

NOTICE OF FORECLOSURE SALE

December 12, 2024

FILED FOR RECORD
COLORADO COUNTY, TX

2024 DEC 16 PM 1:13

KIMBERLY MENKE
COUNTY CLERK

DH.

Deed of Trust ("Deed of Trust"):

Dated: October 15, 2022

Grantor: Image Clinical Services, LLC

Trustee: Liang Gao

Lender: Hawthorne Land, LLC

Recorded in: Instrument No. 5247 of the real property records of Colorado County, Texas

Legal Description: Being a 12.765 acre tract situated in the T. & N.O. RR. Co. Survey, Abstract Number 572, and the George Singleton Survey, Abstract Number 673, Colorado County, Texas, being a portion of that same called 236.678 acre tract of land described as "Second Tract" in instrument to Robert L. Cook and Patricia Ann Cook, recorded in Volume 916, Page 649, of the Official Public Records of Colorado County, Texas (O.P.R.C.C.T.), said 12.765 acre tract being called Tract 32 and more particularly described by metes and bound in the attached Exhibit.

Secures: Promissory Note ("Note") in the original principal amount of \$265,830.00, executed by Image Clinical Services, 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 October 15, 2022, recorded in Instrument No. 5642 of the real property records of Colorado County, Texas

Substitute Trustee: Debby Jurasek 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 7, 2025
- Time:** The sale of the Property will be held between the hours of 10:00 A.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:** Colorado County Courthouse, 400 Spring St., Columbus, Texas 78934 or 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.



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Attorney for Lender



Debby Jurasek or David Garvin
Substitute Trustee
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 32

12.765 ACRES

IN T. & N.O. RR. CO. SURVEY, ABSTRACT NUMBER 572,
AND THE GEORGE SINGLETON SURVEY, ABSTRACT NUMBER 673,
COLORADO COUNTY, TEXAS

BEING a 12.765 acre tract situated in the T. & N.O. RR. Co. Survey, Abstract Number 572, and the George Singleton Survey, Abstract Number 673, Colorado County, Texas, being a portion of that same called 236.678 acre tract of land described as "Second Tract" in instrument to Robert L. Cook and Patricia Ann Cook, recorded in Volume 916, Page 649, of the Official Public Records of Colorado County, Texas (O.P.R.C.C.T.), said 12.765 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "TPS 100834-00" set in the easterly right-of-way of Farm to Market Road 3013 (FM 3013) (variable width right-of-way), the westerly line of said 236.678 acre tract, being the westerly corner of the herein described 12.765 acre tract, from which a 5/8 inch iron rod found for reference bears South 37°24'01" West, 148.70 feet, said **POINT OF BEGINNING** having a Texas State Plane Coordinate value of N: 13,774,490.23, E: 2,823,872.77, Texas South Central Zone (4204), grid measurement;

THENCE North 37°24'01" East, 347.42 feet, with the easterly right-of-way of said FM 3013 to a 4 inch by 4 inch concrete monument found, being an exterior corner of the herein described 12.765 acre tract;

THENCE North 41°27'58" East, 27.56 feet, with the easterly right-of-way of said FM 3013 to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the northerly corner of the herein described 12.765 acre tract, from which a 4 inch by 4 inch concrete monument found for reference bears North 41°27'58" East, 333.07 feet;

THENCE severing, over and across said 236.678 acre tract the following three (3) courses and distances:

1. South 49°01'44" East, 1,524.98 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the easterly corner of the herein described 12.765 acre tract;
2. South 49°58'32" West, 378.97 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the southerly corner of the herein described 12.765 acre tract;

3. North 49°01'44" West, 1,444.26 feet, to the **POINT OF BEGINNING**;

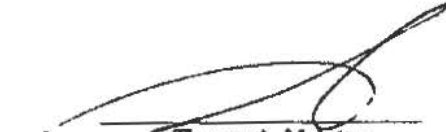
CONTAINING a computed area of 12.765 acres of land within this Field Note Description.

