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.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE FILED FOR RECORD

STATE OF TEXAS

8 8

COUNTY OF YOUNG

JUN 11 2024

Date:

June 11, 2024

ANN FORD, COUNTY CLERK YOUNG COUNTY, TEXAS

Borrower:

REAL LIVING PROPERTY HOLDINGS - TEXAS, LLC, a

Texas limited liability company

Borrower's Address:

c/o Assisted 4 Living, Inc

5115 FL-64

Bradenton, Florida 34208

Holder:

Olney SNF LLC, a Delaware limited liability company

Holder's Address:

c/o Arena Investors, LP

405 Lexington Avenue, 59th Floor New York, New York 10174

Substitute Trustees:

Keith Aurzada, Michael P. Cooley, Brian C. Mitchell, Jay L. Krystinik, Clark A. Donat, Bradley Purcell, Lindsey L. Robin,

Clifford M. Dunman, and each of them acting alone

Substitute Trustees'

c/o Reed Smith LLP

Address:

2850 N. Harwood Street, Suite 1500

Dallas, Texas 75201 (469) 680-4200

Deed of Trust:

DEED OF TRUST, SECURITY AGREEMENT.

ASSIGNMENT OF LEASES AND FIXTURE FILING

Date:

as of October 18, 2021

Grantor:

REAL LIVING PROPERTY HOLDINGS - TEXAS, LLC, a

Texas limited liability company

Original Lender:

ARENA LIMITED SPV, LLC, a Delaware limited liability

company

Trustee:

ANN JOHNSON

Secures:

The loan in the original principal amount of \$6,600,000.00 evidenced by that certain Promissory Note dated as of October 18, 2021, executed by Grantor and made payable to the order of Original Lender (as amended, restated, replaced, supplemented, endorsed, assigned, or otherwise modified from time to time, the "Note"), which is currently held by Holder

Recording:

Recorded October 21, 2021, in the Real Property Records of Young County, Texas (the "Records"), as Instrument Number 21003534, as previously assigned by Original Lender to Holder pursuant to that certain ASSIGNMENT OF DEED OF TRUST, dated as of June 7, 2024, and recorded June 11, 2024 in the Records.

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 instrument, 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, July 2, 2024

Time of Sale:

The sale of the Property will take place between the hours of 10:00 a.m. and 4:00 p.m. local time; the earliest time at which the sale will take place is 10:00 a.m. and the sale will begin within three hours thereafter.

Place of Sale:

The sale will take place under the portico at the north entrance of the Young 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.

Holder has appointed Keith Aurzada, Michael P. Cooley, Brian C. Mitchell, Jay L. Krystinik, Clark A. Donat, Bradley Purcell, Lindsey L. Robin, Clifford M. Dunman, 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 11th day of June 2024.

Jay V. Krystinik, Substitute Trustee

STATE OF TEXAS

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COUNTY OF DALLAS

This instrument was acknowledged before me on this \textstyle \day of June 2024,

Krystinik, as Sub

RHONDA STANBERY
My Notary ID # 10684538
Expires April 5, 2028

[SEAL]

My Commission Expires:

4/5/2028

Notary Public, State of Texas

Printed Name of Notary

After filing return to:

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

## EXHIBIT A

## LEGAL DESCRIPTION

A 2.066 ACRE TRACT OUT OF LAND OUT OF BLOCK 4, WESTERN HEIGHTS ADDITION, OLNEY, YOUNG COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a spike nail found at the Southwest corner of Lot l, Block 4, Western Heights Addition to the City of Olney, Texas as shown on the plats recorded in Volume 1, Page 115 and Volume 1, Page 220, Young County Plat Records, said spike nail being at the intersection of the West line of Western Avenue and the North line of W. Elm Street;

THENCE with the North line of W. Elm Street, N 72° 35' 55" W 300.15 feet to an iron rod found at the Southwest corner of Lot 2 of said Block 4, for the Southwest corner of this tract;

THENCE N 17° 22' 36" E with the West line of said Lot 2, at 140.04 feet pass its Northwest corner and the South line of an abandoned alley, at 160.04 feet pass the North line of said abandoned alley and the Southwest corner of Lot 10 of said Block 4, and continuing N 17° 22' 36" E, in all a distance of 300.09 feet to an iron rod found at the Northwest corner of said Lot 10, said iron rod being on the South line of Oak Street, for the Northwest corner of this tract;

THENCE with the North line of said Block 4, and the South line of Oak Street, S 72° 35' 00" E 299.96 feet to an iron rod found at the Northeast corner of said Block 4, said iron rod being at the intersection of the South line of Oak Street and the West line of Western Avenue, for the Northeast corner of this tract;

THENCE with the East line of said Block 4, and the West line of Western Avenue, S 17° 20' 25" W 300.01 feet to the PLACE of BEGINNING and containing 2.066 acres of land.