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the AICPA

TELECOPY TRANSMITTAL PAGE

CONFIDENTIALITY NOTICE

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DATE: October 11, 2022

NUMBER OF PAGES, INCLUDING TRANSMITTAL PAGE: 6

TO: Falls County Clerk - Foreclosures

FACSIMILE NO.: (254) 883-2260

SENDER: Harold N. May

REGARDING: Solstice Capital, LLC's Notice of Trustee's Sale on the Sterling VA Marlin, LLC Property

MESSAGE: Please find the following documents enclosed:
1. The Notice of Trustee's Sale;
2. Online payment receipt for the filing and posting fees associated with this foreclosure.

OPERATOR: Katie

IF THERE ARE ANY PROBLEMS IN RECEIVING THIS TRANSMISSION, PLEASE TELEPHONE (281) 407-5609, AND ASK FOR THE SENDER OR OPERATOR LISTED ABOVE. THANK YOU.

NOTICE OF TRUSTEE'S SALE

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 SERVICE COMPONENT OF THE ARMED FORCES OF THE UNITED STATE, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

Deed of Trust ("Deed of Trust")

Dated: June 7, 2017

Grantors: Sterling-VA Marlin, LLC
5514A West 34th Street,
Houston, Texas 77092

Current Holder: Solstice Capital, LLC
c/o Erich Mundinger
2365 Rice Blvd., #201
Houston, Texas 77005

Trustee: Harold N. May

Recorded: Recorded in Book 00331, Page 00306, Document 00001129, in the Real Property Records of Falls County, Texas on June 13, 2017.

Legal Description: See attached Exhibit "A".

Secures: That certain Promissory Note (the "**Note**") dated June 7, 2017 in the original principal amount of \$1,600,000.00 executed by Sterling-VA Marlin, LLC (referred to herein as the "**Borrower**"), payable to Solstice Capital, LLC (the "**Lender**").

1. Property to be Sold. The property to be sold is described as follows:

See attached Exhibit A.
2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated June 7, 2017, Recorded in Book 00331, Page 00306, Document 00001129, in the Real Property Records of Falls County, Texas on June 13, 2017.
3. Date, Time and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: **November 1, 2022.**

Time: As required, the sale will be held between the hours of 10:00 a.m. and 4:00 p.m. The sale will begin no earlier than **10:00 AM** or no later than three hours thereafter.

Place: The sale will be held in Falls County, Texas at the following location: SOUTH ENTRANCE STEPS LEADING THROUGH THE SOUTH COURTHOUSE DOOR TO THE SECOND FLOOR OF THE FALLS COUNTY COURTHOUSE AT MARLIN IN FALLS COUNTY, TEXAS OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting Lender to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale. Pursuant to the deed of trust, the Lender has the right to direct the Trustee or Substitute Trustee to sell the property in or more parcels and/or to sell all or only part of the property. ***Please note that Lender has elected to pursue foreclosure upon all of the Property described in the Deed of Trust at this sale.*** Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided under the deed of trust.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The 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 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. The sale shall not cover any part of the Property that has been released of public record from the lien of the Deed of Trust. 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 51.9975 of the Texas Property Code, the Trustee or Substitute Trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

THIS INSTRUMENT APPOINTS THE TRUSTEE AND/OR SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT AS IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

Handwritten signature

Harold N. May
Harold "Hap" May, PC
1500 S. Dairy Ashford, Suite 325
Houston, Texas 77077
Phone: (281) 407-5609
Fax: (832) 201-7675

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Harold N. May, individually, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

SWORN TO AND SUBSCRIBED before me on this 11th day of October, 2022.



Handwritten signature

Notary Public, State of Texas

After Recording Please Return To:
Harold "Hap" May, P.C.
1500 South Dairy Ashford. Rd
Suite 325
Houston, Texas 77077

[Signature Page for Notice of Trustee's Sale – Sterling VA Marlin, LLC and Solstice Capital, LLC]

EXHIBIT "A"

Metes and Bounds Description

The state-owned property located in the Marlin, Falls County, Texas is known as the TDCJ Marlin Hospital (formerly the Marlin VA Hospital). It is legally described in Deed Without Warranty as found in Volume 228, Page 691 by reference to the Judgement on Declaration of Taking in Volume 202, Page 260 of the Falls county deed records as being 8.0 acres of land, more or less, being bound by Ward Street on the west side, Virginia Avenue on the north side, Allen Street on the east side and Oakland Place on the south side, City of Marlin, Falls County, Texas and being more particularly described as follows:

BEING all that tract of land in the City of Marlin, Falls County, Texas, and being all of that called 8 acres of land described in a deed to the United States of America as recorded in Volume 202, Page 260 of the deed records of Falls County, Texas, and being further described as follows:

BEGINNING at an "X" found cut in concrete at the intersection of the East line of Ward Street and the South line of Virginia Avenue at the Northwest corner of said 8 acres;

THENCE south 88 degrees 29 minutes 54 seconds East, 633.68 feet to a 1/4 inch steel rod found at the intersection of the South line of Virginia Avenue and the West line of Allen Street at the Northeast corner of said 8 acres;

THENCE South 01 degrees 30 minutes 33 seconds West, 549.93 feet to a 1/4 inch steel rod found at the intersection of the West line of Allen Street and the North line of Oakland Place at the Southeast corner of said 8 acres;

THENCE North 88 degrees 30 minutes 29 seconds West, 633.59 feet to an "X" found cut in concrete at the intersection of the North line of Oakland Place and the East line of Ward Street at the Southwest corner of said 8 acres;

THENCE North 01 degrees 30 minutes 00 seconds East (Basis of Bearings), 550.04 feet along the East line of Ward Street to the Point of Beginning containing 8.000 acres of land.
