

Posted
This 17th day of Jan. 2023
at 12:01pm

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Date: January 17, 2023

Deed of Trust:

Date: March 21, 2018

Grantor: Michael James Schouten, individually, Zeba Quast Schouten, individually, and Michael James Schouten and Zeba Quast Schouten d/b/a Mission Dairy

Trustee: Ben Novosad

Substitute Trustee: PLA Services, Inc.

Substitute Trustee's Mailing Address: P.O. Box 9662, Amarillo, Texas 79105-9662

Beneficiary: Capital Farm Credit, FLCA and Capital Farm Credit PCA

County Where Property Is Located: Deaf Smith County, Texas

Recording Information: Clerk's File No. 18-0522, of the Official Public Records of Deaf Smith County, Texas, as modified by that certain Modification and Extension Agreement dated May 17, 2019, recorded at Clerk's File No 19-0794 in the Official Public Records of Deaf Smith County, Texas and that certain Modification and Extension Agreement dated July 8, 2020, recorded at Clerk's File Number 20-1168 in the Official Public Records of Deaf Smith County, Texas.

Property Description: The property more fully described in Exhibit "A" attached hereto and incorporated herein for all purpose, LESS and EXCEPT that certain property described on Exhibit "B" attached hereto and incorporated herein for all purposes, the property on Exhibit "B" being that same property described in that certain Partial Release of Lien dated October 4, 2021, recorded at Clerk's File No. 21-2459 in the Official Public Records of Deaf Smith County, Texas.

Note(s):

Note 1:

Date: July 27, 2016

Amount: \$20,000,000.00

Debtor: Michael James Schouten, individually, Zeba Quast Schouten, individually, and Michael James Schouten and Zeba Quast Schouten d/b/a Mission Dairy

Holder: Capital Farm Credit FLCA

Maturity: As stated therein

Note 2:

Date: July 27, 2016
Amount: \$9,000,000.00
Debtor: Michael James Schouten, individually, Zeba Quast Schouten, individually, and Michael James Schouten and Zeba Quast Schouten d/b/a Mission Dairy
Holder: Capital Farm Credit PCA
Maturity: As stated therein.

Date of Sale of Property (first Tuesday of month): Tuesday, February 7, 2023


Time of Sale of Property: The sale will take place between the hours of 10:00 a.m. and 4:00 p.m. local time; the earliest time at which the sale will begin is 10:00 a.m.

Place of Sale of Property: The area designated by the Deaf Smith County Commissioners Court as the official location for real property foreclosure sales.

Default has occurred in the payment of the Notes and in performance of the obligations of the Deed of Trust. Because of that default, the owner and Holder of the Notes and Beneficiary under the Deed of Trust has requested Substitute Trustee to sell the Property.

Therefore, notice is given that on and at the Date, Time, and Place of Sale described above, Substitute Trustee will sell the Property "AS IS" by public sale to the highest bidder for cash in accordance with the Deed of Trust.

PLA SERVICES, INC., Substitute Trustee

By: 
Taylor K. Kelley, President

STATE OF TEXAS §
 §
COUNTY OF POTTER §

This instrument was acknowledged before me on the 17th day of January, 2023, by Taylor K. Kelley, President of PLA SERVICES, INC., a Texas corporation, as Substitute Trustee, on behalf of the corporation.



Notary Public, State of Texas

Notice of Sale or Substitute Trustee's Sale(1314688.1)

After recording, return to:

Taylor K. Kelley
Sprouse Shrader Smith PLLC
P.O. Box 15008
Amarillo, Texas 79105

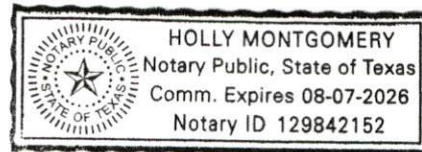


EXHIBIT "A"
Property Description

TRACT 1:

All of Section No. 47, Block K-4, Abstract No. 339, Deaf Smith County, Texas.

