

4-2 F-11

FILED FOR RECORD
at 2:44 o'clock P.M.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

MAR 11 2024

BECKY LANDRUM
County Clerk, Hunt County, Tex.
by *B. King*

KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS

§
§
§

COUNTY OF HUNT

WHEREAS, 5 STAR DEVELOPERS LLC ("**Grantor**"), a Texas limited liability company, executed a Deed of Trust (with Security Agreement and Assignment of Rents) dated March 31, 2021, and recorded April 7, 2021 in the Official Public Records of Real Property of Hunt County, Texas (the "**Records**") under Clerk's File No. 2021-07195 (together with all extensions, modification, and renewals, if any, collectively referred to hereinafter as the "**Deed of Trust**");

WHEREAS, Grantor, pursuant to the Deed of Trust, conveyed to THOMAS K. WILDS (the "**Original Trustee**") for the benefit of CADENCE BANK, the successor by merger to BANCORPSOUTH BANK and its successors and assigns ("**Beneficiary**") all of the personal property, real property, and premises described and referred to in the Deed of Trust (collectively, the "**Mortgaged Property**"), including the real property located in Hunt County, Texas and more particularly described in Exhibit "A" attached hereto.

WHEREAS, the Deed of Trust secures payment of that certain Promissory Note dated March 31, 2021, executed by Grantor, as Maker, and payable to the order of Beneficiary, as Payee, in the original stated amount of ONE MILLION FOUR HUNDRED THIRTY-SEVEN THOUSAND FOUR HUNDRED EIGHTY AND 00/100 DOLLARS (\$1,437,480.00) (together with all extensions, modification, and renewals, if any, collectively referred to hereinafter as the "**Note**");

WHEREAS, Beneficiary is the current legal owner and holder of the indebtedness secured by the Deed of Trust (the "**Indebtedness**") and if, for any reason, Beneficiary shall prefer to appoint a substitute trustee to act instead of the Original Trustee, Beneficiary shall have full power to appoint, by written instrument, but without the necessity of recordation, notice or any other formality, a substitute trustee, who shall thereupon succeed to all of the estates, titles, rights, powers, trusts and duties conferred upon the Original Trustee in the Deed of Trust and by applicable law.



WHEREAS, Beneficiary has named, constituted and appointed in writing ROBERT LAMONT, HARRIETT FLETCHER, SHERYL LAMONT, and/or SHARON ST. PIERRE, as Substitute Trustees, each with the power to act independently (and without the joinder of the others) under and by virtue of the Deed of Trust and to hold possess and execute all the estate, rights, powers and duties conferred upon the Original Trustee in the Deed of Trust and by applicable law;

WHEREAS, Grantor has defaulted in the payment of the Indebtedness, notice has been given to Grantor by certified mail, return receipt requested, stating that Grantor is in default, and Grantor was given an opportunity to cure the default, but Grantor has failed to cure such default(s);

WHEREAS, Beneficiary has called upon and requested either or any of ROBERT LAMONT, HARRIETT FLETCHER, SHERYL LAMONT, or SHARON ST. PIERRE as Substitute Trustees, to perform the Original Trustee's duties under the Deed of Trust and to post, mail and file, or have posted, mailed, and filed, notice and to sell the Mortgaged Property without prejudice and without creating an election not to proceed against any other collateral securing the obligations of Grantor to Beneficiary, and without waiving any rights or remedies which Beneficiary has against Grantor or any other parties obligated for payment of the Indebtedness;

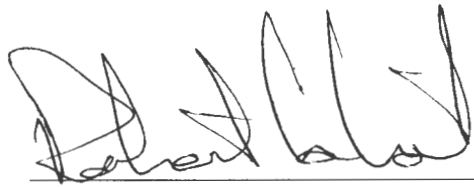
NOW, THEREFORE, the undersigned Substitute Trustee, at the request of Beneficiary, hereby gives notice that after due posting of this Notice as required by the Deed of Trust and law, a Substitute Trustee will sell on **April 2, 2024** (that being the first Tuesday of said month, as provided for in Texas Property Code Sec. 51.002) at public auction to the highest bidder for cash on the north steps, including the hallway area 20 feet inside the north door on the 2nd floor of the Hunt County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court (at the place regularly used by the public for posting of such notices) and is being filed in the Office of the County Clerk of Hunt County, Texas, the sale to begin no earlier than 1:00 o'clock p.m. and no later than three (3) hours after such time, the Mortgaged Property, including without limitation, all personal property described in the Deed of Trust, owned by Grantor, Grantor's heirs, legal

representatives, successors and assigns, and originally covered by the Deed of Trust, whether or not herein specifically described.

