

NOTICE OF FORECLOSURE SALE

STATE OF TEXAS \*

COUNTY OF LIMESTONE \*

WHEREAS, on the 23<sup>rd</sup> day of **October, 2007**, **DESTRUCTORS, INC.** ("Debtor") executed that certain Deed of Trust (as extended and renewed, "Deed of Trust") conveying to **Richard W. Strudthoff, Trustee** ("Trustee") the real property more particularly described in attached Exhibit "A", 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, the Deed of Trust was recorded at **Document Number 00076092, Vol. 1259, Page 125** in the Official Public Records of Limestone County, Texas; 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 Pilgrim Bank ("Creditor"), in the original principal amount of **\$2,250,000.00**;

WHEREAS, the Indebtedness is due and payable, and Debtor has failed to pay, and continues to fail to pay, the Indebtedness; and

WHEREAS, Creditor by written instrument made, constituted, and appointed **MICHAEL P. SETTY**, as substitute trustee under the Deed of Trust ("Substitute Trustee") and requested and directed Substitute 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 said location having been designated by the county commissioners of Limestone County, Texas ("Commissioners"), being at the Courthouse, in which county the property is situated, on **September 5, 2017**, being the first Tuesday of said month, at 1

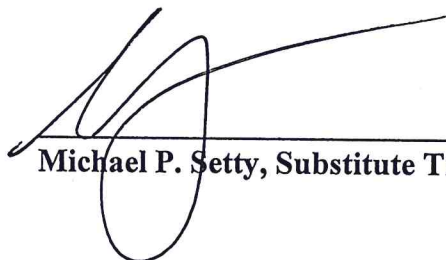
o'clock P.M. (or within three hours thereafter) to the highest bidder or bidders for cash at a public auction, and will make due conveyance of the property to the purchaser or purchasers, with Special Warranty Deed binding Debtor, his successors and assigns.

The sale noticed herein shall include the interest of Debtor in all fixtures and 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 personalty 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.

**“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 in multiple original copies on the 26<sup>th</sup> day of July, 2017.

  
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Michael P. Setty, Substitute Trustee

All that certain lot, tract or parcel of land, part of the Pedro Varela XI League Grant, Abstract No. 30, Limestone County, Texas, being all of that certain called 100 acre First Tract and 14.50 acre Second Tract conveyed to S. & S. Bryde Trust from Stanley L. Bryde and wife, Sharon K. Bryde on January 11, 2007 and recorded in Volume 1229, Page 544 and all of that certain called 4.00 acre tract conveyed to S. & S. Bryde Trust from Rudy Garcia and Sandra Parker on December 21, 2006 and recorded in Volume 1227, Page 648 of the Real Property Records of Limestone County, Texas and being more completely described as follows, to-wit:

BEGINNING at a 1/2" iron rod (set) at a fence corner for the Northwest corner of the above mentioned 100 acre First tract and being an ell corner of a tract conveyed to Robert B. Brodnax from Roby L. Brodnax on July 12, 1988 and recorded in Volume 873, Page 600;

THENCE North 58 deg. 54 min. 33 sec. East with the North line of the 100 acre tract and the easterly South line of the Brodnax tract, at 970.77 ft. pass a 1/2" iron rod (set) at a fence corner and continue a total distance of 1006.55 ft. to the easterly Southeast corner of same, the Northeast corner of the 100 acre tract, in the West line of a tract conveyed to Harold Hayes and Nona Hayes from Nora Hayes on January 4, 1984 and recorded in Volume 739, Page 363 and being in the centerline of County Road No. 368;

THENCE in a southeasterly direction with the East lines of the 100 acre tract, the West lines of the Hayes tract and with the centerline of County Road No. 368 as follows:

South 38 deg. 10 min. 52 sec. East a distance of 182.68 ft. to a corner,  
 South 34 deg. 00 min. 53 sec. East a distance of 234.53 ft. to a corner,  
 South 31 deg. 05 min. 56 sec. East a distance of 1337.09 ft. to a corner,  
 South 24 deg. 47 min. 26 sec. East a distance of 596.95 ft. to a corner and  
 South 30 deg. 31 min. 29 sec. East a distance of 125.10 ft. to a point in the Northwest line of the above mentioned 4.00 acre tract and being near the intersection of County Road No. 368 and County Road No. 374 from which a 1/2" iron rod (found) for reference bears North 84 deg. 48 min. 10 sec. East - 29.75 ft.;

THENCE North 31 deg. 47 min. 50 sec. East with the Northwest line of the 4.00 acre tract, a Southeast line of the Hayes tract and generally with County Road No. 374, a distance of 517.97 ft. to the North corner of the 4.00 acre tract and being an ell corner of the Hayes tract;

