

FILED FOR RECORD
COLORADO COUNTY, TX
2023 DEC 12 PM 2:35
KIMBERLY MENKE
COUNTY CLERK

NOTICE OF FORECLOSURE SALE

December 11, 2023

Deed of Trust ("Deed of Trust"):

Dated: April 1, 2022

Grantor: The Rendon & Associates Investment Group, LLC

Trustee: Liang Gao

Lender: Hawthorne Land, LLC

Recorded in: Instrument No. 1636, Volume 996, Page 379 of the real property records of Colorado County, Texas

Legal Description: BEING Tracts 6 & 7 in the Peter K. Bartleson Survey, Abstract Number 84, Colorado County, Texas, said tracts more particularly described in the attached Exhibit.

Secures: Promissory Note ("Note") in the original principal amount of \$506,892.00, executed by The Rendon & Associates Investment Group, LLC ("Borrower") and payable to the order of Lender

Assignment: The Note and the liens and security interests of the Deed of Trust were transferred and assigned to Hawthorne Interests, LLC ("Beneficiary") by an instrument dated April 1, 2022, recorded in Instrument No. 1944, Volume 998, Page 444 of the real property records of Colorado County, Texas

Substitute Trustee: Debby Jurasek, Megan Randle, Ebbie Murphy, or David Garvin

Substitute Trustee's Address: c/o Foreclosure Services LLC
8101 Boat Club Road, Suite 320
Fort Worth, Texas, 76179

Foreclosure Sale:

Date: Tuesday, January 2, 2024

Time: The sale of the Property will be held between the hours of 1:00 P.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 1:00 P.M. and not later than three hours thereafter.

Place: In the foyer, inside the main entrance of the Colorado County, Anex Building, located at 318 Spring Street, Columbus, Texas 78934, or if the preceding area is no longer the designated area, in THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.

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 Interests, LLC'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 Interests, LLC, 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 Interests, LLC'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 Interests, LLC'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 Interests, LLC 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 Interests, LLC. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

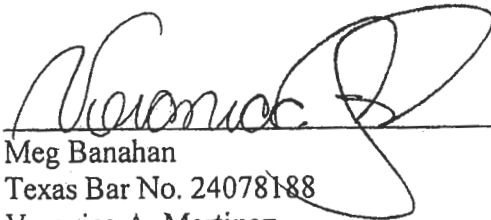
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "**AS IS,**" **without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.** Prospective bidders are advised to conduct an independent investigation of the nature 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.



Meg Banahan
Texas Bar No. 24078188
Veronica A. Martinez
Texas Bar No. 24102149
R. Alex Weatherford
Texas Bar No. 24079553
Banahan Martinez Weatherford, PLLC
1400 Broadfield Blvd., Suite 105
Houston, Texas 77084
Tel. (281) 394-3122
Fax (281) 940-2743
Attorney for Lender



Debby Jurasek, Megan Randle, Ebbie Murphy, or
David Garvin
c/o Foreclosure Services LLC
8101 Boat Club Road, Suite 320
Fort Worth, Texas 76179



TEXAS PROFESSIONAL SURVEYING, LLC.

3032 N. FRAZIER STREET, CONROE, TEXAS 77303
(936)756-7447 FAX (936)756-7448
FIRM REGISTRATION No. 100834-00

FIELD NOTE DESCRIPTION
TRACT 6
13.726 ACRES
IN THE PETER K. BARTLESON SURVEY, ABSTRACT NUMBER 84
COLORADO COUNTY, TEXAS

BEING a 13.726 acre tract situated in the Peter K. Bartleson Survey, Abstract Number 84, Colorado County, Texas, being a portion of that certain called 379.34 acre tract described in instrument to Henry T. Sundermann and Elenor E. Sundermann, recorded in Volume 978, Page 259 of the Deed Records of Colorado County, Texas (D.R.C.C.T.), said 13.726 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a 3/4 inch iron pipe found in the apparent common line of said Bartleson Survey, and the George H. Little Survey, Abstract Number 662, the intersection of the easterly margin of County Road 48-1/2 (CR 48-1/2) with the southeasterly margin of Farm-to-Market 2761 (F.M. 2761), recorded in Volume 231, Page 271, D.R.C.C.T., for the westerly corner of said 379.34 acre tract;

THENCE North 42°26'00" East, 2,559.13 feet, with the apparent common line of said Bartleson Survey and said Little Survey, the southeasterly margin of Farm-to-Market 2761 (F.M. 2761), the northeasterly line of said 379.34 acre tract to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set in said common line, for the **POINT OF BEGINNING**, being the westerly corner of the herein described 13.726 acre tract;

