

1-10-1918

BY _____
Notary Public
for the County of _____
State of _____

Substitute Trustees'

Address:

c/o Reed Smith LLP
2850 N. Harwood Street, Suite 1500
Dallas, Texas 75201
(469) 680-4200

Deed of Trust:

Multifamily Revolving Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing

Date:

as of June 28, 2017

Grantor:

HOYT AID PROPCO LLC, a Delaware limited liability company

Lender:

KEYBANK NATIONAL ASSOCIATION, a national banking association

Trustee:

Peter S. Graf, esquire

Secures:

The loan in the original principal amount of \$84,570,000 evidenced by that certain Multifamily Note dated as of June 28, 2017, executed by Grantor and others and made payable to the order of Lender (as amended, restated, replaced, supplemented, or otherwise modified from time to time, the "Note"), which is currently held by Holder

Recording:

Recorded July 3, 2017, in the Real Property Records of Nolan County, Texas (the "Records"), as Document Number 17-23331, as assigned to Holder pursuant to that certain Assignment of Multifamily Deed of Trust, Assignment of Leases and Rents, Security Instrument and Fixture Filing, dated June 28, 2017 and recorded July 3, 2017, in the Records, as Instrument Number 17-23332.

Property:

All real property, improvements and personal property described as collateral in the Deed of Trust; the legal description of the real property is also, for the sake of convenience only, described on Exhibit A attached hereto and made a part hereof for all purposes; however, the description of the real property, improvements and personal property in the Deed of Trust will control to the extent of any conflict or any deficiency in such description contained in this Notice of Substitute Trustee's Sale, it being the intent that the "Property", for all purposes hereof, means all property, real, personal, tangible and intangible, which constitutes collateral under, and described in, the Deed of Trust.

Foreclosure Sale

Date of Sale: Tuesday, December 5, 2023

Time of Sale: The sale of the Property will take place between the hours of 1:00 p.m. and 4:00 p.m. local time; the earliest time at which the sale will take place is 1:00 p.m. and the sale will begin within three hours thereafter.

Place of Sale: The sale will take place in the lobby of the Nolan County Courthouse, located at 100 East 3rd Street, Sweetwater, Texas 79556, or, if no place is designated by the County Commissioner's Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

Holder has appointed Keith M. Aurzada, Michael P. Cooley, Brian C. Mitchell, Jay L. Krystinik, Clark A. Donat, Bradley J. Purcell, Lindsey L. Robin, Clifford M. Dunman, Terry Browder, Laura Browder, Jamie Osborne, Rachael C. Seidl, Daniela Mondragón, and each of them acting alone, as Substitute Trustees under the Deed of Trust upon the contingency and in the manner outlined by the Deed of Trust and in accordance with Chapter 51 of the Texas Property Code. Default has occurred pursuant to the provisions of the Deed of Trust. The indebtedness evidenced by the Note is now wholly due. Holder has instructed Substitute Trustees, and each of them acting alone, to sell the Property toward the satisfaction of the Note.

The Deed of Trust may encumber both real and personal property. Notice is hereby given of Holder's election to proceed against and sell all the real property and any personal property described in the Deed of Trust in accordance with the Holder's rights and remedies under the Deed of Trust and Section 9.604 of the Texas Business and Commerce Code.

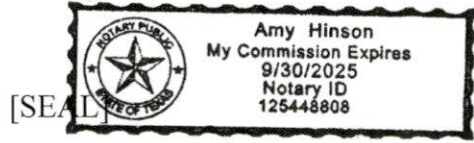
Notice is hereby given that on the Date of Sale, at the Time of Sale, Substitute Trustees, or any of them acting alone, will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS" pursuant to section 51.009 of the Texas Property Code and further subject to any valid leases of the Property, which leases shall not terminate as a result of the sale. THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION OR QUIET ENJOYMENT OR THE LIKE FOR THE PERSONAL PROPERTY INCLUDED IN THE SALE. Holder may bid by credit against the indebtedness secured by the Deed of Trust. The Substitute Trustee(s) conducting the Foreclosure Sale may, at their option, postpone the sale for a reasonable time to permit the highest bidder (if other than Holder) to produce cash to pay the purchase price bid, and the sale may be resumed if the bidder fails to produce cash to pay the purchase price within such time period, provided in any event the sale shall be concluded no later than 4:00 P.M. local time.

IN WITNESS WHEREOF this Notice of Substitute Trustee's Sale has been executed on this the 8th day of November 2023.

Jay L. Krystinik
Jay L. Krystinik, Substitute Trustee

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this 8th day of November 2023, by Jay L. Krystinik, as Substitute Trustee.



My Commission Expires:
9/30/2025

Amy Hinson
Notary Public, State of Texas

Amy Hinson
Printed Name of Notary

After filing return to:

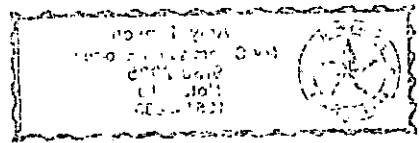
Jay L. Krystinik
Reed Smith LLP
2850 N. Harwood Street, Suite 1500
Dallas, Texas 75201

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EXHIBIT A

2.00 acres of land out of Section 42, Abstract #854, Block 21, T&P RY. Co. Surveys, Sweetwater, Nolan County, Texas. Described further by metes and bounds as follows:

BEGINNING: at a set 1/2" iron pin with cap marked Morris 2426 in the East right-of-way of Hoyt Avenue for the Northwest corner of Applecreek Subdivision as recorded in Nolan County Plat Records;

Slide 237A and being N 77°18'57" E- 30.00' and N 12°41'03" W-881.21 from the West ¼ corner of said Section 42;

THENCE: N 12°42'29" W- 225.00' along said right-of-way to a found 1/2" iron pin;

THENCE: N 77°15'58" E- 387.20' to a found 1/2" iron pin;

THENCE: S 12°42'29" E- 225.00' to a found 1/2" iron pin in the North line of said Applecreek Subdivision;

THENCE: S 77°15'58" W – 387.20' along said North line to the **PLACE OF BEGINNING** and containing 2.00 acres (87,120 square feet) of land more or less.