THENCE South 56 deg. 40 min. 05 sec. East with the Northeast line of the 4.00 acre tract and a Southwest line of the Hayes tract, at 21.75 ft. pass a 1/2" iron rod (found) at a fence corner and continue a total distance of 297.89 ft. to a 1/2" iron rod (found) at a fence corner for the East corner of the 4.00 acre tract, an ell corner of the Hayes tract and being in the Northwest line of the above mentioned 14.50 acre Second Tract;

THENCE North 36 deg. 42 min. 14 sec. East with the Northwest line of the 14.50 acre tract and a Southeast line of the Hayes tract, a distance of 49.28 ft. to a 1/2" iron rod (set) at a fence corner for the North corner of the 14.50 acre tract and being an ell corner of the Hayes tract;

THENCE South 44 deg. 49 min. 27 sec. East with the Northeast line of the 14.50 acre Second Tract and a Southwest line of the Hayes tract, a distance of 1010.09 ft. to a 1/2" iron rod (found) at a fence corner for an ell corner of same and being the East corner of the 14.50 acre tract;

THENCE South 32 deg. 41 min. 23 sec. West with the Southeast line of the 14.50 acre tract and a Northwest line of the Hayes tract, at 587.77 ft. pass a 1/2" iron rod (found) at a fence corner and continue a total distance of 624.01 ft. to a West corner of same, the South corner of the 14.50 acre tract, in the southerly East line of said 100 acre First Tract and being in the centerline of County Road No. 368;

THENCE South 46 deg. 47 min. 00 sec. East with the southerly East line of the 100 acre tract and a Southwest line of the Hayes tract, a distance of 127.45 ft. to the Southeast corner of the 100 acre tract and being the North corner of a called 60 acre tract described in an Oil, Gas and Mineral Lease to Sun Oil Company from Mary Eady Dawley and husband Chester R. Dawley and recorded in Volume 539, Page 780;

THENCE South 56 deg. 09 min. 00 sec. West with the Southeast line of the 100 acre tract and the Northwest line of the Dawley tract, at 54.51 ft. pass a 1/2" iron rod (set) at a fence corner and continue a total distance of 1528.54 ft. to a 1/2" iron rod (set) at a fence corner for the South corner of the 100 acre tract, the West corner of the Dawley tract and being in the Northeast line of a tract conveyed to Robert B. Brodnax from Roby L. Brodnax on July 12, 1988 and recorded in Volume 873, Page 600;

THENCE North 25 deg. 17 min. 44 sec. West with the southerly Southwest line of the 100 acre tract and a Northeast line of the Brodnax tract, at 837.54 ft. pass a 1/2" iron rod (set) at a fence corner and continue a total distance of 860.03 ft. to an angle corner of the 100 acre tract and being in the centerline of County Road No. 374;

THENCE North 22 deg. 31 min. 13 sec. East with the centerline of County Road No. 374, a distance of 71.77 ft. to an angle corner of the 100 acre tract;

THENCE North 30 deg. 00 min. 00 sec. West with the northerly Southwest line of the 100 acre tract and a Northeast line of the Brodnax tract, at 22.74 ft. pass a 1/2" iron rod (set) at a fence corner and continue a total distance of 3040.58 ft. to the place of beginning and containing 119.097 acres of land of which 2.25 acres lie in County Road No. 368 and 1.70 acres lie in County Road No. 374 leaving 115.147 net acres.

EXHIBIT (A)

All that certain lot, tract or parcel of land, part of the Pedro Varela XI League Grant, Abstract No. 30, Limestone County, Texas, being all of that certain called 42.3497 acre First Tract and 23 acre Third Tract conveyed to Douglas Leland Barr from Peter G. Jokola and wife, Theresa Jokola on December 22, 2003 and recorded in Volume 1131, Page 133 of the Real Property Records of Limestone County, Texas and being more completely described as follows, to-wit:

BEGINNING at a 1/2" iron rod (found) at a fence corner for the East corner of the above mentioned 42.3497 acre First Tract, the easterly North corner of the residue of a called 560.5 acre Tract Two conveyed to Marie Oliver Bond from Rufus W. Oliver, III and wife, Kathleen D. Oliver and recorded in Volume 871, Page 20, and being in the Southwest line of a called 45 acre tract save and except 19.999 acre conveyed to Benton G. Moore from Kenneth V. Jaeger and wife, Cheryl Lynn Jaeger on August 17, 1984 and recorded in Volume 728, Page 26;

THENCE South 51 deg. 05 min. 32 sec. West with the Southeast line of the 42.3497 acre tract and the Bond tract, a distance of 1706.43 ft. to a 5/8" iron rod (found) at a fence corner for an ell corner of the Bond tract, the Northwest corner of a 30' wide right-of-way described as the Second Tract in Volume 1131, Page 133 and being the South corner of the 42.3497 acre tract;

