

NOTICE OF FORECLOSURE SALE

March 7, 2024

FILED FOR RECORD

2024 MAR 11 PM 12:33

CONNIE BECTON
COUNTY CLERK
HARDIN COUNTY, TEXAS
BY Christy King

Deed of Trust ("Deed of Trust"):

Dated: April 8, 2022

Grantor: PHELAN GROUP PROPERTIES, LLC

Trustee: Sowell, Alvares & Walls, PLLC

Lender: QUICK LENDING, LLC

Property: Lot No. One Hundred Four (104), ROLLING HILLS ESTATES, an addition in Hardin County, Texas, being in the John Choate Survey, Abstract No. 138, according to the Map or Plat thereof record in Volume 3, Page 44, Plat Records of Hardin County, Texas.

Address: 115 Rolling Hills Dr, Lumberton, TX, 77657

Recorded: 5/11/2022, file number 2022126373 in the Official Public Records of HARDIN County, Texas.

Secures: Promissory Note ("Note") in the original principal amount of ONE HUNDRED NINETY THOUSAND AND 00/100 (US \$190,000.00), executed by PHELAN GROUP PROPERTIES, LLC and payable to the order of Lender.

Guaranty: The Note and all other indebtedness of Borrower to Lender is guaranteed by a Guaranty Agreement dated April 8, 2022 and executed by Aislinn Phelan.

Substitute Trustee: Tommy Jackson, Keata Smith, Stephanie Hernandez, Margie Allen, Angie Brooks

Substitute Trustee's Address: 10406 Rockley, Houston, Texas 77099

Foreclosure Sale:

Date: Tuesday, April 2, 2024

Time: The sale of the Property will be held between the hours of 1:00 P.M. and 4:00 P.M. local time, and no longer than three hours after the aforementioned time.

Place: Commissioners' Courtroom area of the Hardin County Courthouse, with east entrance of courthouse as alternate site, or if the preceding area is no longer the



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designated area, at the area most recently designated by the County Commissioner's Court

Term of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that TEXAS REAL ESTATE FUND I LP's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, TEXAS REAL ESTATE FUND I LP, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of TEXAS REAL ESTATE FUND I LP's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with TEXAS REAL ESTATE FUND I LP's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If TEXAS REAL ESTATE FUND I LP passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by TEXAS REAL ESTATE FUND I LP. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

**THIS INSTRUMENT NOTES 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 MORTGAGE SERVICER.**

PETERKA & ASSOCIATES, PLLC.

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Attorney for TEXAS REAL ESTATE FUND I LP