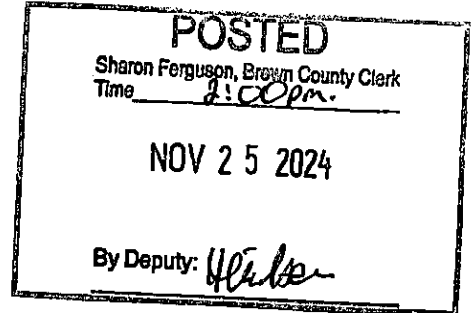


**NOTICE OF TRUSTEE SALE**

*"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 duty including active military duty 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."*

Date: November 25, 2024



**DEED OF TRUST**

DATE: October 20, 2021  
GRANTOR: Mercy Capital Investments, LLC  
BUYER'S ADDRESS: 1801 Kaiser Cove  
North Lake, Texas 76226  
LENDER: Dan Spiller, LLC  
COUNTY WHERE PROPERTY IS LOCATED: BROWN COUNTY  
PROPERTY: SEE EXHIBIT A  
HOLDER: Dan Spiller, LLC  
P.O. BOX 3331  
EARLY, TEXAS 76803  
TRUSTEE: Dan Spiller or Robert J Rockett  
SENDER OF NOTICE: Robert J. Rockett  
307 W. 7<sup>th</sup> Street #1719  
Fort Worth, Texas 76102

**PROMISSORY NOTE:**

Date: October 20, 2021  
Borrower: Mercy Capital Investments, LLC  
Lender: Dan Spiller, LLC  
Holder: Dan Spiller, LLC  
P.O. BOX 3331  
EARLY, TEXAS 76803  
MATURITY DATE: October 31, 2024


DATE of PROPERTY SALE: (First Tuesday of the Month): January 7, 2025

EARLIEST TIME OF SALE OF PROPERTY: 10:00 AM

PLACE OF PROPERTY SALE: The place of the sale shall be: BROWN COUNTY COURTHOUSE, TEXAS at the following location: On the front porch of the Brown County Courthouse, or if the proceeding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

The NOTE has matured by its terms. Trustee has been instructed to post, file, and serve notice of the sale and conduct the sale as prescribed by section 51.002 of the Texas Property Code.

Trustee will sell the Property at public auction to the highest bidder for cash at the Place of Sale on the Date of Sale. The earliest time the sale will begin is the Time of Sale, and the sale will be conducted no later than three hours after that time.

  
\_\_\_\_\_  
Dan Spiller, Trustee

Robert J. Rockett  
307 West 7<sup>th</sup> St Ste. 1719  
Fort Worth, Texas 76102  
817-332-2434

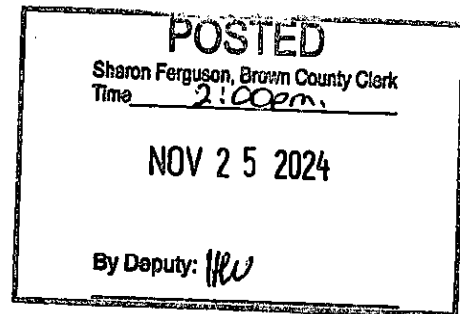


EXHIBIT A

YEAR 2021 INST # 2107221 PAGE 9 OF 13

Exhibit "A"

194

PROPERTY (including any improvements): TRACT I: 13.575 acres of land in Brown County, Texas, containing approximately 11.937 acres out of the JOHN VAN WINKLE SURVEY 64, ABSTRACT 931, and approximately 1.344 acres out of the JOSEPH LEWIS SURVEY 43, ABSTRACT 1075, and approximately 0.294 acres out of the JOHN B. FOREMAN SURVEY 61, ABSTRACT 323, said 13.575 acres being a part of that 58.91 acre tract of land described in the Warranty Deed from Johnnie S. McComb, III to Lake Sandy Beach, Inc. dated September 28, 2006, and recorded in Volume 1632, Page 959, Brown County, Texas Real Property Records and being more fully described in ~~Exhibit "A"~~ <sup>Page 2 of 4</sup> attached hereto and made a part hereof. TRACT II: Easement: Beginning at a railroad spike found at the southwest corner of Lot 1 of Sandy Beach Villa Resort Phase II as shown on plat recorded in Volume 1361, Page 429, Brown County Real Property Records, said point being located in the center of Beach Club Road, a 30 foot wide access easement described in Volume 1421, Page 973, and in Volume 1354, Pages 726 and 745, Brown County, Texas Real Property Records, connecting this 13.575 acre tract with County Road 594, and being more fully described in ~~Exhibit "B"~~ <sup>Page 3 of 4</sup> attached hereto and made a part hereof. TRACT III: The Easement tract along and upon which the easement is herein granted and conveyed shall be 30 feet in width, the center of which is more fully described in ~~Exhibit "C"~~ <sup>Page 4 of 4</sup> attached hereto and made a part hereof.

