

FILED FOR RECORD
COLORADO COUNTY, TEXAS

2021 AUG 16 PM 2: 02

KIMBERLY MENKE
COUNTY CLERK

N.D.

Amended Notice of Foreclosure Sale

August 15, 2021

Deed of Trust ("Deed of Trust"):

Dated: February 18, 2020

Grantor: ALLIED AMERTEX, LLC

Trustee: N. Nixon Daughtrey Jr.

Lender: Hawthorne Ventures, LP

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

Legal Description: Called Tract 8 being 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, and more particularly described in the attached Exhibit A

Secures: Promissory Note ("Note") in the original principal amount of \$230,000.00, executed by James Paul Lassig ("Borrower") and payable to the order of Lender

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Guaranty: The Note is guaranteed by a Guaranty dated February 18, 2020, and executed by James Paul Lassig in favor of Lender

Substitute Trustee: N. Nixon Daughtrey Jr.

Substitute Trustee's Address: 2525 Robinhood St, Houston, Texas, 77005

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 11:30 a.m. and not later than three hours thereafter.
- Place:** Courthouse Annex, Front Lobby or immediately outside the Front Door, per any COVID 19 restrictions, at 318 Spring Street, Columbus, Texas 78934
- 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.

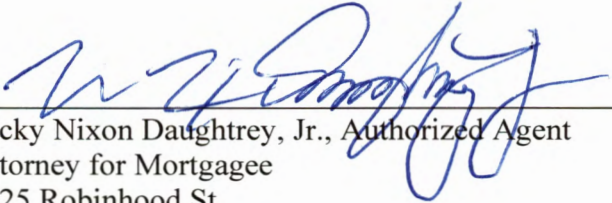
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain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



Nicky Nixon Daughtrey, Jr., Authorized Agent
Attorney for Mortgagee
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