

**NOTICE OF SALE BY SUBSTITUTE TRUSTEE**

THE STATE OF TEXAS                    §  
  §        KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF LIVE OAK                 §

THAT, WHEREAS, Q-HAUL, INC. ("Borrower") is obligated to LIVE OAK RAIL OPERATIONS, LLC ("LIVE OAK RAIL OPERATIONS"), as evidenced by that certain Rail Tariff and Operations Agreement (the "Agreement"), dated December 11, 2013, in the amounts provided for in Section 3(b) of the Agreement which include past due amounts of EIGHTY-FOUR THOUSAND TWO HUNDRED THIRTY-NINE AND 50/100 DOLLARS (\$84,239.50), plus accrued interest, and NINE HUNDRED THOUSAND AND N0/100 DOLLARS (\$900,000.00) which represents 50% of all amounts owed during the remaining Initial Term of the Agreement, plus the costs of collections (the "Obligations"); and

WHEREAS, the Obligations are secured by, among other items, that certain Junior Lien Deed of Trust (the "Deed of Trust") dated December 11, 2013, executed by Q-HAUL, INC., to GREG PACKER, Trustee, for the benefit of LIVE OAK RAIL OPERATIONS, said Deed of Trust being filed for record and recorded under Volume 276, Page 82, of the Official Public Records of Live Oak County, Texas, covering the Real Property described as follows, to-wit:

**10.00 acres of land situated in the Seth Carey Survey Number 36, Abstract Number 136 and the Michael Cronican Survey Number 35, Abstract Number 135, Live Oak County, Texas and being more particularly described on Exhibit "A" attached hereto and made a part hereof.**

along with any and all appurtenances, improvements, fixtures and personal property of any kind located thereon or pertaining thereto, including, without limitation, any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other facilities to the extent same pertain to or benefit all or any portion of the Property, including, without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired, and any leases and rents relating thereto, which are described therein (all of which is hereinafter referred to as the "Premises")

FILED *May 13* A.D. 201 *9*  
LIVE OAK COUNTY, TEXAS  
IDA VAREZ, CLERK OF COUNTY COURT  
BY *Sharon Stewart* DEPUTY  
AT *8:13* O'CLOCK *AM*

WHEREAS, to the full extent the Deed of Trust or any other security agreement held by Live Oak Rail Operations covers both real and personal property, including, without limitation, any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other utility facilities to the extent same pertain to or benefit all or any portion of the Property, including, without limitation, all reservations of or commitments or letters covering any such use in the future, any of said personal property which is part of the Premises or which is otherwise covered by a lien or security interest in favor of Live Oak Rail Operations will be hereinafter included in the definition of Premises as used herein and sold at public sale, hereinafter described, pursuant to Section 9.501(d) of the Texas Uniform Commercial Code;

WHEREAS, LIVE OAK RAIL OPERATIONS, LLC (“LIVE OAK RAIL OPERATIONS, LLC”) is the current holder and owner of the Deed of Trust and the Agreement secured thereby;

WHEREAS, there may be certain leases, rental agreements, easements and/or other matters (collectively, the “Other Matters”) covering and/or affecting the Premises currently in existence;

WHEREAS, the liens securing the payment of the Obligations may be senior and superior to one or more of the Other Matters and junior and inferior to one or more of the Other Matters;

WHEREAS, with respect to the liens securing the payment of the Obligations, which are senior to the Other Matters and may not so subordinate liens to one or more of the Other Matters;

WHEREAS, in the event Live Oak Rail Operations chooses to subordinate its liens securing the indebtedness of any Other Matters, such decision will be announced at the foreclosure sale;

WHEREAS, default has been made in the payment of the Obligations, and the Agreement delinquent and in default;

WHEREAS, Live Oak Rail Operations has given all required notices to Q-Haul, Inc., and any and all other necessary parties with regard to the defaulted Obligations or such notices to such other necessary parties have been waived;