THE SALE OF THE PROPERTY IS “AS IS” AND “WHERE IS” AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE(S) OR BENEFICIARIES OF SAID INDEBTEDNESS, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER BENEFICIARY NOR THE ORIGINAL TRUSTEE OR SUBSTITUTE TRUSTEE(S) MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE COMPLIANCE WITH LAWS, RULES, AGREEMENTS, OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER(S).

THE NEXT PAGE IS THE SIGNATURE PAGE


WITNESS BY HAND this 11th. day of **March, 2024.**



Name: Robert LaMont, Trustee

COUNTY OF GREGG §
 §
STATE OF TEXAS §

This document was acknowledged before me on this, the 11th. day of **March, 2024**, by Robert LaMont, Trustee.


NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
Sheryl Sutton LaMont

Name and Address of Substitute Trustees:

Robert LaMont Foreclosure Network of Texas 10406 Rockley Road Houston, TX 77099
Harriett Fletcher Foreclosure Network of Texas 10406 Rockley Road Houston, TX 77099
Sheryl LaMont Foreclosure Network of Texas 10406 Rockley Road Houston, TX 77099
Sharon St. Pierre Foreclosure Network of Texas 10406 Rockley Road Houston, TX 77099

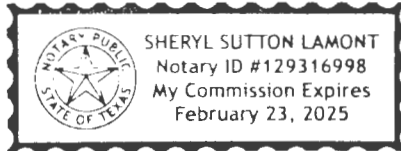


EXHIBIT "A"

THE PROPERTY

BEING A 10.00 ACRE LOT, TRACT OR PARCEL OF LAND SITUATED IN THE MCKINGS M. KNIGHT SURVEY, ABSTRACT NO. 573, HUNT COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN CALLED 37.366 ACRE TRACT OF LAND CONVEYED FROM RALPH AVOLIO AND RAE AVOLIO TO CHICAGO LEGACY GROUP, LP, A TEXAS LIMITED PARTNERSHIP AND HERITAGE PARK PROPERTIES, A TEXAS PARTNERSHIP, BY WARRANTY DEED WITH VENDOR'S LIEN, AS RECORDED IN FILE NO. 2016-11172, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER ON THE SOUTHWEST LINE OF SAID 37.366 ACRE TRACT; AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, ANYTIME FITNESS ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN CABINET G, SLIDE 133, PLAT RECORDS, HUNT COUNTY, TEXAS AND ON THE NORTHEAST LINE OF LOOP 315 (U. S. HIGHWAY NO. 89) POE RAMSEY BLVD.) (300' RIGHT OF WAY) FROM WHICH A 1/2 INCH IRON ROD FOUND WITH AN ORANGE CAP STAMPED "STOVALL" BEARS NORTH 00 DEGREES 44 MINUTES 00 SECONDS WEST, A DISTANCE OF 0.19 FEET AND FROM WHICH A CONCRETE MONUMENT FOUND BEARS NORTH 83 DEGREES 50 MINUTES 27 SECONDS WEST, A DISTANCE OF 1,126.68 FEET;

THENCE NORTH 00 DEGREES 44 MINUTES 00 SECONDS WEST, WITH THE EAST LINE OF SAID LOT 1, BLOCK 1, AND OVER AND ACROSS SAID 37.366 ACRE TRACT, A DISTANCE OF 198.46 FEET TO A 1/2 INCH IRON ROD FOUND WITH AN ORANGE CAP STAMPED "STOVALL" AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1;

THENCE NORTH 79 DEGREES 24 MINUTES 53 SECONDS WEST, WITH THE NORTH LINE OF SAID LOT 1, BLOCK 1, AND OVER AND ACROSS SAID 37.366 ACRE TRACT, A DISTANCE OF 225.04 FEET TO A 1/2 INCH IRON ROD FOUND WITH AN ORANGE CAP STAMPED "STOVALL" AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 1, ON THE SOUTHERLY WEST LINE OF SAID 37366 ACRE TRACT AND ON THE EAST LINE OF A CALLED 6.500 ACRE TRACT OF LAND, CALLED TRACT 1, CONVEYED TO ROSE-SOLARIUM, L.P., BY DEED AS RECORDED IN VOLUME 675, PAGE 326, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS, ALSO BEING KNOWN AS GATEWAY ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN CABINET D, SLIDE 369, PLAT RECORDS, HUNT COUNTY, TEXAS;

THENCE NORTH 00 DEGREES 43 MINUTES 59 SECONDS WEST, WITH THE SOUTHERLY WEST LINE OF SAID 37.366 ACRE TRACT AND WITH THE EAST LINE OF SAID 6.500 ACRE TRACT, A DISTANCE OF 508.95 FEET TO A 1/2 INCH IRON ROD FOUND AT AN ELL CORNER OF SAID 37.366 ACRE TRACT AND THE NORTHEAST CORNER OF SAID GATEWAY ADDITION;