THENCE North 41°50'56" East, 320.73 feet, with the northeasterly line of said 379.34 acre tract and southeasterly margin of F.M. 2761 to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set in said common line, being the northerly corner of the herein described 13.726 acre tract;

THENCE severing, over and across said 379.34 acre tract the following three (3) distances

1. South 44°19'05" East, 1,867.41 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for corner;
2. South 41°28'03" West, 320.87 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for corner;

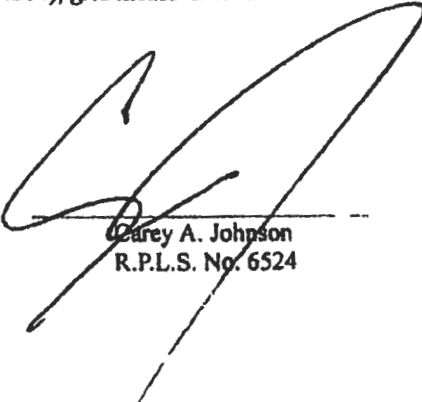
3. North 44°19'05" West, 1,869.55 feet, to the **POINT OF BEGINNING**;

CONTAINING a computed area of 13.726 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground on October 25, 2021, by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number K213-02_Tract 6-NEW.

Bearings recited hereon are based on GPS observations and are reference to the North American Datum 1983 (NAD83), Texas State Plane Coordinate System, South Central Zone (4204), grid measurement.