POSTED  
 Sharon Ferguson, Brown County Clerk  
 Time 2:00pm  
 NOV 25 2024  
 By Deputy: *HF*

TRACT "I" EXHIBIT "A" 204

STATE OF TEXAS;  
COUNTY OF BROWN;

SURVEY MADE FOR:  
LAKE BROWNWOOD SANDY BEACH, INC.  
c/o FRAN MCDUFF  
141 MOUNTAINVIEW LANE  
BROWNWOOD, TEXAS 76801  
PH. 825-842-6283

BOUNDARY DESCRIPTION of a survey of:

13.576 ACRES of land in Brown County, Texas, containing approximately 11.987 acres out of the John Van Winkle Survey 64, Abstract 631, and approximately 1.344 acres out of the Joseph Lewis Survey 43, Abstract 1078, and approximately 0.294 acres out of the John B. Foreman Survey 61, Abstract 323, said 13.576 acres being a part of that 68.91 acre tract of land described in the Warranty Deed from Johnnie S. McCormick, III, to Lake Brownwood Sandy Beach, Inc., dated September 25, 2006, and recorded in Vol. 1632, Page 959, Brown County Real Property Records.

BEGINNING at a railroad spike found at the southwest corner of Lot 1 of Sandy Beach Villa Resort Phase II as shown on plat recorded in Vol. 1361, Page 625, Brown County Real Property Records, said point being located in the center of Beach Club Road, a 30' wide access easement described in Vol. 1421, Page 973, and in Vol. 1354, Pages 729 and 748, Brown County Real Property Records, connecting this 13.576 acre tract with County Road 694.

THENCE N75°36'00"E 87.87' along the center of said Beach Club Road and along the northerly line of Block A of Phase III of the Sandy Beach Villa Resort (Vol. 1361, Page 433, Brown County Real Property Records) to a steel spike set for a northeast corner of this 13.576 acre tract.

THENCE S2°12'05"E 175.23' to a steel spike set for a southeast corner of this 13.576 acre tract, said point being located in the center of Gilligan's Trail, a 30' wide access easement, and being located on the southerly line of said Block A and on the northerly line of Block C of Phase III of the Sandy Beach Villa Resort (Vol. 1361, Page 433, Brown County Real Property Records).

THENCE S89°59'49"W 194.58' along the center of said Gilligan's Trail to a 1/2" iron stake found at the southwest corner of said Block A and the northwest corner of Block B of the Sandy Beach Villa Resort (Vol. 1361, Page 433, Brown County Real Property Records).

THENCE N45°11'49"W 53.98' along the center of Bull Pen Road, to a 1/2" iron stake found at the most westerly corner of said Block A, said point being the intersection of the center of Bull Pen Road with the center of Light House Point, a 30' wide access easement, and the center of said Beach Club Road.

THENCE S01°57'19"W 64.82' along the center of said Light House Point to a 1/2" iron stake set for a corner.

THENCE S0°26'53"W 110.28' to a 1/2" iron stake set for a corner.

THENCE S6°13'27"E 125.56' to a 1/2" iron stake set for a corner.

THENCE S5°40'10"W 415.69' to a 1/2" iron stake set for a corner of the 1425' splitway elevation of Lake Brownwood.

THENCE along the meanders of said 1425' splitway elevation of Lake Brownwood approximately as follows:  
N78°18'54"W 52.03'; N08°59'34"W 24.69'; S33°16'27"W 87.05'; S68°04'13"W 103.44';  
S15°31'47"W 157.12'; N50°00'40"W 71.14'; N33°40'27"W 99.53'; N64°32'25"W 110.08';  
N41°36'04"W 120.01'; N31°00'25"W 146.78'; N22°05'28"W 43.22'; N25°40'03"E 64.72';  
N47°03'04"E 88.08'; N62°16'02"E 190.46'; N00°54'00"E 105.78'; N84°43'08"E 123.00';  
N37°33'07"E 150.31'; N54°08'18"E 153.94'; N35°57'59"E 127.78'; N50°59'09"E 128.59';  
N10°41'01"E 88.42'; S87°18'53"E 48.73'; N13°18'20"E 44.84'; N78°50'17"E 101.14';  
and S74°04'10"E 24.68' to a 1/2" iron stake found at the northwest corner of Lot 1 of said Sandy Beach Villa Resort Phase II.

THENCE S16°38'33"E 125.63' to a 1/2" iron stake found at a corner of said Lot 1 of said Sandy Beach Villa Resort Phase II.

THENCE S45°55'52"E 62.50' to the place of beginning, this tract containing 13.576 acres, more or less, as shown on the accompanying plat. Bearings given herein are relative to State Plane Coordinate System, Texas Central, NAD 83. Distances and areas given herein reflect horizontal surface measurements. Set 1/2" iron stakes and 2 foot long 1/2" galvanized rebar stakes capped with a red plastic identifier cap having the text NEEDHAM SURVEYORS 1-877-625-2357 SURVEYING SINCE 1945.

I, Jim Needham, Registered Professional Land Surveyor of Texas, do hereby certify that the above boundary description represents a boundary line survey, this the 26th day of October, 2010.

