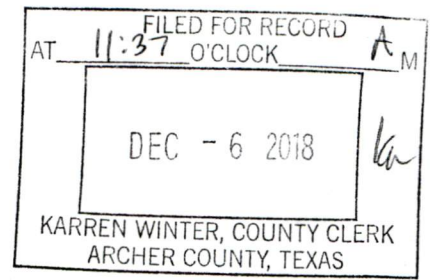


**COPY**

**Notice of Foreclosure Sale**

December 6, 2018



Deed of Trust, Security Agreement and Financing Statement ("Deed of Trust"):

Dated: June 4, 2015

Grantor: Lloyd A. Wolf, Jr.  
P.O. Box 130  
Scotland, Texas 76379  
Archer County.

Trustee: William Preston Crutcher  
900 Midwestern Parkway  
Wichita Falls, Texas 76302  
Wichita County

Lender: Fidelity Bank

Recorded in: Doc. 138823, Vol. 792, Page 377 of the real property records of Archer County, Texas,

Legal Description: See attached Exhibit "A"

Secures:

Note Description	Date	Original Amount	Borrower(s)
90784	June 4, 2015	\$920,000.00	Lloyd Albert Wolf, Jr.

and all other indebtedness of Borrower to Lender

Modifications and Renewals: Modification and Extension Agreement dated April 19, 2017 executed by Borrower, recorded in Doc. 143163 of the real property records of Archer County, Texas (as used herein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as so modified, renewed, and/or extended).

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Substitute Trustee(s) : William Preston Crutcher  
900 Midwestern Parkway  
Wichita Falls, Texas 76302

Wichita County

-and/or-

Brent Hillery  
2525 Kell Boulevard, Suite 100  
Wichita Falls, Texas 76308  
Wichita County

-and/or-

Matthew D. Anderson and/or D. Todd  
3711 Maplewood, Suite 200  
Wichita Falls, Texas 76308  
Wichita County

Foreclosure Sale:

Date: January 2, 2019

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time; **the earliest time at which the Foreclosure Sale will begin 10 a.m. and not later than three hours thereafter,**

Place: North entrance of courthouse annex, 112 E. Walnut, Archer City, Texas 76351, or in the area designated by the Commissioner's Court pursuant to Section 51.002 of the Texas Property Code.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Fidelity Bank's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Fidelity Bank, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Fidelity Bank's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Fidelity Bank's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Fidelity Bank passes the Foreclosure Sale, notice of the date of any rescheduled

foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Fidelity Bank. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold **“AS IS,”** **without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.** Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee.

**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.**

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**



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MATTHEW D. ANDERSON  
Attorney for Fidelity Bank

EXHIBIT A  
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TRACT I:

328.20 ACRES OUT OF A TRACT OF LAND CONVEYED TO LLOYD WOLF, SR. BY DEED RECORDED IN VOLUME 620, PAGE 150, OFFICIAL PUBLIC RECORDS OF ARCHER COUNTY, SAID TRACT BEING OUT OF LOT 77, BLOCK 4, CLARK & PLUMB SUBDIVISION, ARCHER COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT 77, IN THE NORTH LINE OF T.E. & L. COMPANY SURVEY NO. 1883, A-563, AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO BRAD BEREND BY DEED RECORDED IN VOLUME 608, PAGE 20, OFFICIAL PUBLIC RECORDS OF ARCHER COUNTY AND IN THE NORTH LINE OF A TRACT OF LAND CONVEYED TO J.S. BRIDWELL COMPANY BY DEED RECORDED IN VOLUME 504, PAGE 167, ARCHER COUNTY DEED RECORDS, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N 89° 39' 22" W, WITH THE SOUTH LINE OF SAID LOT 77, THE NORTH LINE OF SAID SURVEY NO. 1883 AND THE NORTH LINE OF SAID J.S. BRIDWELL COMPANY TRACT, AT 137.6 FEET PASS A 4" PIPE FENCE CORNER, AND CONTINUING ON THE SAME COURSE A TOTAL DISTANCE OF 2111.46 FEET TO A NAIL SET AT THE NORTHWEST CORNER OF SAID SURVEY NO. 1883, THE NORTHWEST CORNER OF SAID J.S. BRIDWELL COMPANY TRACT, AT THE NORTHEAST CORNER OF THE T.E. & L. COMPANY SURVEY NO. 1884, A-564 AND THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO JAMES R. WOLF BY DEED RECORDED IN VOLUME 480, PAGE 322, ARCHER COUNTY DEED RECORDS, FOR AN ANGLE CORNER OF THIS TRACT;

THENCE N 89° 02' 28" W AT 372.94 FEET PASS AN IRON ROD SET AT THE SOUTHEAST CORNER OF AN ACCESS EASEMENT HEREWITH DESCRIBED, CONTINUING ON THE SAME COURSE WITH THE SOUTH LINE OF SAID LOT 77, THE NORTH LINE OF SAID SURVEY NO. 1884 AND THE NORTH LINE OF SAID WOLF TRACT A TOTAL DISTANCE OF 494.35 FEET TO AN IRON ROD SET FOR AN ANGLE CORNER OF THIS TRACT;

