

October 6, 2020

002138

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

**NOTE AND DEED OF TRUST INFORMATION:**

Note expressly secured  
by the Deed of Trust: Promissory note dated March 31, 2004, in the original  
principal amount of \$240,157.50 from Loyd Gene Yocham  
and Cordelia F. Yocham to Ballinger National Bank

Other indebtedness  
secured by Deed of Trust: Promissory note dated January 29, 2016, in the original  
principal amount of \$137,000.00 from Loyd Gene Yocham  
and Cordelia F. Yocham to Ballinger National Bank

Deed of Trust: Deed of Trust and Security Agreement dated March 31,  
2004, filed in Volume 234, Pages 623-629 of the Official  
Public Records of Runnels County, Texas.

Date of Deed of Trust: March 31, 2004

Grantor: Loyd Gene Yocham and Cordelia F. Yocham

Original Mortgagee: Ballinger National Bank

Recording Information: Volume 234, Pages 623-629 of the Official Public Records  
of Runnels County, Texas

Property County: Runnels County, Texas

Property: Being a 584.7 acre tract comprised of approximately 87  
acres in and a part of Austin & Williams Survey 263,  
Abstract No. 1, and the balance in and a part of Austin &  
Williams Survey 262, Abstract No. 2, in Runnels County,  
Texas, said 584.7 acre tract also being the same land  
described as a "583.2" acre tract comprised of Six Tracts in  
Deed from Clara A. Ashton to Donald J. Ashton dated July  
4, 1996, and recorded in Volume 127, Page 555, Official  
Public Records of Runnels County, Texas; said 584.7 acre  
tract being more particularly described by metes and bounds  
in the field notes attached hereto as Exhibit "A" and made a  
part hereof for all purposes.



4726589

POSTED September 14, 2020  
At 9:06 o'clock A M  
Julia Miller  
County Clerk, Runnels County, Texas  
By James Evans Deputy

**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 "A"**  
**BART E. JOHNSON**

Registered Professional Land Surveyor

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

Description: 584.7 Acre Tract  
Prepared for: Ashton to Yochem

Being a 584.7 acre tract comprised of approximately 87 acres in and a part of Austin & Williams Survey 263, A-1 and the balance in and a part of Austin & Williams Survey 262, A-2, in Runnels County, Texas; said 584.7 acre tract also being the same land described as a "583.2" acre tract comprised of Six Tracts in Deed from Clara A. Ashton to Donald J. Ashton dated July 4, 1996 and recorded in Volume 127, Page 555 of the Official Public Records of Runnels County, Texas; said 584.7 acre tract being described by metes and bounds as follows:

Beginning at a fence corner post for the N.W. corner of the Fifth Tract described in said Deed and for the westerly N.W. corner of the "583.2" acre tract from which N.G.S. Station Crews bears  $N.52^{\circ}20'20"E.$  21,724.60 feet and N.G.S. Station Benoit bears  $S.38^{\circ}53'39"E.$  19,395.25 feet.

Thence along or near a fence and with the north line of the Fifth Tract and a north line of the "583.2" acre tract and the south line of a "557.6" acre tract described in Deed from Coleman Production Credit Association to Gottschalk dated August 15, 1985 and recorded in Volume 589, Page 532 of the Deed Records of Runnels County,  $N.75^{\circ}55'00"E.$ , at 1431.8 feet a 1/2" iron rod found at or near the S.E. corner of the "557.6" acre tract and the S.W. corner of a "685.3" acre tract described in Deed from Lindemann to Gottschalk dated May 1, 1972 and recorded in Volume 424, Page 91 of the Deed Records bears  $N.14^{\circ}05'W.$  0.8 foot, and continuing in all 1841.94 feet to a 3/4" iron pipe found for the N.E. corner of the Fifth Tract and the N.W. corner of the Sixth Tract.

Thence along or near a fence and with the north line of the Sixth Tract and a north line of the "583.2" acre tract and a south line of the "685.3" acre tract,  $N.75^{\circ}39'36"E.$  1573.05 feet to a 1/2" iron rod found at a mesquite tree for a fence corner at a S.E. corner of the "685.3" acre tract and the S.W. corner of the Fourth Tract described in the Ashton Deed at an inside corner of the "583.2" acre tract.