TRACT 2:

All of the South Half (S/2) of Section No. 48, Block K-4, Abstract No. 1160, Deaf Smith County, Texas.

TRACT 3:

All of the North Half (N/2) of Section 48, Block K-4, Abstract 1160, Deaf Smith County, Texas.

TRACT 4:

All of Section No. 54, Block K-4, Abstract No. 1025, Deaf Smith County, Texas; SAVE AND EXCEPT a 5.68 acre tract, more or less, out of the Northwest part of Section 54, Block K-4, Abstract No. 1025, Certificate Number 61 of the Arnold and Barrett Surveys in Deaf Smith County, Texas, described by metes and bounds as follows:

COMMENCING at a 1 1/2 inch iron pipe found for the Northwest corner of Section 54, Block K-4, whence a 1/2 inch iron rod with cap stamped "RPLS 1848" found for the Northeast corner of said section bears South 89 degrees 01 minute 00 seconds East 5322.50 feet and a 1/2 inch iron rod with cap stamped "RPLS 1848" found for the Southwest corner of said section bears South 00 degrees 35 minutes 11 seconds West 5372.66 feet;

THENCE South 89 degrees 01 minute 00 seconds East along the North line of said section, 30.00 feet to a point;

THENCE South 00 degrees 35 minutes 11 seconds West 30.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set at the intersection of the South line of County Road 21 and the East line of County Road GG for the NORTHWEST and BEGINNING corner of this tract;

THENCE South 89 degrees 01 minute 00 seconds East along the South line of County Road 21, a distance of 386.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set for corner;

THENCE South 00 degrees 35 minutes 11 seconds West 641.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set for corner;

THENCE North 89 degrees 01 minute 00 seconds West 386.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set in the East line of county Road GG;

THENCE North 00 degrees 35 minutes 11 seconds East along the East line of County Road GG, 641 feet to the PLACE OF BEGINNING.

AND

5.68 acre tract, more or less, out of the Northwest part of Section 54, Block K-4, Abstract No. 1025, Certificate Number 61 of the Arnold and Barrett Surveys in Deaf Smith County, Texas, described by metes and bounds as follows:

COMMENCING at a 1 1/2 inch iron pipe found for the Northwest corner of Section 54, Block K-4, whence a 1/2 inch iron rod with cap stamped "RPLS 1848" found for the Northeast corner of said section bears South 89 degrees 01 minute 00 seconds East 5322.50 feet and a 1/2 inch iron rod with cap stamped "RPLS 1848" found for the Southwest corner of said section bears South 00 degrees 35 minutes 11 seconds West 5372.66 feet;

THENCE South 89 degrees 01 minute 00 seconds East along the North line of said section, 30.00 feet to a point;

THENCE South 00 degrees 35 minutes 11 seconds West 30.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set at the intersection of the South line of County Road 21 and the East line of County Road GG for the NORTHWEST and BEGINNING corner of this tract;

THENCE South 89 degrees 01 minute 00 seconds East along the South line of County Road 21, a distance of 386.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set for corner;

THENCE South 00 degrees 35 minutes 11 seconds West 641.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set for corner;

THENCE North 89 degrees 01 minute 00 seconds West 386.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set in the East line of county Road GG;

THENCE North 00 degrees 35 minutes 11 seconds East along the East line of County Road GG, 641 feet to the PLACE OF BEGINNING.

TRACT 5:

All of Section 1, Block K-7, Deaf Smith County, Texas.

TRACT 6:

All of Section 2, Block K-7, H&OB RR Co. Survey, Deaf Smith County, Texas.

TRACT 7:

The North Half (N/2) of Section 19, Block K-7, Deaf Smith County, Texas.

TRACT 8:

The South Half (S/2) of Section 19, Block K-7, B. S. & F. Survey, Deaf Smith County, Texas.