WHEREAS, pursuant to the authority granted in the Deed of Trust, Live Oak Rail Operations has appointed **SARA E. DYSART, JO WOOLSEY, BOB FRISCH, JODI STEEN AND JANICE STONER**, to act jointly or separately as Substitute Trustee, under the Deed of Trust pursuant to a duly authorized and executed appointment document;

WHEREAS, Live Oak Rail Operations has requested the undersigned to enforce the liens of the Deed of Trust by sale of the Premises in the manner set forth under the terms of the Deed of Trust and pursuant to the laws of the State of Texas and has instructed the undersigned to offer the Property for sale toward the satisfaction of the Obligations; and

WHEREAS, the undersigned Substitute Trustee, acting upon the request of said Live Oak Rail Operations by these presents is hereby posting, filing, and giving notice of foreclosure of the Deed of Trust and the lien thereto in accordance with applicable Texas law and the terms and provisions of the Deed of Trust.

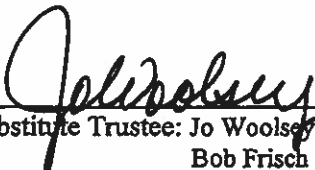
**NOW, THEREFORE, I, the undersigned, SARA E. DYSART, JO WOOLSEY, BOB FRISCH, JODI STEEN AND JANICE STONER, acting jointly or separately as Substitute Trustee, do hereby give notice that after due publication of this notice as required by law and the Deed of Trust, I will sell the Premises at public venue, to the highest bidder or bidders, for cash, which sale will begin no earlier than 1:00 p.m. and not later than 4:00 p.m. on the first Tuesday in June next, the same being June 4, 2019 at the County Courthouse in Live Oak County, Texas, in the area where foreclosure sales are to take place as designated by the Commissioner's Court of said county, said designation having been recorded in the Official Public records of said county.**

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.

THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE  
FOR THE PERSONAL PROPERTY IN THIS DISPOSITION.

THE ADDRESS OF SARA E. DYSART, JO WOOLSEY, BOB FRISCH, JODI STEEN AND  
JANICE STONER, SUBSTITUTE TRUSTEE, IS 206 PRIMERA DRIVE, SAN ANTONIO, TEXAS  
78212. ALL INQUIRIES SHOULD BE SENT TO THIS ADDRESS.

EXECUTED on this the 13<sup>th</sup> day of May 2019.

  
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Substitute Trustee: Jo Woolsey  
Bob Frisch  
Jodi Steen  
Janice Stoner

AFTER FILING RETURN TO:

SARA E. DYSART  
Attorney at Law  
206 Primera Drive  
San Antonio, Texas 78212

## EXHIBIT A

### 10.00 ACRES OF LAND

SETH CAREY SURVEY NUMBER 36, ABSTRACT NUMBER 136 &  
MICHAEL CRONICAN SURVEY NUMBER 35, ABSTRACT NUMBER 135,  
LIVE OAK COUNTY, TEXAS

Field notes to all that certain tract or parcel of land situated in the Seth Carey Survey Number 36, Abstract Number 136, and the Michael Cronican Survey Number 35, Abstract Number 135, Live Oak County, Texas, being a part of a called 148.93 acre tract of land described in the deed from Cuatro Paisanas Ranch, Inc. to LOLC, LLC recorded in Volume 241, Page 973, of the Deed Records of Live Oak County, Texas, and being a part of Tract 19,20, 21, 27, 47, and 48 of Kittie Block Subdivision recorded in Volume 29, Page 233, of the Deed Records of Live Oak County, Texas the subject tract being more particularly described as follows:

**BEGINNING** at 1/2-Inch red plastic capped iron rod stamped "TOPOGRAPHIC" set for the Northwest corner, same being in the North line of said 148.93 acre tract of land, and in the South right of way line of gravel road under apparent public use with no name posted, referenced as County Road Number 313 per Volume 241, Page 973, of the Official Public Records of Live Oak County, Texas, a called Forty (40') foot right of way per Volume 29, Page 233, of the Deed Records of Live Oak County, Texas, from which a 1/2-Inch blue plastic capped iron rod stamped "KFW" found the Northwest corner of said 148.93 acre tract of land bears South 80°20'56" West a distance of 1642.60 feet;