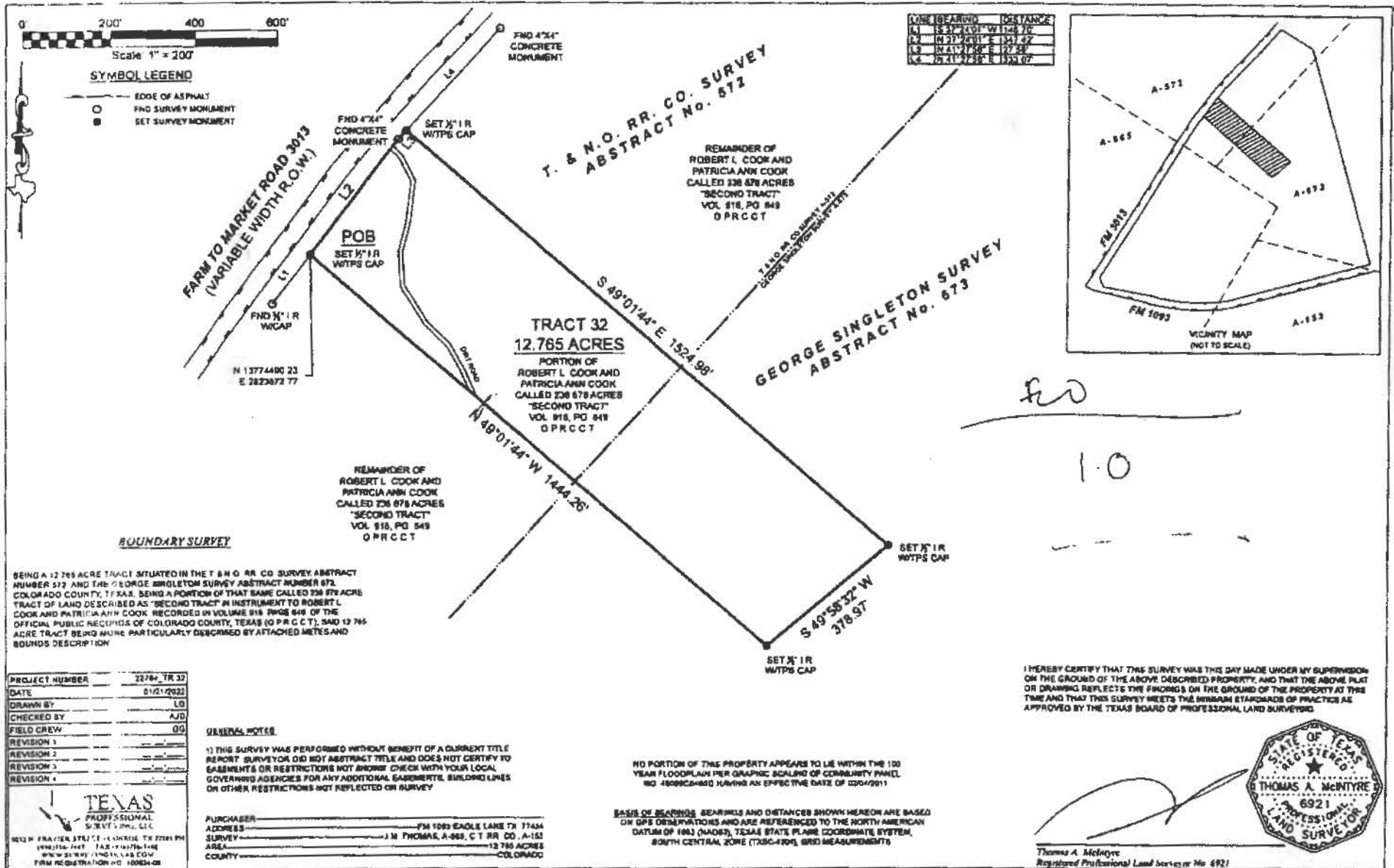
This Field Note Description was prepared from a survey performed on the ground on January 21, 2022, by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number 22704 TR 32.

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

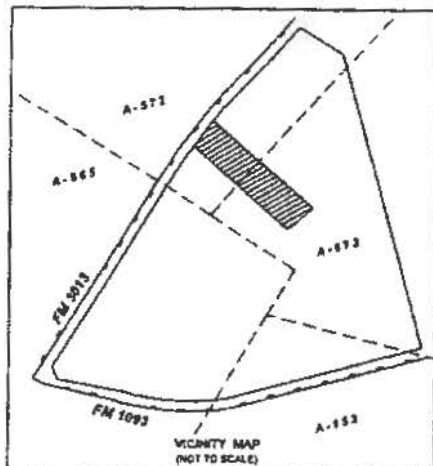
June 17, 2022
Date




Thomas A. McIntyre
R.P.L.S. No. 6921



LINE OF BOUND	DISTANCE
L1	12.375 401' W 132.72'
L2	N 27° 20' 11" E 151.42'
L3	N 41° 27' 50" E 17.58'
L4	N 11° 22' 28" E 133.07'



FD
1.0

BEING A 12.765 ACRE TRACT SITUATED IN THE T. & N.O. RR. CO. SURVEY ABSTRACT NUMBER 573 AND THE GEORGE SINGLETON SURVEY ABSTRACT NUMBER 673, COLORADO COUNTY, TEXAS, BEING A PORTION OF THAT SAME CALLED 238 878 ACRE TRACT OF LAND DESCRIBED AS "SECOND TRACT" IN INSTRUMENT TO ROBERT L. COOK AND PATRICIA ANN COOK, RECORDED IN VOLUME 918, PAGE 848 OF THE OFFICIAL PUBLIC RECORDS OF COLORADO COUNTY, TEXAS (O.P.R.C.T.); SAID 12.765 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY ATTACHED METES AND BOUNDS DESCRIPTION.

PROJECT NUMBER	22784 TR 32
DATE	01/21/2022
DRAWN BY	LO
CHECKED BY	AJD
FIELD CREW	00
REVISION 1	
REVISION 2	
REVISION 3	
REVISION 4	

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 KNOWN TO SURVEYOR. CHECK WITH YOUR LOCAL GOVERNMENT AGENCIES FOR ANY ADDITIONAL EASEMENTS, BUILDING LINES OR OTHER RESTRICTIONS NOT REFLECTED ON SURVEY.

NO PORTION OF THIS PROPERTY APPEARS TO LIE WITHIN THE 100 YEAR FLOODPLAIN PER GRAPHIC SCALING OF COMMUNITY PANEL NO. 48086C-4860 HAVING AN EFFECTIVE DATE OF 02/04/2011.

BASIS OF BEARINGS, BEARINGS AND DISTANCES SHOWN HEREON ARE BASED ON GPS OBSERVATIONS AND ARE REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD83), TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (TXSAC-4204), GRID MEASUREMENTS.

PURCHASER: _____ FM 1093 EAGLE LAKE TR 17444
 ADDRESS: _____ J M FOWLER, A-965, CT RR. CO. A-153
 AREA: _____ 12.765 ACRES
 COUNTY: _____ COLORADO

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 FACTS ON THE GROUND OF THE PROPERTY AT THE TIME AND THAT THIS SURVEY MEETS THE MINIMUM STANDARDS OF PRACTICE AS APPROVED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

Thomas A. McIntyre
 Registered Professional Land Surveyor No. 6921



TEXAS
 PROFESSIONAL
 SURVEYOR

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 FIRM REGISTRATION NO. 100824-02