TRACT 9:

All of Section 20, Block K-7, Deaf Smith County, Texas.

TRACT 10:

All of Section 92, Block K-4, H&OB RR Co. Survey, Deaf Smith County, Texas.

TRACT 11:

The West One-Half of Section 93, Block K-4, Deaf Smith County, Texas and the East 120 acres of the NE/4, Section 93, Block K-4, Deaf Smith County, Texas.

TRACT 12:

The North 60 acres of the SE/4 and the West 40 acres of the NE/4 of Section 93, Block K-4, Deaf Smith County, Texas.

TRACT 13:

The South 100 acres of the SE/4 of Section 93, Block K-4, Deaf Smith County, Texas.

TRACT 14:

The East One-Half of Section 3, Block K-7, Deaf Smith County, Texas.

TRACT 15:

The North One-half of Section 21, Block K-7, Deaf Smith County, Texas.

TRACT 16:

The Northeast One-quarter of Section 40, Block K-7, Deaf Smith County, Texas.

TRACT 17:

All of the Northwest Quarter of Section No. 67, Block K-4, Certificate No. 47-G, D&W RR Co., Original Grantee, Deaf Smith County, Texas.

AND

All of the Northeast Quarter of Section No. 67, Block K-4, Certificate No. 47-G, D&W RR Co., Original Grantee, Deaf Smith County, Texas.

TRACT 18:

The North one-half (N/2) of Section 53, Block K-4, Deaf Smith County, Texas, containing 320 acres of land, more or less.

TRACT 19:

The South one-half (1/2) of Section 53, Block K-4, Abstract No. 47, Certificate No. 61, Patent No. 66, dated June 6, 1877, recorded in Volume 28 of the State Abstract Books, and being situated in Deaf Smith County,

Texas; SAVE AND EXCEPT a 194.32 acre tract, more or less, out of the West part of a tract known as the South 1/2 of Section 53, Block K-4, Abstract Number 47, Certificate Number 61 of the Arnold and Barrett Surveys in Deaf Smith County, Texas, described by metes and bounds as follows:

COMMENCING at a 1-1/2 inch iron pipe found for the Southwest corner of Section 53, Block K-4 whence a 1-1/4 inch iron pipe found for the Northwest corner of said section bears North 00 degrees 36 minutes 01 second East 5372.08 feet and a 1/2 inch iron rod with cap stamped "RPLS 1848" found for the Southeast corner of said section bears South 89 degrees 01 minute 00 seconds East 5322.50 feet;

THENCE North 00 degrees 36 minutes 01 second East along the West line of said section, 70.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" found in the North line of County Road 21 as widened for the SOUTHWEST and BEGINNING corner of this tract;

THENCE continuing North 00 degrees 36 minutes 01 second East 2616.04 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set for the midpoint of the West line of said section;

THENCE South 89 degrees 05 minutes 59 seconds East along the North line of a tract known as the South 1/2 of said section, 3232.78 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set for corner;

THENCE South 00 degrees 36 minutes 01 second West 2620.74 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set in the North line of County Road 21 as widened;

THENCE North 89 degrees 01 minutes 00 seconds West along the North line of County Road 21 as widened, 3232.81 feet to the place of beginning.

AND

194.32 acre tract, more or less, out of the West part of a tract known as the South 1/2 of Section 53, Block K-4, Abstract Number 47, Certificate Number 61 of the Arnold and Barrett Surveys in Deaf Smith County, Texas, described by metes and bounds as follows:

COMMENCING at a 1-1/2 inch iron pipe found for the Southwest corner of Section 53, Block K-4 whence a 1-1/4 inch iron pipe found for the Northwest corner of said section bears North 00 degrees 36 minutes 01 second East 5372.08 feet and a 1/2 inch iron rod with cap stamped "RPLS 1848" found for the Southeast corner of said section bears South 89 degrees 01 minute 00 seconds East 5322.50 feet;