Thence with the west line of the Fourth Tract and the "583.2" acre tract and with an east line of the "685.3" acre tract and near a fence,  $N.14^{\circ}05'45"W.$ , and passing the N.W. corner of the Fourth Tract and S.W. corner of the Third Tract described in the Ashton Deed and continuing with the west line of the Third Tract in all 3853.58 feet to a 1/2" iron rod found for the N.W. corner of the Third Tract and the "583.2" acre tract and an inside corner of the "685.3" acre tract.

Thence along or near but generally about 1 foot or 2 feet south of a fence and with the north line of the Third Tract and the "583.2" acre tract and with a south line of the "685.3" acre tract,  $N.75^{\circ}39'27"E.$ , and passing the N.E. corner of the Third Tract and the N.W. corner of the First Tract described in the Ashton Deed and continuing with the north line of the First Tract and passing the N.E. corner of the First Tract and the N.W. corner of the Second Tract described in the Ashton Deed and continuing with the north line of the Second Tract, at 4156.0 feet pass the south edge of a corner post at or near a S.E. corner of the "685.3" acre tract and a S.W. corner of another "685.3" acre tract described in Deed from Lindemann to Glass dated January 2, 1949 and recorded in Volume 224, Page 207 of the Deed Records, and continuing with a south line of the last mentioned "685.3" acre tract in all 4586.66 feet to a 1/2" iron rod found at a fence corner post for the N.E. corner of the Second Tract and the "583.2" acre tract at an inside corner of the "685.3" acre tract.

**EXHIBIT "A"**

Thence along or near a fence and with the east line of the Second Tract and the "583.2" acre tract and a west line of the Glass "685.3" acre tract, S.14°03'12"E. 3036.12 feet to a 1/2" iron rod found at a fence corner post.

Thence with a southeast line of the First Tract and the "583.2" acre tract and a northwest line of the Glass "685.3" acre tract, S.23°35'07"W. 1029.42 feet to a 2" iron pipe post for the S.E. corner of the Second Tract and a S.E. corner of the "583.2" acre tract in the north line of another "685.3" acre tract described in Deed from Lindemann to Byers dated January 2, 1949 and recorded in Volume 224, Page 181 of the Deed Records.

Thence along or near a fence and with a south line of the "583.2" acre tract and a north line of the Byers "685.3" acre tract, S.75°34'42"W. 2604.88 feet to a 5/8" iron rod set for an inside corner of the "583.2" acre tract at a N.W. corner of the Byers "685.3" acre tract.

Thence with the east line of the "583.2" acre tract and a west line of the Byers "685.3" acre tract, S.14°06'44"E., at 2.7 feet pass an abandoned fence corner post for the N.E. corner of the Sixth Tract described in the Ashton Deed and continuing and converging easterly into a fence in all 1393.69 feet to a 5/8" iron rod set at a fence corner post for the S.E. corner of the Sixth Tract and a S.E. corner of the "583.2" acre tract at the N.E. corner of a "92.6" acre tract described in Deed from Robert W. Lange to Cheryl Lange, et al dated April 26, 1994 and recorded in Volume 94, Page 420 of the Official Public Records.

Thence with the south line of the Sixth Tract and a south line of the "583.2" acre tract and the north line of the "92.6" acre tract, S.75°58'44"W., and crossing a stock tank and continuing and converging northerly into a fence in all 2920.56 feet to a large cedar fence corner post for the S.W. corner of the Sixth Tract at an inside corner of the "583.2" acre tract and the N.W. corner of the "92.6" acre tract.

Thence along or near a fence and with the east line of the aforementioned Fifth Tract and west line of the "92.6" acre tract, S.14°13'40"E. 807.23 feet to a 5/8" iron rod set at a fence corner post.


Thence along or near a fence and with the south line of the Fifth Tract, S.75°48'00"W. 1841.94 feet to a 5/8" iron rod set at a fence corner post for the S.W. corner of the Fifth Tract and the "583.2" acre tract.

Thence along or near a fence and with the west line of the Fifth Tract and a west line of the "583.2" acre tract, N.14°13'40"W. 2186.48 feet to the point of beginning and containing 584.7 acres of land.

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

See accompanying plat.

Surveyed on the ground in March of 2004.

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