THENCE North 36 deg. 27 min. 42 sec. West with the Southwest line of the 42.3497 acre tract and a Northeast line of the residue of the Bond tract, a distance of 1458.41 ft. to a iron pin (found) at a fence corner for an ell corner of same, in the Southeast line of the above mentioned 23 acre Third Tract and being the West corner of the 42.3497 acre tract;

THENCE South 67 deg. 15 min. 00 sec. West with the Southeast line of the 23 acre tract and a Northwest line of the residue of the Bond tract, a distance of 790.02 ft. to a 1/2" iron rod (set) at a fence corner for an ell corner of same and being the South corner of the 23 acre tract;

THENCE North 27 deg. 22 min. 51 sec. West with the Southwest line of the 23 acre tract and a Northeast line of the residue of the Bond tract, at 667.03 ft. pass a 1/2" iron rod (set) at a chain link fence corner and continue a total distance of 716.27 ft. to the North corner of the residue of the Bond tract, the West corner of the 23 acres, in a Southeast line of a called 346.670 acre tract conveyed to Henry B. Tippie from Marie Oliver Bond and being in the centerline of County Road No. 374;

THENCE in a northeasterly direction with the North line of the 23 acre tract, a Southeast line of the Tippie tract, the Southeast lines of a tract conveyed to Robert B. Brodnax from Roby L. Brodnax on July 12, 1988 and recorded in Volume 873, Page 600 and with the centerline of County Road No. 374 as follows:

North 23 deg. 36 min. 13 sec. East a distance of 294.29 ft. to a corner,  
 North 39 deg. 42 min. 58 sec. East a distance of 118.23 ft. to a corner,  
 North 53 deg. 09 min. 05 sec. East a distance of 122.73 ft. to a corner,  
 North 56 deg. 50 min. 28 sec. East a distance of 475.51 ft. to a corner,  
 North 58 deg. 28 min. 54 sec. East a distance of 150.19 ft. to a corner and

North 66 deg. 07 min. 08 sec. East a distance of 57.24 ft. to the North corner of the 23 acre tract and being an ell corner of the Brodnax tract;

THENCE South 23 deg. 41 min. 24 sec. East with the Northeast line of the 23 acre tract and a Southwest line of the Brodnax tract, at 25.74 ft. pass a 1/2" iron rod (set) at a fence corner and continue a total distance of 1111.69 ft. to a 1/2" iron rod (set) at a fence corner for the East corner of the 23 acre tract, an ell corner of the Brodnax tract and being in the westerly Northwest line of said 42.3497 acre First Tract;

THENCE in a northeasterly with the westerly Northwest line of the 42.3497 acre tract and a Southeast line of the Brodnax tract as follows:

North 67 deg. 15 min. 00 sec. East a distance of 882.23 ft. to a corner and  
 North 66 deg. 45 min. 39 sec. East a distance of 333.30 ft. to a 1/2" iron rod (found) at a fence corner for an ell corner of the 42.3497 acre tract, an East corner of the Brodnax tract and being in the Southwest line of a 60 acre tract described in an Oil, Gas and Mineral Lease to Sun Oil Company from Mary Eady Dawley and Husband Chester R. Dawley and recorded in Volume 539, Page 780;

THENCE South 21 deg. 21 min. 22 sec. East with the northerly Northeast line of the 42.3497 acre tract and the Southwest line of the Dawley tract, a distance of 687.35 ft. to a 1/2" iron rod (found) at a fence corner for the South corner of the Dawley tract and being an ell corner of the 42.3497 acre tract;

THENCE North 60 deg. 15 min. 13 sec. East with the Southeast line of the Dawley tract and the easterly Northwest line of the 42.3497 acre tract, a distance of 482.16 ft. to a 1/2" iron rod (found) at a fence corner for the easterly North corner of same and being the West corner of said Moore tract;

THENCE South 27 deg. 35 min. 27 sec. East with the Southwest line of the Moore tract and the southerly Northeast line of the 42.3497 acre tract, a distance of 317.53 ft. to the place of beginning and containing 67.598 acres of land of which 0.70 acre lies in the right-of-way of County Road No. 374 leaving 66.898 net acres.