February 17, 2022
Date



Carey A. Johnson
R.P.L.S. No. 6524

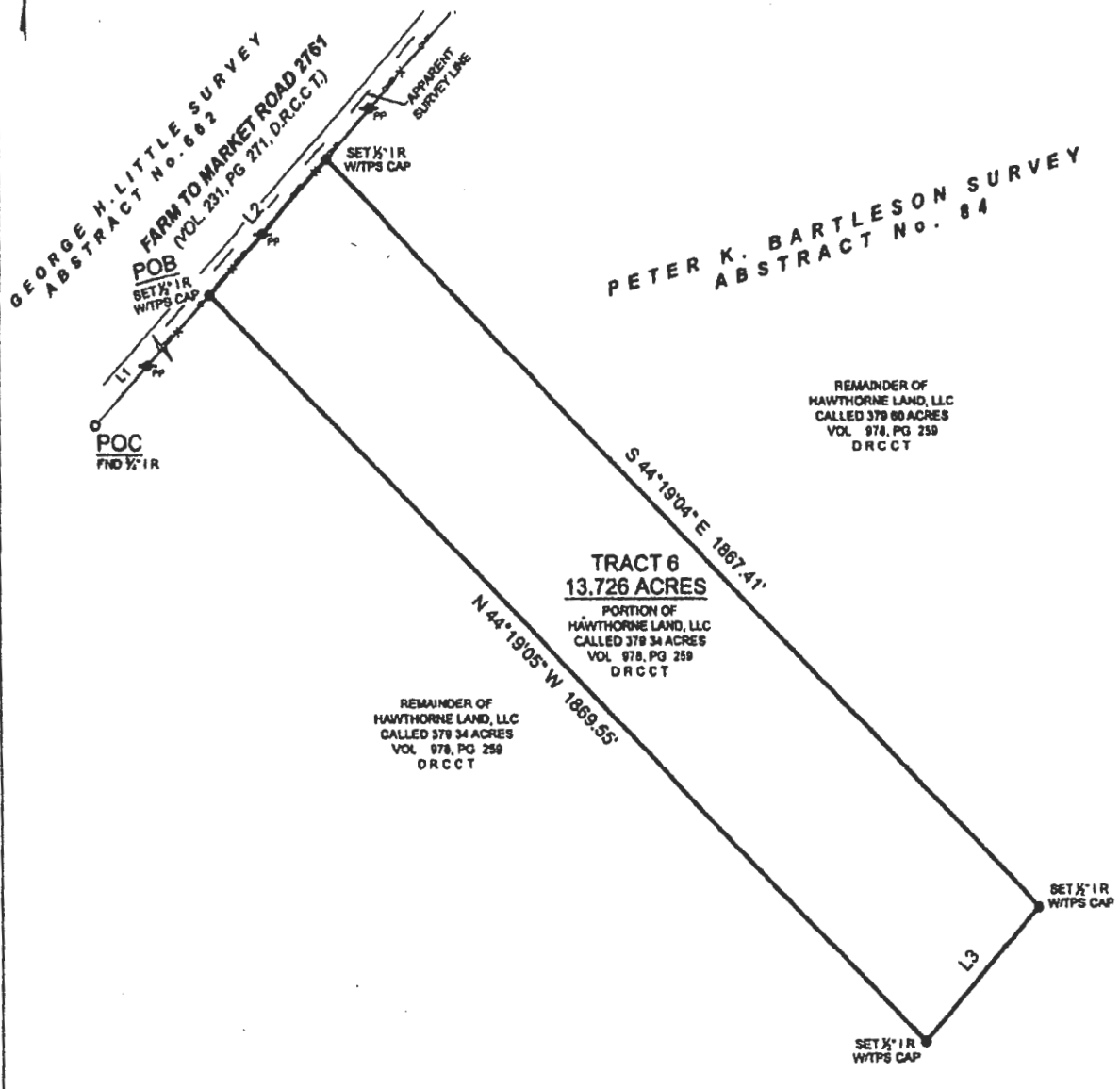


LINE	BEARING	DISTANCE
L1	N 42° 28' 52" E	1869.55'
L2	N 44° 19' 04" E	1867.41'
L3	S 41° 28' 53" W	1860.97'

Scale 1" = 200'

MAP LEGEND

- Set Iron Rod w/ TPS Cap
- Found Survey Monument
- Calculated Corner
- Found Fence Corner Post
- ⊙ Pipeline Marker
- Overhead Power Line
- ⊙ Power Pole
- Telephone Pedestal
- Edges of Road - Asphalt/Gravel
- Wire Fence



BOUNDARY SURVEY

BEING a 13.726 acre tract situated in the Peter K. Bartleson Survey, Abstract Number 84 Colorado County, Texas, being a portion of that certain called 379.34 acre tract described in instrument to Hawthorne Land, LLC, recorded in Volume 978, Page 259 of the Deed Records of Colorado County, Texas (D R C T), and 13.726 acre tract being more particularly described by attached metes and bounds description.

Purchaser: Spencer Grogan
 Survey: Peter K. Bartleson Survey, A-84
 Area: 13.726 Acres
 Colorado County, Texas

Job No: K213-02, Tract 6-NEW
 Scale: 1" = 200'
 Date: 11/04/2021
 Drawn By: LEG/DED
 Field Crew: TC
 Checked By:
 Revised:

No portion of this property appears to be within the 100 Year Floodplain per graphic scaling of Community Panel No. s 48089C0300D & 48089C0326D having an effective date of 02/04/2011.

General Notes

1) This survey was performed without benefit of a current blue report. Surveyor did not abstract title and does not certify to easements or restrictions not shown. Check with your local governing agencies for any additional easements, building lines or other restrictions not reflected on survey.

Base of Bearings

Bearings shown hereon are based on GPS observations and are referenced to the NAD83, Texas State Plane Coordinate System, South Central Zone (4204), grid measurement.

I hereby certify that this survey was this day made under my supervision on the ground of the above described property, and that the above plat or drawing reflects the findings on the ground of the property at this time and that this survey meets the minimum standards of practice as approved by the Texas Board of Professional Land Surveying.

TEXAS
 PROFESSIONAL SURVEYING, LLC

3032 N FRAZIER STREET - CONROE, TX 77303
 PH (836)756-7447 - FAX (836)756-7448
 WWW.SURVEYING@XAS.COM
 FRU REGISTRATION No. 100534-00

Carey A. Johnson
 Registered Professional Land Surveyor No. 6524



TEXAS PROFESSIONAL SURVEYING, LLC.

3032 N. FRAZIER STREET, CONROE, TEXAS 77303
(936)756-7447 FAX (936)756-7448
FIRM REGISTRATION No. 100834-00

**FIELD NOTE DESCRIPTION
TRACT 7
13.742 ACRES
IN THE PETER K. BARTLESON SURVEY, ABSTRACT NUMBER 84
COLORADO COUNTY, TEXAS**

BEING a 13.742 acre tract situated in the Peter K. Bartleson Survey, Abstract Number 84, Colorado County, Texas, being a portion of that certain called 379.34 acre tract described in instrument to Hawthorne Land, LLC, recorded in Volume 978, Page 259 of the Deed Records of Colorado County, Texas (D.R.C.C.T.), said 13.911 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a 3/4 inch iron pipe found in the apparent common line of said Bartleson Survey, and the George H. Little Survey, Abstract Number 662, the intersection of the easterly margin of County Road 48-1/2 (CR 48-1/2) with the southeasterly margin of Farm-to-Market 2761 (F.M. 2761), recorded in Volume 231, Page 271, D.R.C.C.T., for the westerly corner of said 379.34 acre tract;

