

NOTICE OF FORECLOSURE SALE

January 10, 2025

FILED FOR RECORD
COLORADO COUNTY, TX

2025 JAN 13 PM 2: 25

KIMBERLY MENKE
COUNTY CLERK *J.H.*

Deed of Trust ("Deed of Trust"):

Dated: February 4, 2022

Grantor: NODRIAM, LLC

Trustee: Liang Gao

Lender: Hawthorne Land, LLC

Recorded in: Volume 989, Page 765 of the real property records of Colorado County, Texas

Legal Description: Being a 10.100 acre tract situated in the Peter K. Bartleson Survey, Abstract Number 84, Colorado County, Texas, being a portion of that certain called 382.19 acre tract described in instrument to Henry T. Sundermann and Elenor E. Sundermann, recorded in Volume 187, Page 98 of the Deed Records of Colorado County, Texas (D.R.C.C.T.), said 10.100 acre tract more particularly described in the attached Exhibit.

Secures: Promissory Note ("Note") in the original principal amount of \$192,000.00, executed by NODRIAM, 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 February 4, 2022, recorded in Volume 996, Page 18 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, February 4, 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 PM 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 SECTINO 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.

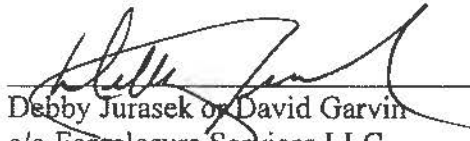
Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.



Margaret Banahan
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Attorney for Lender



Debby Jurasek 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

JA 222143E

FIELD NOTE DESCRIPTION
TRACT 15
10.100 ACRES
IN THE PETER K. BARTLESON SURVEY, ABSTRACT NUMBER 84
COLORADO COUNTY, TEXAS

BEING a 10.100 acre tract situated in the Peter K. Bartleson Survey, Abstract Number 84, Colorado County, Texas, being a portion of that certain called 382.19 acre tract described in instrument to Henry T. Sundermann and Elenor E. Sundermann, recorded in Volume 187, Page 98 of the Deed Records of Colorado County, Texas (D.R.C.C.T.), said 10.100 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 382.19 acre tract;

THENCE South 19°45'02" East, 1,143.04 feet, with the easterly margin of County Road 48-1/2 (CR 48-1/2), the southwesterly line of said 382.19 acre tract, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the POINT OF BEGINNING, being the southwesterly corner of the herein described 10.100 acre tract;

THENCE severing, over and across said 382.19 acre tract the following three (3) courses and distances:

1. North 41°55'23" East, 1,112.64 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for corner;
2. South 44°19'05" East, 367.59 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for corner;
3. South 41°55'23" West, 1,286.26 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set in the easterly margin of CR 48-1/2, being the southerly corner of the herein described 10.100 acre tract;

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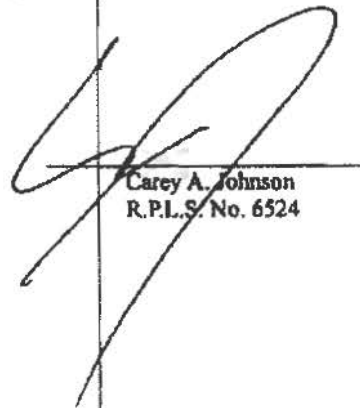
THENCE North 19°45'02" West, 416.69 feet, with the easterly margin of said CR 48-1/2, the southwesterly line of said 382.19 acre tract, to the POINT OF BEGINNING;

CONTAINING a computed area of 10.100 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 15.

