

**NOTICE OF FORECLOSURE SALE**

FILED FOR RECORD  
2017 JUL -2 PM 12:15  
SHERIFF'S OFFICE  
COUNTY CLERK, VAN ZANDT  
COUNTY TEXAS

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Deed of Trust. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the following described deed of trust:

Date: October 31, 2017  
Grantor(s): Daniel S. Harper and spouse, Tryn Harper  
Beneficiary: Legacy Land Bank, FLCA  
Substitute Trustee: Charles E. Lauffer, Jr., Lance Vincent and Douglas A. Ritcheson  
Recording Information: Deed of Trust recorded under document number 2017-009586 of the Official Public Records of Van Zandt County, Texas.

2. Property to be Sold. The property to be sold (the "Property") is described as follows:

**BEING** a 77.34 acre tract of land situated within the C. A. Lovejoy Survey, Abstract No.494, Van Zandt County, Texas, being a part of that certain called 85.0 acre tract described in a Deed, dated April 15, 1944, from Mrs. S. S. Broadnax, et vir, to Alewine B. Cates, recorded in Volume 328, Page 21, Deed Records of Van Zandt County, Texas, and this portion thereof being more particularly described by metes and bounds as follows:

**COMMENCING** at a 18" post oak tree/fence corner (found) at the recognized North corner of the C. A. Lovejoy Survey, Abstract No. 494, at the recognized East corner of the Wm. C. Anderson Survey, Abstract No. 5, at the East corner of that certain "Tract 3", called 54.75 acres, described in a General Warranty Deed from Norman John Johnson to Norman John Johnson Living Trust, recorded in Volume 1502, Page 852, Real Records of Van Zandt County, Texas, and at the North corner of that certain called 147.21 acre tract described in a Special Warranty Deed from Wanda D. Fisher to Linda Easley, recorded in Volume 1576, Page 289, Real Records of Van Zandt County, Texas;

**THENCE:** South 44°48' 49" W, with the Southeast line of said 54.75 acre tract and with the Northwest line of said 147.21 acre tract, a distance of 1899.60 feet to a 1/2 inch iron rod (found) at the South corner of said 54.75 acre tract and at an angle corner in the Northwest line of said 147.21 acre tract;

**THENCE:** South 45°05' 08" West, continuing with the Northwest line of said 147.21 acre tract, a distance of 672.93 feet to a 1/2 inch iron rod with a red plastic cap stamped "Stanger" (found) for corner at the North corner of the above referenced 85.0 acre tract (Vol. 328, Pg. 21) and at the **PLACE OF BEGINNING** of the hereinafter described 77.34 acre tract;

**THENCE:** South 46° 00' 46" East (Bearing Base, per Vol. 1576, Pg. 289), with the Northeast line of said 85.0 acre tract, a distance of 1324.26 feet to a 1/2 inch iron rod (set) for corner at the North corner of that certain "Second Tract", called 20.0 acres, described in a Warranty Deed from M. E. Smith, et ux, to Wanda Lee Taylor, recorded in Volume 1271, Page 785, Real Records of Van Zandt County, Texas;

**THENCE:** South 43° 59' 12" West, with the Northwest line of said 20.0 acre tract, at 428.12 feet passing a 1/2 inch iron rod (set) for reference, and continuing in all a total distance of 660.00 feet to a point for corner in a pond and at the West corner of said 20.0 acre tract;

**THENCE:** South 46° 00' 48" East, with the Southwest line of said 20.0 acre tract, at 219.97 feet passing a 1/2 inch iron rod (set) for reference, and continuing in all a total distance of 1312.12 feet to a point for corner in the Southeast line of said 85.0 acre tract, in the Northwest line of that certain called 35.00 acre tract described in a Quitclaim Deed from Anthony Peden, et ux, to Bobbie Joe Peden, recorded in Volume 1222, Page 509, Real Records of Van Zandt County, Texas, and being located in the roadway of County Road No. 1222, from which a 1/2 inch iron rod (set) for reference bears North 46° 00' 48" West - 22.48 feet;

**THENCE:** South 44° 36' 56" West, with the Southeast line of said 85.0 acre tract, with the Northwest line of said 35.00 acre tract, with the Northwest line of that certain called 31.20 acre tract described in a Warranty Deed from L. J. Fisher, et ux, to Wallace Jay Fisher, recorded in Volume 1023, Page 463, Deed Records of Van Zandt County, Texas, and with the roadway of County Road No. 1222, a distance of 1010.71 feet to a 60d nail (found) for corner at the West corner of said 31.20 acre tract and at the North corner of that certain called 92.87 acre tract described in a Warranty Deed from Gary Whitaker to Jimmy Whitaker, recorded in Volume 1316, page 584, Real Records of Van Zandt County, Texas;

