85,546.00 from Loyd Gene Yocham and Cordelia F. Yocham to Ballinger National Bank

Other indebtedness secured by Deed of Trust: Promissory note dated November 3, 2011 in the original principal amount of \$40,000.00 from Loyd Gene Yocham and Cordelia F. Yocham to Ballinger National Bank

Promissory note dated April 1, 2019 in the original principal amount of \$50,000.00 from Cordelia F. Yocham to Keystone Bank, N.A.

Promissory note dated March 8, 2019 in the original principal amount of \$15,000.00 from Cordelia F. Yocham to Keystone Bank, N.A.

Promissory note dated December 26, 2019 in the original principal amount of \$40,000.00 from Cordelia F. Yocham to Keystone Bank, N.A.

Deed of Trust: Deed of Trust and Security Agreement dated October 26, 2005, filed in Volume 260, Pages 39-47 of the Official Public Records of Runnels County, Texas.

Date of Deed of Trust: October 26, 2005

Grantor: Loyd Gene Yocham and Cordelia F. Yocham

Original Mortgagee: Ballinger National Bank

Recording Information: Volume 260, Pages 39-47 of the Official Public Records of Runnels County, Texas

Property County: Runnels County, Texas



4726588

POSTED September 14, 2020  
At 9:06 o'clock AM  
Julia Miller  
County Clerk, Runnels County, Texas  
By Wacey Crane Deputy

Property: Being a 988.7 acre tract comprised of 623.6 acres in E.T. R. R. Co. Survey No. 153, Abstract No. 172, and a combined 365.1 acres in L. Fritz Survey, Abstract No. 788, J. H. Carpenter Survey, Abstract No. 646, and C. M. Carpenter Survey, Abstract No. 765, in Runnels County, Texas; said 988.7 acre tract also being a part of the Second Tract of "1929" acres described in Deed from A. Schawe to Thos. C. Hall dated April 15, 1911, and recorded in Volume 87, Page 91 of the Deed Records of Runnels County, Texas; said 988.7 acre tract being described by metes and bounds in the field notes attached hereto as Exhibit "B" and made a part hereof for all purposes.

**MORTGAGE SERVICING INFORMATION:**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: Keystone Bank, N.A.  
Mortgage Servicer: Keystone Bank, N.A.  
Current Beneficiary: Keystone Bank, N.A.  
Mortgage Servicer  
Address: 11500 Bee Caves Road  
Suite 150  
Austin, TX 78738

**SALE INFORMATION:**

Date of Sale: October 6, 2020  
Time of Sale: 10:00 A.M. or within three hours thereafter.  
Place of Sale: The Property has been scheduled for foreclosure sale on Tuesday, October 6, 2020 between the hours of 10:00 A.M. and 4:00 P.M. on the front landing and steps of the Runnels County Courthouse, facing Highway 67, also known as Hutchings Avenue. If the preceding area is no longer the designated area, the place of sale will be at the area most recently designated by the Runnels County Commissioner's Court (pursuant to §§51.002(h) of the TEX. PROP. CODE ANN.). This sale shall commence at 10:00 A.M. or within

three hours thereafter. The Property will be sold to the highest bidder for cash.

Substitute Trustee: Terry Browder or Marsha Monroe or Laura Browder

Substitute Trustee Address: ServiceLink Agency Sales and Posting, LLC  
1320 Greenway Drive, Suite 300  
Irving, TX 75038

WHEREAS, the above-named Grantor previously conveyed the above-described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee, David Springer, and any previously appointed Substitute Trustees have been removed and Terry Browder or Marsha Monroe or Laura Browder have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Terry Browder or Marsha Monroe or Laura Browder, as Substitute Trustee, will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantors warranties specifically authorized by the Grantor in the Deed of Trust. The Property shall be offered "AS-IS", purchasers will buy the property "at the purchasers own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the Property, subject to any liens or interests of any kind that

may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the Property.

5. **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.**

  
\_\_\_\_\_, Substitute Trustee

**EXHIBIT "B"**

**BART E. JOHNSON**

Registered Professional Land Surveyor

16110 Fitzgerald Drive ~ San Angelo, Texas 76904  
Phone 325 835-2164 ~ Fax 325 835-2253

Description: 988.7 Acre Tract  
Prepared for: Gene Yocham

Being a 988.7 acre tract comprised of 623.6 acres in E.T.R.R. Co. Survey 153, A-172 and a combined 365.1 acres in L. Fritz Survey, A-788, J.H. Carpenter Survey, A-646 and C.M. Carpenter Survey, A-765 in Runnels County, Texas; said 988.7 acre tract also being a part of the Second Tract of "1929" acres described in Deed from A. Schawe to Thos. C. Hall dated April 15, 1911 and recorded in Volume 87, Page 91 of the Deed Records of Runnels County, Texas; said 988.7 acre tract being described by metes and bounds as follows:

Beginning at a 3" iron pipe post for the apparent S.E. corner of Survey 153, S.E. corner of the "1929" acre tract and N.E. corner of J.H. Thompson Survey 154. A large rock is lying loose nearby.