THENCE N 08° 44' 59" W A DISTANCE OF 391.54 FEET TO A SPIKE NAIL SET FOR AN ANGLE CORNER OF THIS TRACT;

THENCE N 88° 42' 41" W A DISTANCE OF 182.67 FEET TO AN IRON ROD SET FOR AN ELL CORNER OF THIS TRACT;

THENCE S 00° 55' 37" W A DISTANCE OF 387.05 FEET TO AN IRON ROD SET IN THE SOUTH LINE OF SAID LOT 77, THE NORTH LINE OF SAID SURVEY NO. 1884

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AND IN THE NORTH LINE OF A TRACT OF LAND CONVEYED TO LLOYD WOLF BY DEED RECORDED IN VOLUME 620, PAGE 153, OFFICIAL PUBLIC RECORDS OF ARCHER COUNTY, FOR AN ELL CORNER OF THIS TRACT;

THENCE N 89° 02' 28" W, WITH SOUTH LINE OF SAID LOT 77, THE NORTH LINE OF SAID SURVEY NO. 1884 AND THE NORTH LINE OF SAID WOLF TRACT, AT 472.9 FEET PASS AN IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID WOLF TRACT, AND CONTINUING ON THE SAME COURSE A TOTAL DISTANCE OF 1196.39 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID LOT 77, THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO DAN SCHENK BY DEED RECORDED IN VOLUME 399, PAGE 647, ARCHER COUNTY DEED RECORDS, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 01° 37' 24" E, WITH THE WEST LINE OF SAID LOT 77, THE EAST LINE OF SAID LOT 80 AND THE EAST LINE OF SAID SCHENK TRACT, A DISTANCE OF 3832.89 FEET TO A POINT AT THE MOST WESTERLY SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO SHARLA ANDERSON BY DEED RECORDED IN VOLUME 749, PAGE 322, OFFICIAL PUBLIC RECORDS OF ARCHER COUNTY, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 89° 39' 22" E, WITH THE SOUTH LINE OF SAID ANDERSON TRACT, A DISTANCE OF 2590.92 FEET TO A PK NAIL FOUND FOR AN ELL CORNER OF SAID ANDERSON TRACT AND THE MOST NORTHERLY NORTHEAST CORNER OF THIS TRACT;

THENCE S 01° 39' 09" W, WITH THE WEST LINE OF SAID ANDERSON TRACT, A DISTANCE OF 816.46 FEET TO AN IRON ROD FOUND AT THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID ANDERSON TRACT AND AN ELL CORNER OF THIS TRACT;

THENCE S 88° 48' 33" E, WITH THE SOUTH LINE OF SAID ANDERSON TRACT, AT 1426.47 FEET PASS AN IRON ROD FOUND IN THE FENCED WEST LINE OF WOLF ROAD, AND CONTINUING ON THE SAME COURSE A TOTAL DISTANCE OF 1460.21 FEET TO AN IRON ROD FOUND IN THE CENTERLINE OF WOLF ROAD, THE EAST LINE OF SAID LOT 77 AND IN THE WEST LINE OF SAID BEREND TRACT, FOR THE MOST EASTERLY NORTHEAST CORNER OF THIS TRACT;

THENCE S 01° 37' 24" W, WITH THE CENTERLINE OF WOLF ROAD, THE EAST LINE OF SAID LOT 77 AND THE WEST LINE OF SAID BEREND TRACT, A DISTANCE OF 3015.67 FEET TO THE PLACE OF BEGINNING AND CONTAINING 328.20 ACRES OF LAND.

**ACCESS EASEMENT:**

**0.67 ACRE ACCESS EASEMENT OUT OF A TRACT OF LAND CONVEYED TO LLOYD WOLF, SR. BY DEED RECORDED IN VOLUME 620, PAGE 150, OFFICIAL PUBLIC RECORDS OF ARCHER COUNTY, SAID TRACT BEING OUT OF LOT 77, BLOCK 4, CLARK & PLUMB SUBDIVISION, ARCHER COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING AT AN IRON ROD SET IN THE SOUTH LINE OF SAID LOT 77, IN THE NORTH LINE OF T.E. & L. COMPANY SURVEY NO. 1884, A-564 AND IN THE NORTH LINE OF A TRACT OF LAND CONVEYED TO JAMES R. WOLF BY DEED RECORDED IN VOLUME 480, PAGE 322, ARCHER COUNTY DEED RECORDS, SAID POINT BEING N 89° 02' 28" W A DISTANCE OF 372.94 FEET FROM A NAIL SET AT THE NORTHEAST CORNER OF SAID SURVEY NO. 1884, SAID ROD BEING THE SOUTHEAST CORNER OF THIS TRACT;**

**THENCE N 89° 02' 28" W, WITH THE SOUTH LINE OF SAID LOT 77, THE NORTH LINE OF SAID SURVEY NO. 1884, AND THE NORTH LINE OF SAID WOLF TRACT, A DISTANCE OF 121.61 FEET TO AN IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS TRACT;**

