



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DATE: September 14, 2020

PROMISSORY NOTE: Promissory Note, described as follows:

Original Date: December 29, 2018

Maker: James R. Kleiner

Payee: TCT Financial II, LLC, a Texas limited liability company

Amount: \$20,600.00

DEED OF TRUST: Deed of Trust, Mortgage, Assignment, Security Agreement and Financing Statement

Original Date: December 29, 2018

Grantor: James R. Kleiner

Original Trustee: Catherine Hines

Beneficiary: TCT Financial II, LLC, a Texas limited liability company

Recorded in: Instrument Number 2019-00000354 of the Official Public Records of Ector County, Texas, and filed of recorded as Instrument Number 2019-0165 of the Official Public Records of Yoakum County, Texas.

LENDER: TCT Financial II, LLC, a Texas limited liability company

BORROWER: James R. Kleiner

PROPERTY: The "Mortgaged Property" as described in the Deed of Trust and as described on Exhibit A attached hereto.

SUBSTITUTE TRUSTEE: Shelley Nail, Johnie Eads, Donna Trout, or Michael B. Franklin

SUBSTITUTE TRUSTEE'S MAILING ADDRESS:

c/o Hallett & Perrin, P.C.
1445 Ross Avenue, Suite 2400
Dallas, Texas 75202
Attn: Michael B. Franklin

DATE AND TIME OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

October 6, 2020, being the first Tuesday of the month, to commence at 10:00 a.m., or within three hours thereafter.

FILED 9-14 2020 AT 3 O'CLOCK P.
SUMMER LOVELACE, COUNTY CLERK, YOAKUM COUNTY, TX
BY [Signature] DEPUTY

PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

The front door (west entrance) of the Ector County Courthouse, located at 300 N. Grant Ave., Odessa, Ector County, Texas 79761, or if the preceding area is no longer the designated area, then in the area of the courthouse designated by the Commissioners Court of Ector County, Texas for real property foreclosures under Section 51.002 of the Texas Property Code pursuant to instrument(s) recorded in the real property records of Ector County, Texas.

Default has occurred in the payment of the Promissory Note and in the performance of the obligations of the Deed of Trust, which secures the Promissory Note. Because of such default, Lender, the owner of the Promissory Note, and the holder of the Promissory Note and the Deed of Trust lien for purposes of Section 51.002 of the Texas Property Code, has requested Substitute Trustee to sell the Property in accordance with the terms of the Deed of Trust and applicable law.

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

Therefore, notice is given that on the Date and Time of Substitute Trustee's Sale of Property and at the Place of Substitute Trustee's Sale of Property, I, Substitute Trustee or such other Substitute Trustee as Lender may subsequently appoint, will sell the Property by public sale to the highest bidder for cash, in accordance with the Deed of Trust and applicable law. The sale and conveyance of the Property will be subject to all matters of record applicable to the Property which are superior to the Deed of Trust and to the permitted exceptions to title, if any, described in the Deed of Trust. Substitute Trustee has not made and will not make any covenants, representations, or warranties concerning the Property other than providing the successful bidder at the sale with a deed to the Property containing any warranties of title required by the Deed of Trust. The Property includes only Borrower's right, title, and interest in and to oil, gas and other minerals interests (including royalty interests) and is sold and conveyed "AS IS, WHERE IS", and WITH ALL FAULTS.

Assert and protect your rights as a member of the armed forces of the United States. If you 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 State, please send written notice of the active duty military service to the sender of this notice immediately.

ALTHOUGH SUBSTITUTE TRUSTEE(S) WAS PREVIOUSLY APPOINTED PURSUANT TO THE DEED OF TRUST AND THE TEXAS PROPERTY CODE, FOR AVOIDANCE OF DOUBT, THIS INSTRUMENT REAFFIRMS THAT APPOINTMENT AS FOLLOWS: 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 MORTGAGEE SERVICER.

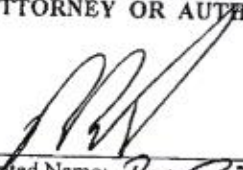

 Printed Name: Ryan B. Ghee
 Title: Substitute Trustee

EXHIBIT "A"
Mortgaged Property

All of Borrower's right, title, and interest in and to the Minerals (hereinafter defined), and any current or future royalties, overriding royalties, bonuses, rents or other monies paid, due, or held in suspense as a result of the extraction, sale, lease, extension, or use of the following, or any proceeds therefrom:

1. The land described on Exhibit "A-1" attached hereto (the "Lands").
2. All natural resources or other substance of value which may be extracted or produced from the Lands (the "Minerals"). The Minerals include, but are not limited to oil, gas, carbons metals and water.
3. Any substances or materials that result from the extraction of Minerals from the Lands (the "Products"). The Products include, but are not limited to the extracted Minerals and any materials or substances created from the extracted Minerals.
4. Any existing leases that cover any part of the Lands (the "Lease").