THENCE North 00 degrees 36 minutes 01 second East along the West line of said section, 70.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" found in the North line of County Road 21 as widened for the SOUTHWEST and BEGINNING corner of this tract;

THENCE continuing North 00 degrees 36 minutes 01 second East 2616.04 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set for the midpoint of the West line of said section;

THENCE South 89 degrees 05 minutes 59 seconds East along the North line of a tract known as the South 1/2 of said section, 3232.78 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set for corner;

THENCE South 00 degrees 36 minutes 01 second West 2620.74 feet to a 1/2 inch iron rod with cap stamped "RPLS 1848" set in the North line of County Road 21 as widened;

THENCE North 89 degrees 01 minutes 00 seconds West along the North line of County Road 21 as widened, 3232.81 feet to the place of beginning.

TRACT 20:

The South one-half (S/2) of Section 69, Block K-4, Deaf Smith County, Texas, containing 327.25 acres of land, more or less, EXCEPT 2 acres out of the Southwest part thereof, described by metes and bounds as follows, to-wit:

BEGINNING at a point in the East line of U. S. Highway 385, whence the Southwest corner of Section 69, Block K-4, bears North 89 degrees 16 minutes 30 seconds West 60 feet and South 0 degrees 27 minutes 17 seconds West 40 feet;

THENCE North 0 degrees 27 minutes 17 seconds East along the East line of U. S. Highway 385, 208.71 feet to a point;

THENCE South 89 degrees 16 minutes 30 seconds East 417.42 feet to a point;

THENCE South 0 degrees 27 minutes 17 seconds West 208.71 feet to a point whence the South line of said Section bears South 0 degrees 27 minutes 17 seconds West 40 feet;

THENCE North 89 degrees 16 minutes 30 seconds West 417.42 feet to the place of beginning.

TRACT 21:

The West one-half (W/2) of Section 4, Block E, Abstract No. 1223, Patent No. 132 in Volume 34, dated May 18, 1907, H. D. Howard, Original Grantee, in Deaf Smith County, Texas.

Exhibit B

PROPERTY DESCRIPTION: Tracts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12

A 4700.48 acre tract of land, more or less, being the Northeast Quarter (NE¹/₄) of Section 40, Block E-7, the North Half (NH¹/₂) of Section 21, Block E-7, the East Half (EH¹/₂) of Section 3, Block E-7, all of Sections 1, 2, 19, 20, Block E-7 and all of Sections 92 and 93, Block E-4, Deaf Smith County, Texas, said 4700.48 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a stone with a 1/2" iron pipe affixed, found for the Southwest corner of said Section 20;

THENCE North 01 degree 02 minutes 56 seconds East, along the West line of Section 20, a distance of 2453.91 feet to a 3/8" iron rod with cap marked "THD" set for the East quarter corner of Section 21;

THENCE North 88 degrees 58 minutes 19 seconds West, along the South line of the North Half of Section 11, a distance of 5308.67 feet to a 3/8" iron rod with cap marked "THD" set for the West quarter corner of Section 21, same being the East quarter corner of Section 40;

THENCE North 88 degrees 58 minutes 30 seconds West, along the South line of the Northeast Quarter of Section 40, a distance of 2652.73 feet to a 3/8" iron rod with cap marked "THD" set for the Southwest corner of the Northeast Quarter of Section 40, Block E-7;

THENCE North 01 degree 01 minute 47 seconds East, along the West line of the Northeast Quarter of Section 40, a distance of 2602.04 feet to a 1/2" iron rod found, containing for a total distance of 2653.77 feet to the North Quarter corner of Section 40;

THENCE South 88 degrees 59 minutes 51 seconds East, along the North line of Section 40, a distance of 2654.83 feet to the Northeast corner of Section 40;

THENCE South 88 degrees 59 minutes 50 seconds East, along the North line of Section 21, a distance of 5309.67 feet to a 3/8" iron rod set for the Northeast corner of Section 21;