**THENCE N 08° 44' 59" W A DISTANCE OF 391.54 FEET TO A SPIKE NAIL SET FOR THE NORTHWEST CORNER OF THIS TRACT;**

**THENCE S 89° 00' 36" E A DISTANCE OF 36.19 FEET TO AN IRON ROD SET FOR THE NORTHEAST CORNER OF THIS TRACT;**

**THENCE S 20° 56' 50" E A DISTANCE OF 400.96 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.67 ACRE OF LAND.**

**TRACT II:**

**5.12 ACRES OUT OF THE T.E. & L. COMPANY SURVEY NO. 1884, A-564, ARCHER COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING AT A FENCE CORNER IN THE NORTH LINE OF SAID SURVEY NO. 1884 AND THE NORTH LINE OF A 40 FOOT EGRESS/INGRESS EASEMENT, SAID POINT BEING S 89° 02' 28" E 405.6 FEET FROM THE NORTHWEST CORNER OF SAID SURVEY NO. 1884, FOR THE NORTHWEST CORNER OF THIS TRACT;**

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THENCE S 89° 02' 28" E, WITH NORTH LINE OF SAID SURVEY NO. 1884, A DISTANCE OF 355.94 FEET TO A FENCE CORNER FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 15° 11' 31" W, AT 41.2 FEET PASS A 3" PIPE FENCE CORNER IN THE SOUTH LINE OF SAID 40 FOOT EGRESS/INGRESS EASEMENT, AND CONTINUING ON THE SAME COURSE A TOTAL DISTANCE OF 1091.41 FEET TO A 3" PIPE FENCE CORNER FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N 89° 04' 22" W A DISTANCE OF 82.70 FEET TO A 3" PIPE FENCE CORNER FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 00° 42' 08" E, AT 1018.27 FEET PASS A 3" PIPE FENCE CORNER IN THE SOUTH LINE OF SAID 40 FOOT EGRESS/INGRESS EASEMENT, AND CONTINUING ON THE SAME COURSE A TOTAL DISTANCE OF 1058.17 FEET TO A TO THE PLACE OF BEGINNING AND CONTAINING 5.12 ACRES OF LAND.

TRACT III:

6.01 ACRES OUT OF THE T.E. & L. COMPANY SURVEY NO. 1884, A-564, ARCHER COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD SET IN THE NORTH LINE OF SAID SURVEY NO. 1884, THE SOUTH LINE OF LOT 77, BLOCK 4, CLARK & PLUMB SUBDIVISION, IN THE NORTH LINE OF A 40 FOOT EGRESS/INGRESS EASEMENT AND AT AN ELL CORNER OF A TRACT OF LAND CONVEYED TO JAMES R. WOLF BY DEED RECORDED IN VOLUME 480, PAGE 322, ARCHER COUNTY DEED RECORDS, SAID ROD BEING N 89° 39' 23" W 539.3 FEET FROM A NAIL SET AT THE NORTHEAST CORNER OF SAID SURVEY NO. 1884, SAID ROD ALSO BEING THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 00° 41' 54" W, WITH THE WEST LINE OF SAID WOLF TRACT, AT 39.4 FEET PASS A FENCE CORNER IN THE SOUTH LINE OF SAID 40 FOOT EGRESS/INGRESS EASEMENT, AND CONTINUING ON THE SAME COURSE WITH THE FENCED WEST LINE OF SAID WOLF TRACT A TOTAL DISTANCE OF 387.21 FEET TO A FENCE CORNER AT AN ELL CORNER OF SAID WOLF TRACT, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N 89° 03' 36" W, WITH THE NORTH LINE OF SAID WOLF TRACT, A DISTANCE OF 676.13 FEET TO A FENCE CORNER AT AN ELL CORNER OF SAID WOLF TRACT, FOR THE SOUTHWEST CORNER OF THIS TRACT;

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THENCE N 00° 39' 48" E, WITH THE EAST LINE OF SAID WOLF TRACT, AT 347.83 FEET PASS A FENCE CORNER IN THE SOUTH LINE OF SAID 40 FOOT EGRESS/INGRESS EASEMENT, AND CONTINUING ON THE SAME COURSE A TOTAL DISTANCE OF 387.53 FEET TO A POINT AT ELL CORNER OF SAID WOLF TRACT AND IN THE NORTH LINE OF SAID SURVEY NO. 1884, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 89° 02' 28" E, WITH THE NORTH LINE OF SAID SURVEY NO. 1884, A DISTANCE OF 676.37 FEET TO THE PLACE OF BEGINNING AND CONTAINING 6.01 ACRES OF LAND.



FILED FOR RECORD  
KARREN WINTER - COUNTY CLERK  
ARCHER COUNTY, TEXAS

**INST NO: 140294**

FILED ON: JANUARY 25, 2016 AT 9:31am  
THE INSTRUMENT CONTAINED 21 PAGES AT FILING

**THE STATE OF TEXAS  
COUNTY OF ARCHER**



I, Karren Winter, Clerk County Court in and for said county hereby do certify that the foregoing instrument was filed for record in my office on the 25th day of January 2016 at 9:31 AM and duly recorded on that date, in the Official Public Records of said county.

**Instrument # 140294 , 21 Pages**

*Karren Winter*

Karren Winter County Clerk