**THENCE** North 80°20'56" East with the North line of said 148.93 acre tract of land and said South right of way line a distance of 96.73 feet to a 1/2-Inch red plastic capped iron rod stamped "TOPOGRAPHIC" set for the Northeast corner, from which a 1/2-Inch blue plastic capped iron rod stamped "KFW" found for the Northeast corner of said 148.93 acre tract of land, same being the Northwest corner of a called 52.43 acre tract of land described in the deed from Cuatro Paisanas Ranch, Inc. to Live Oak Rail Operations, LLC recorded in Volume 241, Page 962, of the Official Public Records of Live Oak County, Texas bears North 80°20'56" East a distance of 303.78 feet;

**THENCE** South 00°34'06" East with the East line of the herein described tract of land a distance of 2818.73 feet to a 1/2-Inch red plastic capped iron rod stamped "TOPOGRAPHIC" set for corner at the beginning of a tangent curve to the left having a radius of 1432.69 feet, a delta angle of 13°08'56", a chord bearing of South 07°08'34" East, and a chord length of 328.07 feet;

**THENCE** Southerly with the East line of the herein described tract of land, and with said curve to the left an arc distance of 328.79 feet to a 1/2-Inch red plastic capped iron rod stamped "TOPOGRAPHIC" set for corner at the point of tangency of said curve;

**THENCE** South 13°43'02" East with the East line of the herein described tract of land a distance of 1349.97 feet to a 1/2-Inch red plastic capped iron rod stamped "TOPOGRAPHIC" set for corner at the beginning of a non-tangent curve to the left having a radius of 612.27 feet, a delta angle of 09°20'00", a chord bearing of South 42°51'18" East, and a chord length of 99.63 feet;

THENCE Southeast with the East line of the herein described tract of land, and with said curve to the left an arc distance of 99.74 feet to a 1/2-inch red plastic capped iron rod stamped "TOPOGRAPHIC" set for corner at the end of said curve;

THENCE South  $47^{\circ}31'18''$  East with the East line of the herein described tract of land a distance of 163.33 feet to a 1/2-inch red plastic capped iron rod stamped "TOPOGRAPHIC" set for Southeast corner, same being in the South line of said 148.93 acre tract of land and a Westerly North line of said 52.43 acre tract of land;

THENCE North  $53^{\circ}52'53''$  West with the South line of said 148.93 acre tract of land and the Westerly North line of said 52.43 acre tract of land a distance of 366.49 feet to a 1/2-inch red plastic capped iron rod stamped "TOPOGRAPHIC" set for the Southwest corner, from which a 1/2-inch blue plastic capped iron rod stamped "KFW" found an interior ell corner of said 148.93 acre tract of land, same being a corner of said 52.43 acre tract of land bears North  $53^{\circ}52'53''$  West a distance of 1297.61 feet;

THENCE North  $13^{\circ}43'02''$  West with the West line of the herein described tract of land a distance of 1299.42 feet to a 1/2-inch red plastic capped iron rod stamped "TOPOGRAPHIC" set for corner at the beginning of a tangent curve to the right having a radius of 1432.69 feet, a delta angle of  $11^{\circ}39'32''$ , a chord bearing of North  $07^{\circ}53'16''$  West, and a chord length of 291.03 feet;

THENCE Northerly with the West line of the herein described tract of land and said curve to the right an arc distance of 291.53 feet to a 1/2-inch red plastic capped iron rod stamped "TOPOGRAPHIC" set for corner at the point of tangency of said curve;

THENCE North  $00^{\circ}34'06''$  West with the West line of the herein described tract of land a distance of 2856.17 feet to the POINT OF BEGINNING and enclosing 10.00 acres of land more or less.