

# NOTICE OF TRUSTEE'S SALE UNDER DEED OF TRUST

STATE OF TEXAS                   §  
  §  
COUNTY OF CALDWELL         §

## RECITALS:

On April 25, 2022, BLACKJACK BLOCK II, LLC ("Grantor"), executed and delivered to Douglas A. Yeager, as Trustee, a Deed of Trust (the "Deed of Trust") to secure unto ATEL VENTURES, a division of ATEL GROWTH CAPITAL ("Lender"), among other indebtedness and obligations described therein, that certain Master Loan and Security Agreement dated as of April 23, 2020, as amended by First Amendment to Master Loan and Security Agreement dated as of April 22, 2022, executed by IRON OX, INC., BLACKJACK BLOCK I, LLC and Grantor, as the same may have been extended, modified, and/or renewed from time to time. The Deed of Trust covers and affects the real property located in Caldwell County, Texas described on Exhibit A attached hereto and hereby made a part hereof, together with all improvements thereon and all rights, privileges and appurtenances thereto. The Deed of Trust was filed for record as Instrument 2022-003294 in the Official Public Records of Real Property of Caldwell County, Texas. By this reference, the Deed of Trust is hereby incorporated herein for all purposes.

Lender has requested that I, as Trustee, enforce the trust established by the Deed of Trust and foreclose on the property covered by the Deed of Trust, on account of one or more defaults in the obligations secured by the Deed of Trust.

In accordance with the foregoing, I hereby give notice as set forth below.

## NOTICE:

I, Douglas A. Yeager, Trustee, as aforesaid, hereby give notice that after due posting, filing and service of this notice as required by the Deed of Trust and the law, I will sell the property described below at a public sale at auction to the highest bidder or bidders for cash, in Caldwell County, Texas (the County in which the real property covered and affected by the Deed of Trust is situated). The sale will occur in the area designated by the commissioners' court of Caldwell County, Texas as the area at the courthouse of such county where sales are to take place. The sale will begin no earlier than 10:00 a.m. and no later than three hours after that time on March 5, 2024 (the first Tuesday in the month of March, 2024). At such public sale at auction, I will sell all of the real property described in and covered by the Deed of Trust located in Caldwell County, Texas, together with all improvements situated thereon and all and singular the rights, privileges and appurtenances thereto, such real property being more particularly described on Exhibit A, hereto attached and hereby made a part hereof.

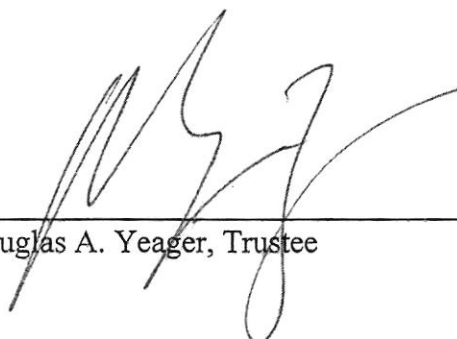
Filed this 12<sup>th</sup> day of Feb 2024  
11:59 AM

TERESA RODRIGUEZ  
COUNTY CLERK, CALDWELL COUNTY, TEXAS  
By Reyna Mijares Deputy

Executed on this 6<sup>th</sup> day of February, 2024.

ADDRESS OF SUBSTITUTE TRUSTEE:

Douglas A. Yeager  
Winston & Strawn LLP  
800 Capitol Street, Suite 2400  
Houston, Texas 77002  
Telephone No. (713) 651-2696

  
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Douglas A. Yeager, Trustee

## EXHIBIT A

### **Legal Description**

All of a certain tract or parcel of land situated in Caldwell County, Texas and being a part of the John A. Neill Survey A-20 and also being a part of a tract of land called 254.813 acres and conveyed to William R. Clark et ux by Deed recorded in Instrument #132443 of the Official Public Records of Caldwell County, Texas and being also all of a tract of land called 85.000 acres and conveyed to Charles D. Spillman et ux by Deed recorded in Instrument #2016-005533 of the said Official Public Records and being more particularly described as follows:

Beginning at an 1/2" iron pin found in the SW corner of the above mentioned 254.813 acre tract and the SW corner of the above mentioned 85.000 acre tract and the NE line of Center Point Road (County Road #211) and the apparent NW corner of a tract of land called 82.278 acres and conveyed to Tom Blackwell Family Partners LP et al by Deed recorded in Instrument #126410 of the said Official Records for the SW corner this is tract.

Thence with the West line of the said 254.813 acre tract and the West line of the said 85.000 acre tract and the East lines of Center Point Road and Farm to Market #1322 for the following three (3) courses:

- 1) N 30 degrees 58 minutes 05 seconds W 1570.83 feet to a capped iron pin found (Stamped "Hinkle Surveyors") in the PC of a curve.
- 2) With a curve turning to the left having a radius of 2907.19 feet and arc length of 210.56 feet and the chord of which bears N 28 degrees 42 minutes 34 seconds W 210.52 feet to a concrete monument found used for basis of bearing for the PT of the said curve.
- 3) N 30 degrees 58 minutes 00 seconds W 777.51 feet to a capped iron pin found (Stamped "Hinkle Surveyors") in the NW corner of the said 85.000 acre tract for the NW corner this tract and from which point a capped iron pin found (Stamped "Hinkle Surveyors") used for basis of bearing bears N 30 degrees 58 minutes 00 seconds W 5018.08 feet.

Thence N 79 degrees 31 minutes 17 seconds E over and across the said 254.813 acre tract and with the North line of the said 85.000 acre tract 1579.86 to a capped iron pin found (Stamped "Hinkle Surveyors") in the East line of the said 254.813 acre tract and the NE corner of the said 85.000 acre tract and the apparent West line of a tract of land called 358.536 acres and conveyed to David Acevedo et al by Deed recorded in Volume 209 Page 425 of the said Official Public Records for NE corner this tract.

Thence S 29 degrees 09 minutes 39 seconds E with the East line of the said 254.813 acre tract and the East line of the said 85.000 acre tract and the apparent West line of the above mentioned 358.536 acre tract 2533.21 feet to a 3/4" iron pipe found in the SE corner of the said 254.813 acre tract and the SE corner of the said 85.000 acre tract and the apparent North line of the above mentioned 82.278 acre tract for the SE corner this tract.

Thence S 79 degrees 31 minutes 17 seconds W with the South line of the said 254.813 acre tract and the South line of the said 85.000 acre tract and the apparent North line of the said 82.278 acre tract 1503.45 feet to the Place of Beginning containing 85.000 acres of land or 3702600 sq ft of land more or less.