The Mortgaged Property additionally includes all of Borrower's right, title, interest and estate in and to the Minerals and Proceeds and all other claims or causes of action held by or accruing to the Borrower under the Lease and any lease covering interests under the Lands or held by Borrower by virtue of ownership of the Lands, Minerals or Products, including, but not limited to revenues, incomes, and payments from royalties, overriding royalties, lease bonuses, lease extensions, and purchases.

EXHIBIT "A-1"
Lands

ECTOR & YOAKUM COUNTIES, TEXAS:

Lease	County	Abstract	Survey	Section/Block
NANNIE MAY	Yoakum	205	GIBSON, J H	Blk: D, Sec: 341
ROBERTS UNIT	Yoakum	71	GIBSON, J H	Blk: D, Sec: 833
BADGER 709	Yoakum	497	GIBSON, J H/BOWEN, R P	Blk: D, Sec: 709
BEVO 664	Yoakum	497	GIBSON, J H/BOWEN, R P	Blk: D, Sec: 709
BEVO 664 SA 'A'	Yoakum	497	GIBSON, J H/BOWEN, R P	Blk: D, Sec: 709
BEVO 664 SA 'B'	Yoakum	497	GIBSON, J H/BOWEN, R P	Blk: D, Sec: 709
JOHNSON	Yoakum	1528	GIBSON, J H/JOHNSON, W M	Blk: D, Sec: 644
READ	Yoakum	1598	GIBSON, J H/READ, I L	Blk: D, Sec: 340
READ "A"	Yoakum	1598	GIBSON, J H/READ, I L	Blk: D, Sec: 340
READ "B"	Yoakum	1598	GIBSON, J H/READ, I L	Blk: D, Sec: 340
REVELLE 644	Yoakum	1528	GIBSON, J H/JOHNSON, W M	Blk: D, Sec: 644
REVELLE 644 A	Yoakum	1528	GIBSON, J H/JOHNSON, W M	Blk: D, Sec: 644
WISHBONE FARMS 710	Yoakum	86	GIBSON, J H	Blk: D, Sec: 727
GOLDSMITH SAN ANDRES UNIT	Ector	283	T&P RR CO	Blk: 44 T1S, Sec: 27
GOLDSMITH SAN ANDRES UNIT	Andrews	314U	UL	Blk: 10, Sec: 30
GOLDSMITH, C. A.	Ector	283	T&P RR CO	Blk: 44 T1S, Sec: 27
GOLDSMITH, C. A. ET AL	Ector	277	T&P RR CO	Blk: 44 T1S, Sec: 15
GOLDSMITH, C. A. ET AL	Ector	292	T&P RR CO	Blk: 44 T1S, Sec: 45
GOLDSMITH, C. A., ETAL	Ector	684	T&P RR CO/BEATY, J C	Blk: 44 T1S, Sec: 8

DESCRIPTION:

including but not limited to All of Grantor's oil, gas and minerals in the above Leases, Abstracts and Surveys and also in Ector and Yoakum Counties, Texas more particularly described in that certain Assignment of Interest in Oil, Gas and other Minerals deed recorded in Volume 955, Page 598 in the Deed Records of Yoakum County to wit:

Ector County: Tract 1

All of Sections 2 to 11, inclusive; 15-22, inclusive; 27 to 30, inclusive; 33 to 35, inclusive; 38 to 40, inclusive; and 45 to 47, inclusive; all in Block 44, T & P Railway Company Survey, Township 1 South, Ector County, Texas, Containing 19,840 acres, more or less.

Yoakum County:

Tract 1:

Block D, John H. Gibson Survey, Yoakum County, Texas
Section 301

Tract 2:

W/2 of NE/4 of Section 644, Block D, John H. Gibson Survey, Yoakum County, Texas, containing 80.3 acres, more or less.

Tract 3:

640 acres of land, more or less, being known Section 436, Block D, John H. Gibson, Survey, Yoakum County, Texas.

Tract 4:

All of Section 343, Block D, John H. Gibson Survey, Yoakum County, Texas, containing 649.9 acres, more or less.

Tract 5:

The NW/4, the SE/4, and the E/2 NE/4 of Section 644, Block D, John H. Gibson Survey, Yoakum County, Texas, containing 400.0 acres of land, more or less.

Tract 6:

All of Section 664, Block D, John H. Gibson Survey, Yoakum County, Texas, containing 641.5 acres of land, more or less.

Tract 7:

All of Section 709, Block D, John H. Gibson Survey, Yoakum County, Texas, containing 641.5 acres of land, more or less.

Tract 8:

640.0 acres of land, more or less, being all of Section 710, Block D, John H. Gibson Survey, Yoakum County, Texas, as to all depths; ~~Save and Except~~ those depths under the W/2 NW/4 from the surface to a depth of 5,500' below the surface.

Tract 9:

ALL OF SECTIONS 342 AND 343, BLOCK D, JOHN H. GIBSON SY.

Tract 10:

All of Section 436, Block D, John H. Gibson Survey, Yoakum County, Texas.