*Jim Needham*  
Jim Needham - RPLS 1894



RECORDED AND SCANNED  
AS RECEIVED

POSTED  
Sharon Ferguson, Brown County Clerk  
Time 2:00pm  
NOV 25 2024  
By Deputy: *hlc*

4  
EXHIBIT "A" Easement

Page 3 of 4

TRACT II

**BEGINNING** at a railroad spike found at the southwest corner of Lot 1 of Sandy Beach Villa Resort Phase II as shown on plat recorded in Vol. 1361, Page 429, Brown County Real Property Records, said point being located in the center of Beach Club Road, a 50' wide access easement described in Vol. 1421, Page 973, and in Vol. 1394, Pages 726 and 745, Brown County Real Property Records, connecting this 13.575 acre tract with County Road 694.

**THENCE** N76°30'00"E 87.87' along the center of said Beach Club Road and along the northerly line of Block A of Phase II of the Sandy Beach Villa Resort (Vol. 1381, Page 433, Brown County Real Property Records) to a steel spike set for a northeast corner of this 13.575 acre tract.

**THENCE** S2°22'05"E 176.23' to a steel spike set for a southeast corner of this 13.575 acre tract, said point being located in the center of Gilligan's Trail, a 30' wide access easement, and being located on the southerly line of said Block A and on the northerly line of Block C of Phase II of the Sandy Beach Villa Resort (Vol. 1381, Page 435, Brown County Real Property Records).

**THENCE** S89°29'48"W 194.58' along the center of said Gilligan's Trail to a 1/2" iron stake found at the southwest corner of said Block A and the northeast corner of Block B of the Sandy Beach Villa Resort (Vol. 1361, Page 434, Brown County Real Property Records).

**THENCE** N45°11'46"W 58.64' along the center of Gulf Pen Road, to a 1/2" iron stake found at the most westerly corner of said Block A, said point being the intersection of the center of Gulf Pen Road with the center of Light House Point, a 50' wide access easement, and the center of said Beach Club Road.

**THENCE** S63°57'18"W 64.31' along the center of said Light House Point to a 1/2" iron stake set for a corner.

**THENCE** 96°26'33"W 110.28' to a 1/2" iron stake set for a corner.

**THENCE** 85°33'27"E 125.58' to a 1/2" iron stake set for a corner.

**THENCE** 95°40'10"W 418.67' to a 1/2" iron stake set for a corner of the 1425' spursway elevation of Lake Brownwood.

RECORDED AND SCANNED  
AS RECEIVED

POSTED  
Sharon Ferguson, Brown County Clerk  
Time 2:00 PM  
NOV 25 2024  
By Deputy: (Hw)

TRACT III EXHIBIT "A" "g"

2011  
5275 OP

Page 4 of 4

A 30' wide road easement being 0.515 ACRES of land in Brown County, Texas, and being out of the Joseph Lewis Survey 43, Abstract 1075, 0.417 acres of said 0.515 acres being a part of that 58.91 acre tract of land described in the deed from Kenneth Dale Kelly to Frances Evelyn Kelly dated August 11th, 1993, and recorded in Volume 1143, Page 851, Brown County Real Property Records, and 0.098 acres of said 0.515 acres being a part of the tract of land described in deed from Joe Dan Weedon and Bettie J. Weedon to The Weedon Family Trust dated June 30th, 1994, and recorded in Volume 1170, Page 208, Brown County Real Property Records.

BEGINNING at a rail road spike set in the centerline of the pavement of County Road #594, said spike being located 145.93' N76°32'19"E of a 1/2" iron stake found at the northwest corner of the 28.22 acre tract referenced in said deed recorded in Volume 1143, Page 851. Said beginning point is also located 1367.03' S64°37'04"E of a 3/8" iron stake found at the northwest corner of the said 58.91 acre tract, and is also located 41.33' S47°42'03"E of a spike found at an easterly corner of the said 58.91 acre tract. Said beginning point is also located 15,936.59' S57°11'59"W of the USGS monument named Brown (PID: CA1038), said monument being located in the Lake Brownwood State Park.

THENCE along the centerline of this 30' wide road easement as follows:  
S86°51'13"W 458.47', at 142.06' passing the east line of the said 58.91 acre tract, continuing to a rail road spike set in the center of the pavement;  
S1°52'48"W 142.41' to a rail road spike set in the center of the pavement; and  
S76°36'56"W 144.84', at 82.46' passing the southeast corner of a simultaneously conveyed 0.330 acre tract, continuing along the south line of said 0.330 acre tract to a rail road spike set for a corner of said 0.330 acre tract and the terminus of this road easement, this tract being shown in detail on the accompanying plat. Bearings given herein are relative to the State Plane Coordinate System, Texas Central, NAD 83. Distances given herein are surface distances.

POSTED  
Sharon Ferguson, Brown County Clerk  
Time 2:00pm  
NOV 25 2024  
By Deputy: HLW