

**NOTICE OF FORECLOSURE SALE**

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July 30, 2021

KIMBERLY MENKE  
COUNTY CLERK



**Deed of Trust ("Deed of Trust"):**

**Dated:** February 18, 2020

**Grantor:** Allied Amertex, LLC

**Trustee:** Caroline Ortego

**Lender:** Hawthorne Ventures LP

**Recorded in:** Volume 922, Page 128 of the real property records of Colorado County, Texas

**Legal Description:** 25.00 acre tract of land situated in the George Singleton Survey (G.H. & H.R.R. Co. Survey No. 28), Abstract No. 674 in Colorado County, Texas, being a portion of a called 155.45 acre tract of land conveyed to Hawthorne Ventures, LP, in Volume 890, Page 114 in Official Records of Colorado County, Texas, and being more particularly described by metes and bounds in the attached Exhibit.

**Secures:** Promissory Note ("Note") in the original principal amount of \$230,000.00, executed by Allied Amertex, LLC ("Borrower") and payable to the order of Lender

**Substitute Trustee:** Megan Randle, Debby Jurasek or Ebbie Murphy

**Substitute Trustee's Address:** c/o Foreclosure Services LLC  
8101 Boat Club Road, Suite 320  
Fort Worth, Texas, 76179

**Foreclosure Sale:**

**Date:** Tuesday, September 7, 2021

**Time:** The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three hours thereafter.

**Place:** In the foyer, inside the main entrance of the Colorado County Annex Building, or if the preceding area is no longer the

designated area, AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.

**Terms 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 Hawthorne Ventures 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, Hawthorne Ventures 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 Hawthorne Ventures 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 Hawthorne Ventures 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 Hawthorne Ventures 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.

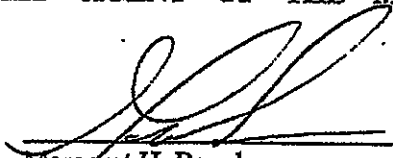
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 Hawthorne Ventures 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.

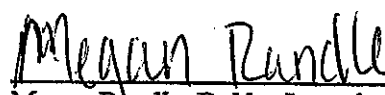
**Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the 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 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 MORTGAGE SERVICER.**



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Margaret H. Banahan  
Veronica A. Martinez  
Attorney for Lender  
Banahan & Martinez, PLLC  
1400 Broadfield Blvd., Suite 105  
Houston, Texas 77084  
Telephone (281) 394-3122  
Telecopier (281) 940-2743



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Megan Randle, Debby Jurasek or Ebbie Murphy  
Substitute Trustee  
c/o Foreclosure Services LLC  
8101 Boat Club Road, Suite 320  
Fort Worth, Texas 76179

**ARBUCKLE SURVEYING, LLC**

X 79121148 E

2004 N. Wharton St. - Physical  
P.O. Box 511 - Mailing  
El Campo, TX 77437

(979) 549-7974 - Office  
(979) 541-7874 - Cell  
Firm Registration No. 10193619

STATE OF TEXAS  
COUNTY OF COLORADO

Exhibit A

25.00 ACRES

Field Note Description of a 25.00 acre tract of land situated in the George Singleton Survey, (G.H. & H. R.R. Co. Survey No. 28), Abstract No. 674 in Colorado County, Texas, being a part or portion of a called 155.45 acre tract of land conveyed to Hawthorne Ventures, LP., in Volume 890, Page 114 in Official Records of Colorado County, Texas:

**BEGINNING** at a 5/8" Iron Rod called and found in the Northwest line of Farm-to-Market Highway No. 3013 (120' Wide -- TxDOT - Volume 303, Page 199 D.R.), for the East corner of said 155.45 acre tract, same being the South corner of a called 146.32 acre tract of land conveyed to the Anne E. Giraud Family Trust (Tract 1) in Volume 869, Page 263 in Official Records of Colorado County, Texas, and for the East corner of this herein described tract;

**THENCE:** S 42°31'20" W -- along and with the Northwest line of Farm-to-Market Highway No. 3013, same being the Southeast line of said 155.45 acre tract, a distance of 40.00 feet to a 5/8" Iron Rod set for the South corner of this herein described tract;

**THENCE:** N 47°17'40" W -- across said 155.45 acre tract, a distance of 33.18 feet to a 5/8" Iron Rod set for an interior corner of this herein described tract;

**THENCE:** S 79°22'07" W -- across said 155.45 acre tract, a distance of 2,077.27 feet to a 5/8" Iron Rod set for the West corner of this herein described tract;

**THENCE:** N 42°31'20" E -- across and severing said 155.45 acre tract, a distance of 1,706.32 feet to a 5/8" Iron Rod set in the Northeast line of said 155.45 acre tract, same being in the Southwest line of said 146.32 acre tract, and for the North corner of this herein described tract;

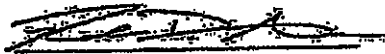
**THENCE:** S 47°17'40" E -- along and with the Northeast line of said 155.45 acre tract, same being the Southwest line of said 146.32 acre tract, a distance of 1,278.86 feet to the **POINT OF BEGINNING**, containing within these metes and bounds 25.00 Acres, more or less.

Notes:

(1) All set Iron Rods are marked with plastic cap stamped "RPLS No. 6247".

Unless this Field Notes Description, including preamble, seal and signature, appears in its entirety, and in its original form, surveyor assumes no responsibility or liability for its accuracy. All bearings are based on the Texas State Plane Coordinate System, South Central Zone, and North American Datum of 1983/2011. Distances shown hereon are surface values, to derive grid distances, multiply by a combined scale factor of 0.999870491.

*This Field Note Description is true and correct to the best of my knowledge and belief based on data obtained from the Colorado County Clerk, the Colorado County Central Appraisal District and a Survey made On-The-Ground under my direct supervision on May 16, 2019.*

  
**ROBERT D. ARBUCKLE**  
REGISTERED PROFESSIONAL LAND SURVEYOR  
LICENSE No. 6247  
JUNE 13, 2019