THENCE North 42°31'02" East, 2,238.43 feet, with the apparent common line of said Bartleson Survey and said Little Survey, the southeasterly margin of said F.M. 2761, the northeasterly line of said 379.34 acre tract to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the **POINT OF BEGINNING**, being the westerly corner of the herein described 13.742 acre tract;

THENCE North 41°50'56" East, 320.72 feet, continuing with said apparent common line of said Bartleson Survey and said Little Survey, the northeasterly line of said 379.34 acre tract and southeasterly margin of F.M. 2761 to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for corner, being the northerly corner of the herein described 13.742 acre tract;

THENCE severing, over and across said 379.34 acre tract the following three (3) courses and distances:

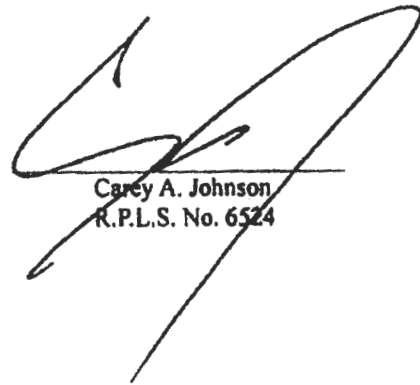
1. South 44°19'05" East, 1,869.55 feet, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for corner;
2. South 41°28'03" West, 320.87 feet, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for corner;
3. North 44°19'05" West, 1,871.69 feet, to the **POINT OF BEGINNING**;

CONTAINING a computed area of 13.742 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground on November 4, 2021, by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number K213-02 Tract 7-NEW.

Bearings recited hereon are based on GPS observations and are reference to the North American Datum 1983 (NAD83), Texas State Plane Coordinate System, South Central Zone (4204), grid measurement.