THENCE SOUTH 89 DEGREES 11 MINUTES 49 SECONDS WEST, WITH A SOUTH LINE OF SAID 37.366 ACRE TRACT AND WITH THE NORTH LINE OF SAID GATEWAY ADDITION, A DISTANCE OF 420.00 FEET TO A 5/8 INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID GATEWAY ADDITION AND AT A NORTHEAST CORNER OF A CALLED 13.058 ACRE TRACT OF LAND CONVEYED TO GREENVILLE SENIOR HOUSING, L.P., BY DEED AS RECORDED IN VOLUME 604, PAGE 35, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS;

THENCE SOUTH 88 DEGREES 49 MINUTES 40 SECONDS WEST, WITH A SOUTH LINE OF SAID 37.366 ACRE TRACT AND A NORTH LINE OF SAID 13.058 ACRE TRACT, A DISTANCE OF 79.30 FEET TO A 1/2 INCH IRON ROD FOUND AT A SOUTHWEST

CORNER OF SAID 37.366 ACRE TRACT AND ON THE NORTHEAST LINE OF A CALLED 0.5211 ACRE TRACT OF LAND, TRACT TWO, CONVEYED TO MATTHEW HUTCHINS, ETUX, BY DEED AS RECORDED IN FILE NO. 2012-10139, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS;

THENCE NORTH 41 DEGREES 39 MINUTES 33 SECONDS WEST, WITH A SOUTHWEST LINE OF SAID 37.366 ACRE TRACT AND THE NORTHEAST LINE OF SAID 0.5211 ACRE TRACT, TRACT TWO, A DISTANCE OF 155.59 FEET TO A 1/2 INCH IRON ROD SET WITH A YELLOW CAP STAMPED "BY-LINE", FROM WHICH A 1/2 INCH IRON ROD FOUND AT A WEST CORNER OF SAID 37.366 ACRE TRACT AND THE NORTH CORNER OF SAID 0.5211 ACRE TRACT, TRACT TWO/BEARS NORTH 41 DEGREES 39 MINUTES 33 SECONDS WEST, A DISTANCE OF 375.59 FEET;

THENCE OVER AND ACROSS SAID 37.366 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

NORTH 89 DEGREES 11 MINUTES 49 SECONDS EAST, A DISTANCE OF 886.85 FEET TO A 1/2 INCH IRON ROD SET WITH A YELLOW CAP STAMPED "BY-LINE";

SOUTH 27 DEGREES 49 MINUTES 47 SECONDS EAST, A DISTANCE OF 280.21 FEET TO A 1/2 INCH IRON ROD SET WITH A YELLOW CAP STAMPED "BY-LINE";

SOUTH 11 DEGREES 10 MINUTES 45 SECONDS EAST, A DISTANCE OF 385.10 FEET TO A 1/2 INCH IRON ROD SET WITH A YELLOW CAP STAMPED "BY-LINE";

SOUTH 30 DEGREES 17 MINUTES 54 SECONDS EAST, A DISTANCE OF 208.14 FEET TO A 1/2 INCH IRON ROD SET WITH A YELLOW CAP STAMPED "BY-LINE";

SOUTH 57 DEGREES 06 MINUTES 46 SECONDS EAST, A DISTANCE OF 173.29 FEET TO A 1/2 INCH IRON ROD SET WITH A YELLOW CAP STAMPED "BY-LINE";

SOUTH 16 DEGREES MINUTES 40 SECONDS WEST, A DISTANCE OF 109.38 FEET TO A 1/2 INCH IRON ROD SET WITH A YELLOW CAP STAMPED "BY LINE" ON THE SOUTHWEST LINE OF SAID 37.386 ACRE TRACT AND ON THE NORTHEAST LINE OF LOOP 315, AND ON A CURVE TO THE LEFT, WITH A RADIUS OF 5,918.58 FEET, A DELTA ANGLE OF 04 DEGREES 41 MINUTES 22 SECONDS, THE CHORD OF WHICH BEARS NORTH 78 DEGREES 02 MINUTES 01 SECONDS WEST, FOR A CHORD DISTANCE OF 484.12 FEET, AND FROM WHICH A CONCRETE MONUMENT FOUND BEARS SOUTH 71 DEGREES 03 MINUTES 21 SECONDS EAST, A DISTANCE OF 543.62 FEET;

THENCE WITH THE SOUTHWEST LINE OF SAID 37.386 ACRE TRACT, WITH THE NORTHEAST

LINE OF LOOP 315 AND ALONG THE ARC OF SAID CURVE, FOR AN ARC LENGTH OF 484.25 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.00 ACRES OF LAND.