LESS:

**Legal Description**  
**For BCS Leasing, LLC**  
 Pedro Varela XI League Grant, Abstract No. 30  
 Limestone County, Texas

65.97 Acres

All that certain lot, tract or parcel of land, part of the Pedro Varela XI League Grant, Abstract No. 30, Limestone County, Texas and being part of that certain called 119.097 acre tract described in a deed to Destructors, Inc. from S. & S. Bryde Trust on October 24, 2007 in Volume 1259, Page 115 of the Real Property Records of Limestone County, Texas and being more completely described as follows, to-wit:

**BEGINNING** the most northerly corner of the above mentioned 119.097 acre tract, the East corner of a called 31.67 acre tract described in a deed to David K. Cain and Teresa Gail Cain in Document No. 00124339, in the Southwest line of a called 31 acre Third Tract conveyed to Harold Hayes and Nona Pearl Hayes in Volume 739, Page 363 and being in the center of County Road No. 368; from which a 1/2" iron rod (found) capped at a fence corner bears South 59 deg. 34 min. 12 sec. West - 35.21 ft.;

**THENCE** in a southeasterly direction with the northerly Northeast lines of the 119.097 acre tract, the Southwest lines of the 31 acre Hayes tract, the Southwest lines of a called 16 acre tract conveyed to Jimmy B. Goodrich and Brenda G. Copeland in Volume 1146, Page 329, the Southwest line of a tract conveyed to Central Institute in Volume U, Page 240 and the center of County Road No. 368 as follows:

South 41 deg. 46 min. 17 sec. East a distance of 39.06 ft. to a corner,  
 South 37 deg. 18 min. 49 sec. East a distance of 117.31 ft. to a corner,  
 South 34 deg. 29 min. 58 sec. East a distance of 127.73 ft. to a corner,  
 South 17 deg. 13 min. 29 sec. East a distance of 155.32 ft. to a corner,  
 South 30 deg. 42 min. 54 sec. East a distance of 347.74 ft. to a corner,  
 South 10 deg. 25 min. 41 sec. East a distance of 746.48 ft. to a corner,  
 South 29 deg. 45 min. 15 sec. East a distance of 157.60 ft. to a corner,  
 South 27 deg. 40 min. 57 sec. East a distance of 141.74 ft. to a corner,  
 South 24 deg. 46 min. 41 sec. East a distance of 94.62 ft. to a corner,  
 South 23 deg. 40 min. 39 sec. East a distance of 216.58 ft. to a corner,  
 South 23 deg. 54 min. 23 sec. East a distance of 223.83 ft. to a corner,  
 South 30 deg. 33 min. 25 sec. East a distance of 108.00 ft. to an ell corner of the 119.097 acre tract;

**THENCE** South 54 deg. 04 min. 37 sec. East across the 119.097 acre tract and continuing with the center of County Road No. 368, a distance of 11.62 ft. to the centerline intersection of County Road No. 368 and County Road No. 374;

**THENCE** in a southwesterly direction continuing across the 119.097 acre tract and with the center of County Road No. 374 as follows:

South 13 deg. 20 min. 00 sec. West a distance of 183.71 ft. to a corner,  
 South 34 deg. 03 min. 47 sec. West a distance of 644.87 ft. to a corner,  
 South 29 deg. 28 min. 42 sec. West a distance of 95.81 ft. to a corner,  
 South 24 deg. 07 min. 58 sec. West a distance of 137.69 ft. to a corner,  
 South 22 deg. 51 min. 28 sec. West a distance of 69.32 ft. to a corner and  
 South 22 deg. 45 min. 04 sec. West a distance of 48.85 ft. to an ell corner of the 119.097 acre tract and being a East corner of a tract conveyed to Robert B. Brodnax in Volume 873, Page 600, from which a 1/2" iron rod (found) capped at a fence corner bears North 29 deg. 20 min. 44 sec. West - 21.92 ft.;

**THENCE** North 29 deg. 20 min. 44 sec. West with the most northerly Southwest line of the 119.097 acre tract and a Northeast line of the Brodnax tract, a distance of 3,039.00 ft. to a 1/2" iron rod (found) capped at a fence corner for an ell corner of same and being the most northerly West corner of the 119.097 acre tract;

**THENCE** in a northeasterly direction with the most northerly Northwest line of the 119.097 acre tract, a Southeast line of the Brodnax tract and the Southeast line of said 31.67 acre Cain tract as follows:  
 North 59 deg. 31 min. 54 sec. East a distance of 144.50 ft. to a 1/2" iron rod (found) capped and  
 North 59 deg. 34 min. 12 sec. East a distance of 861.13 ft. to the place of beginning and containing 65.97 acres of land of which 2.79 acres lie in County Road No. 368 and County Road No. 374.

The bearings recited herein are based on G.P.S. observation.

Filed for Record in:  
 Limestone County

On: Jul 31, 2017 at 10:43A

By: Olga Guzman

STATE OF TEXAS

COUNTY OF LIMESTONE

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the named records of Limestone County as stamped hereon by me.

Jul 31, 2017

Peggy Beck, County Clerk  
 Limestone County