February 17, 2022
Date

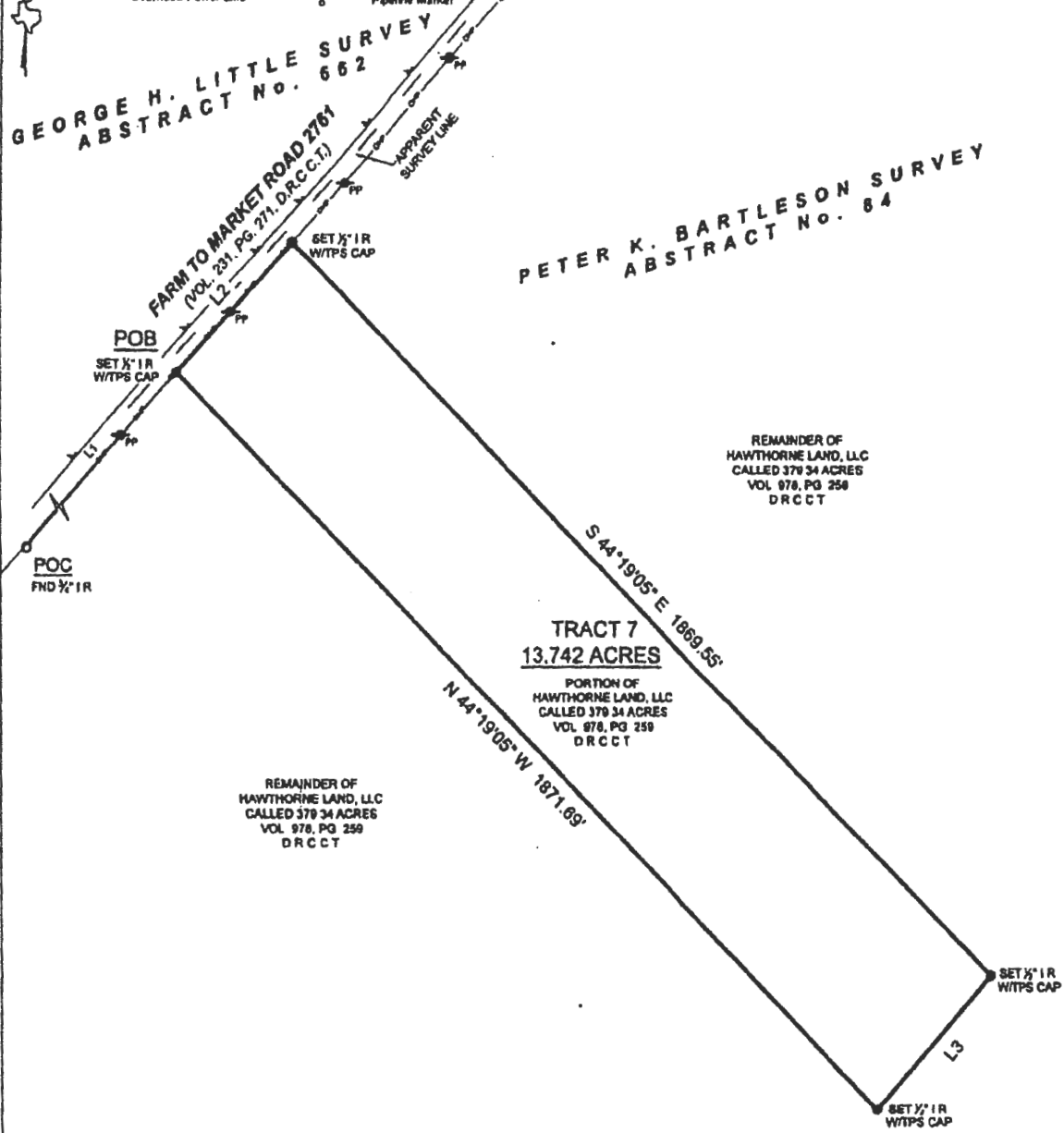


Carey A. Johnson
R.P.L.S. No. 6524



LINE	BEARING	DISTANCE
L1	N 42° 31' 02" E	222.81
L2	N 41° 50' 00" E	152.14
L3	S 41° 28' 00" W	130.11

- MAP LEGEND**
- Set Iron Rod w/ TPS Cap
 - Found Survey Monument
 - Calculated Corner
 - Found Fence Corner Post
 - Overhead Power Line
 - PP Power Pole
 - Telephone Pedestal
 - Edge of Road - Asphalt/Gravel
 - Wire Fence
 - δ Pipeline Marker



PETER K. BARTLESON SURVEY
ABSTRACT NO. 84

GEORGE H. LITTLE SURVEY
ABSTRACT NO. 662

REMAINDER OF
HAWTHORNE LAND, LLC
CALLED 379.34 ACRES
VOL. 978, PG. 258
D R C C T

TRACT 7
13.742 ACRES
PORTION OF
HAWTHORNE LAND, LLC
CALLED 379.34 ACRES
VOL. 978, PG. 259
D R C C T

REMAINDER OF
HAWTHORNE LAND, LLC
CALLED 379.34 ACRES
VOL. 978, PG. 259
D R C C T

BOUNDARY SURVEY

BEING a 13.742 acre tract situated in the Peter K. Bartleson Survey, Abstract Number 84, Colorado County, Texas, being a portion of that certain called 379.34 acre tract described in instrument to Hawthorne Land, LLC, recorded in Volume 978, Page 259 of the Deed Records of Colorado County Texas (D R C C T) said 13.742 acre tract being more particularly described by attached metas and bounds description

Purchaser: Spencer Grogan
Survey: Peter K. Bartleson Survey, A-84
Area: 13.742 Acres
Colorado County, Texas
Job No: K213-02_Tract 7-NEW
Scale: 1" = 200'
Date: 11/04/2021
Drawn By: LEQ/DED
Field Crew: TC
Checked By:
Revised:

No portion of this property appears to be within the 100 Year Floodplain per graphic scaling of Community Panel No. 48089C03000 & 48089C03250 having an effective date of 02/04/2011

General Notes

1) This survey was performed without benefit of a current title report. Surveyor did not abstract title and does not certify to easements or restrictions not shown. Check with your local governing agencies for any additional easements, building lines or other restrictions not reflected on survey.

Base of Bearings

Bearings shown hereon are based on GPS observations and are referenced to the NAD83, Texas State Plane Coordinate System, South Central Zone (4204), grid measurements.

I hereby certify that this survey was the day made under my supervision on the ground of the above described property, and that the above plot or drawing reflects the findings on the ground of the property at this time and that the survey meets the minimum standards of practice as approved by the Texas Board of Professional Land Surveying.



Carey A. Johnson
Registered Professional Land Surveyor No. 6524

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PRM REGISTRATION No. 100834-00