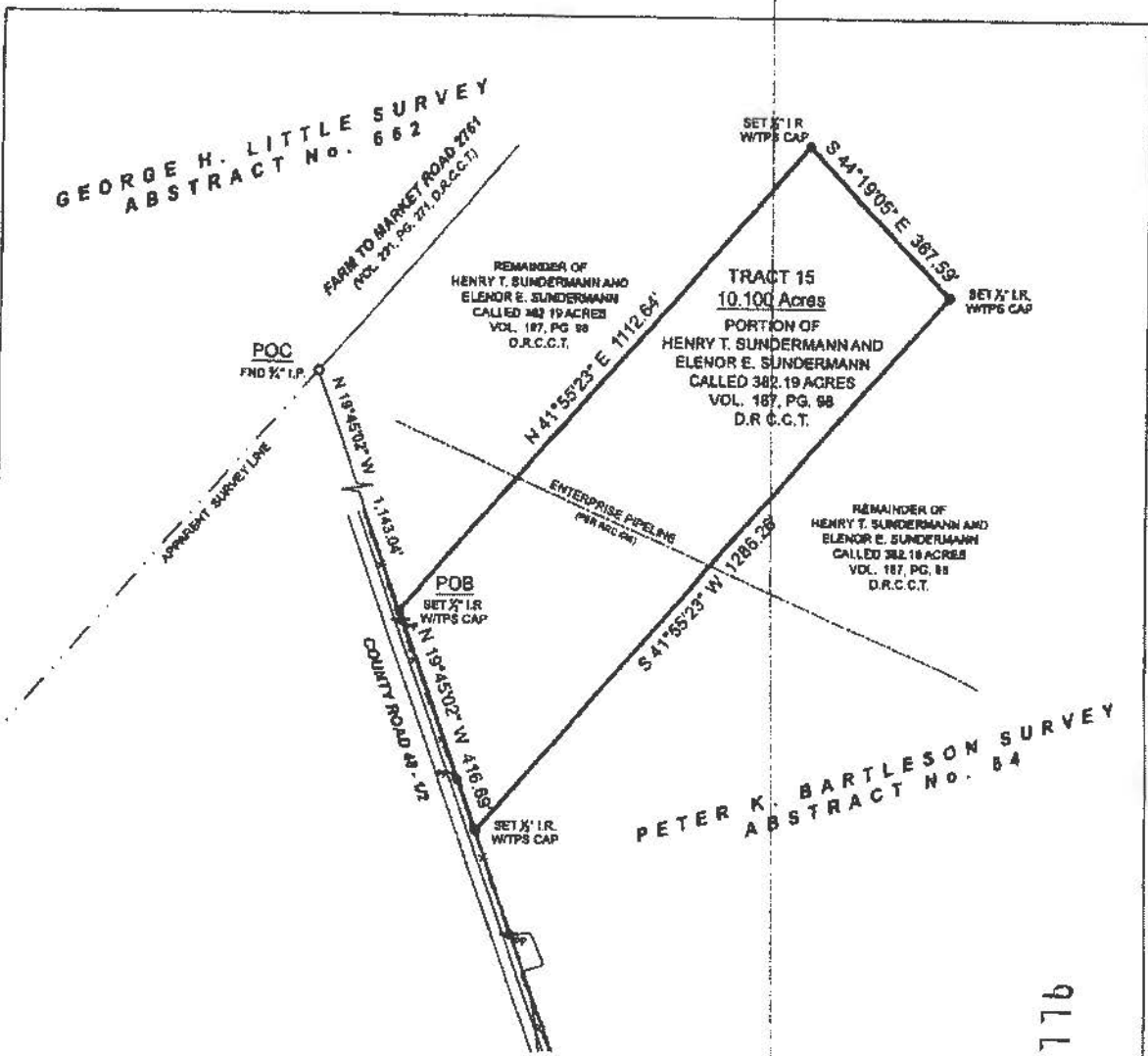
Bearings recited hereon are based on GPS observations and are reference to the North American Datum 1983 (NAD83), Texas State Plane Coordinate System, South Central Zone (4204).

November 16, 2021
Date



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

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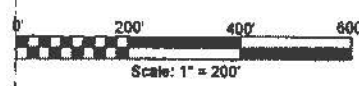


MAP LEGEND

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



JUL 9 8 9 AM '11



BOUNDARY SURVEY

BEDNG a 10.100 acre tract situated in the Peter K. Bartleson Survey, Abstract Number 84, Colorado County, Texas, being a portion of tract certain called 382.18 acre tract described in instrument to Henry T. Sundermann and Elenor E. Sundermann, recorded in Volume 187, Page 98 of the Deed Records of Colorado County, Texas (D.R.C.C.T.), said 10.100 acre tract being more particularly described by recited titles and bounds description.

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 indicated on survey.

Purchaser: Spencer Greiner
 Survey: Peter K. Bartleson Survey, A-84
 Area: 10.100 Acres
 Colorado County, Texas

Job No.: K213-02, Tract 15
 Scale: 1" = 200'
 Date: 11/04/2011
 Drawn By: LEG
 Field Crew: TC
 Checked By: MGG
 Revised: J...

No portion of this property appears to lie within the 100 Year Floodplain per graphic scaling of Community Panel No. 4809CCEK02 having an effective date of 02/04/2011.

Base of Bearings

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

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 plat or drawing reflects the findings on the ground of the property of this time and that this survey meets the minimum standards of practice as approved by the Texas Board of Professional Land Surveying.

Carey A. Johnson
 Carey A. Johnson
 Registered Professional Land Surveyor No. 6684



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 PROFESSIONAL
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