THENCE South 88 degrees 59 minutes 51 seconds East, along the North line of Section 10, a distance of 5311.25 feet to the Northeast corner of Section 10;

THENCE South 89 degrees 01 minute 14 seconds East, along the North line of said Section 1, a distance of 5311.25 feet to a 3/8" iron rod set for the Northeast corner of Section 1, Block E-7;

THENCE South 01 degree 05 minutes 33 seconds West, along the East line of Section 1, at a distance of 590.0 feet to a 1/2" iron rod with cap marked "RTLS 1849" found, containing for a total distance of 5317.48 feet to a 1/2" iron rod with cap marked "RTLS 1849" found for the Southwest corner of Section 1, same being the Northeast corner of Section 92, Block E-4;

THENCE South 88 degrees 54 minutes 39 seconds East, along the North line of Section 92, a distance of 5314.72 feet to a 3/8" iron rod set for the Northeast corner of Section 92;

THENCE South 08 degrees 59 minutes 49 seconds West, along the East line of Section 92, a distance of 5339.72 feet to the Southwest corner of Section 92;

THENCE South 01 degree 05 minutes 05 seconds West, along the East line of Section 92, a distance of 5328.86 feet to a 1/2" iron pipe with cap marked "THD" set for the Southwest corner of Section 92, Block E-4;

THENCE North 88 degrees 35 minutes 08 seconds West, along the South line of Section 92, a distance of 5316.54 feet to a 1/2" iron rod found for the Southwest corner of Section 92;

THENCE North 88 degrees 55 minutes 31 seconds West, along the South line of Section 3, a distance of 2656.71 feet to a 1/2" iron pipe found for the South quarter corner of Section 3, Block E-7;

THENCE North 01 degree 03 minutes 43 seconds East, along the West line of the East Half of Section 3, a distance of 5308.53 feet to a 3/8" iron rod with cap marked "THD" set for the North quarter corner of Section 3;

THENCE North 88 degrees 54 minutes 44 seconds West, along the North line of Section 3, a distance of 2697.27 feet to a 1/2" iron rod with cap marked "RTLS 1849" found for the Northeast corner of Section 3;

THENCE North 88 degrees 56 minutes 30 seconds West, along the South line of Section 19, a distance of 5308.33 feet to a stone with a 3/4" iron pipe adjacent, found for the Southwest corner of Section 19;

THENCE North 01 degree 01 minutes 51 seconds East, along the West line of Section 19, a distance of 5310.67 feet to the **POINT OF BEGINNING** of this tract;

Said tract contains a coterminous area of 4700.48 acres of land.

PROPERTY DESCRIPTION: Tract 13

A 231.77 acre tract of land, more or less, being the West Half (WH¹/₂) of Section 4, Block E, Deaf Smith County, Texas, said 231.77 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 3/4" iron pipe found for the Northeast corner of Section 4;

THENCE South 88 degrees 49 minutes 49 seconds East, along the North line of Section 4, a distance of 3639.36 feet to a 1/2" iron pipe with cap marked "THD" set for the Northeast corner of the West Half of Section 4; (Bearings relative to the Texas Coordinate System, North Zone, NAD83)

THENCE South 01 degree 02 minutes 38 seconds West, along the East line of the West Half of Section 4, at a distance of 2725.14 feet to a 3/8" iron rod with cap marked "THD" set, containing for a total distance of 2725.14 feet to a point on the South line of Section 4;

THENCE North 89 degrees 00 minutes 00 seconds West, along the South line of Section 4, a distance of 3631.97 feet to the Southwest corner of Section 4;

THENCE North 01 degree 04 minutes 53 seconds East, at a distance of 5910 feet to a 1" iron pipe found, containing for a total distance of 2706.68 feet to the **POINT OF BEGINNING** of this tract;

Said tract contains a coterminous area of 231.77 acres of land.