**THENCE:** South 44° 58' 21" West, with the Southeast line of said 85.0 acre tract, with the Northwest line of said 92.87 acre tract, and with the roadway of County Road No. 1222, a distance of 94.22 feet to a point for corner at the South corner of said 85.0 acre tract and in the Northeast line of Oak Lawn Estates, an

addition to Van Zandt County, Texas, according to the map or plat of said addition as the same appears of record in Glide 42B, Plat Records of Van Zandt County, from which a 1/2 inch iron rod (set) for reference by fence corner bears North 23° 00' 37" West - 89.28 feet, and another 1/2 inch iron rod (set) for reference by fence corner bears North 29° 19' 40" East - 99.18 feet;

**THENCE:** North 39° 00' 04" West, across said 85.0 acre tract, with the Northeast line of Oak Lawn Estates, and with the roadway of County Road No. 1222, a distance of 1045.16 feet to a 1/2 inch iron rod (found) for corner at the East corner of Lot 7, Oak Lawn Estates

**THENCE:** North 38° 53' 50" West, across said 85.0 acre tract, with the Northeast line of Oak Lawn Estates, and with the roadway of County Road No. 1222, a distance of 422.93 feet to a 1/2 inch iron rod (found) at the North corner of Lot 7, Oak Lawn Estates;

**THENCE:** North 39° 04' 11" West, across said 85.0 acre tract, with the Northeast line of Oak Lawn Estates, and with the roadway of County Road No. 1222, a distance of 1192.83 feet to a point for corner in the Northwest line of said 85.0 acre tract and in or near the Northwest line of the C. A. Lovejoy Survey, Abstract No. 494, from which a 1/2 inch iron rod (found) for reference bears North 44° 40' 46" East - 25.35 feet;

**THENCE:** North 44° 40' 46" East, with the Northwest line of said 85.0 acre tract, a distance of 1440.76 feet back to the **PLACE OF BEGINNING**, and containing a total of 77.34 acres of land, of which approximately 2.36 acres of land lie within the fenced right-of-way of County Road No. 1222.

Being the same land in Warranty Deed with Vendor's Lien dated June 15, 2001, from Andrew E. Cates to Daniel S. Harper, recorded in Volume 1634, Page 276, Real Records of Van Zandt County, Texas.

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time and place:

Date: August 4, 2026

Time: The sale shall begin no earlier than 10:00 a .m. or no later than three (3) hours thereafter. The sale shall be completed by no later than 1:00 p.m.

Place: Van Zandt County Courthouse in Canton, Texas, at the following location:

In the area of such Courthouse designated by the Van Zandt County Commissioners' Court as the area where foreclosure sales shall take place, or, if no such area has been designated, then on the steps of the North entrance to the Van Zandt County Courthouse located at 121 E. Dallas Street in Canton, Texas.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reporting or refileing may be after the date originally scheduled for this sale.

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the date the property is sold.

The sale will be made expressly subject to unpaid ad valorem taxes and any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all other 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

A purchaser at the sale of the Property "acquires the Property "AS IS" without any expressed or implied warranties" (except as to the warranties of title from the grantor identified in the deed of trust described below). Any purchaser acquires the Property "at the purchaser's own risk." Texas Property Code §51.009. Nothing set forth in this Notice is an express or implied representation or warranty regarding the Property, all of which are specifically disclaimed by the undersigned and by the beneficiary of the herein described deed of trust.

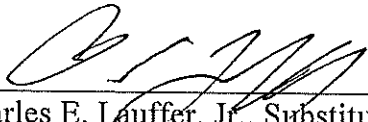
5. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Daniel S. Harper and Tryn Harper. The deed of trust is dated October 31, 2017, and is recorded in the office of the County Clerk of Van Zandt County, Texas, under document number 2017-009586 of the Official Records of Van Zandt County, Texas.

6. Obligations Secured. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including, but not limited to, (1) the October 31, 2017 promissory note in the original principal amount of \$80,000.00 executed by Daniel S. Harper, and payable to the order of Legacy Land Bank, FLCA; (2) all renewals and extensions of the note; (3) all interest, late charges, fees and other expenses payable under said note on the herein described deed of trust; and (4) all other debts and obligations described in the deed of trust (including all debts secured by any cross-collateralization clause in the deed of trust). Legacy Land Bank, FLCA is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Legacy Land Bank, FLCA, Attention: Brittany Hammond, telephone 903-885-9566.

7. Default and Request to Act. Default has occurred under the deed of trust, and the beneficiary has asked me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

DATED: June 29, 2026.

  
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Charles E. Lauffer, Jr., Substitute Trustee  
821 ESE Loop 323, Suite 530  
Tyler, Texas 75701  
Tel: (903) 535-2900  
Fax: (903) 533-8646

**Notice to Members of the Armed Forces of the United States:**

**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.**