Thence along or near a fence and with the apparent south line of Survey 153, south line of the "1929" acre tract and north line of Survey 154, N.89°20'28"W. at 3124.6 feet a 5/8" iron rod found for the N.W. corner of a "375.7" acre tract described in Deed from Flanagan to Flanagan dated October 29, 1979 and recorded in Volume 492, Page 460 of the Deed Records and the N.E. corner of a "381.2" acre tract described in Deed from Flanagan to Yocham dated October 29, 1979 and recorded in Volume 492, Page 454 of the Deed Records bears S.0°39'32"W. 0.8 foot, and continuing and passing the S.W. corner of Survey 153 and S.E. corner of said J.H. Carpenter Survey and continuing in all 10,111.22 feet to a 5/8" iron rod set in the east line of F.M. Highway 382.

Thence with the east line of F.M. Highway 382 and the east line of a "6.54" acre tract described in Deed from W.E. Hall, Jr. to State of Texas dated October 1, 1946 and recorded in Volume 205, Page 504 of the Deed Records and with a part of a curve to the left which has a radius of 5769.58 feet, a central angle of 1°11'15" and a long chord of N.31°43'07"E. 119.57 feet for a curve length distance of 119.57 feet to a 5/8" iron rod set at the end of said curve.

Thence continuing with said east line, N.31°07'30"E. 1659.20 feet to a 5/8" iron rod set at the beginning of a curve to the right.

Thence continuing with said curve which has a radius of 1869.86 feet, a central angle of 14°29'00" and a long chord of N.38°22'00"E. 471.41 feet for a curve length distance of 472.67 feet to a 5/8" iron rod set for the end of said curve.

Thence continuing with said east line, N.45°36'30"E. 4885.74 feet to a 5/8" iron rod set in the north line of the L. Fritz Survey from which a 2" iron pipe post bears North 1.8 feet and East 1.8 feet.

Thence with the north line of the L. Fritz Survey and the north line of the "1929" acre tract and near a fence, S.89°32'19"E. 406.76 feet to a 2" iron pipe post for the apparent N.E. corner of L. Fritz Survey and N.W. corner of Survey 153 and S.W. corner of J.K. Thompson Survey 146 and S.W. corner of a "305 1/4" acre tract described in Deed from Harm Ray Glass, Executor for the Estate of Cora Lindemann Byers to Harm Ray Glass dated December 30, 2004 and recorded in Volume 247, Page 1 of the Official Public Records of Runnels County, Texas; from said 2" iron pipe post a found 1" iron pipe in the south line of a "220.45" acre tract described in Deed recorded in Volume 211, Page 345 of the Official Public Records of Runnels County bears N.0°40'45"E. 1963.65 feet and N.89°19'15"W. 81.36 feet. A lone rock is lying nearby.

**EXHIBIT "B"**

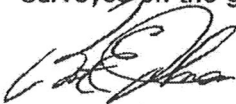
Thence along or near a fence and with the apparent south line of Survey 146, south line of the "305 1/4" acre tract, north line of Survey 153 and north line of the "1929" acre tract, S.89°15'26"E. 5066.65 feet to a 4" iron pipe post for the apparent N.E. corner of Survey 153 and the "1929" acre tract, the apparent S.E. corner of Survey 146 and the "305 1/4" acre tract, the apparent S.W. corner of E.T.R.R. Co. Survey 145 and a "414" acre tract described in said Deed to Harm Ray Glass and the apparent N.W. corner of J.K. Thompson Survey 156 and a "673" acre tract described in said Deed to Harm Ray Glass.

Thence along or near a fence and with the apparent east line of Survey 153, east line of the "1929" acre tract, west line of Survey 156 and west line of the "673" acre tract, S.0°42'51"W. 5357.26 feet to the point of beginning and containing 988.7 acres of land.

Courses and distances are of the Texas Coordinate System of 1983 -- Central Zone.

See accompanying plat.

Surveyed on the ground in September and October of 2005.



Bart E. Johnson  
R.P.L.S. # 3895

