

RECORDATION REQUESTED BY:
CITIZENS 1ST BANK, TYLER, TEXAS
c/o DONALD L. TURBYFILL
DEVLIN, NAYLOR & TURBYFILL, PLLC
5120 WOODWAY, SUITE 9000
HOUSTON, TEXAS 77056-1725

WHEN RECORDED, MAIL TO:
DONALD L. TURBYFILL
DEVLIN, NAYLOR & TURBYFILL, PLLC
5120 WOODWAY, SUITE 9000
HOUSTON, TEXAS 77056-1725

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

"Assert and protect your rights as a member of the armed forces of the United States. If you 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."

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

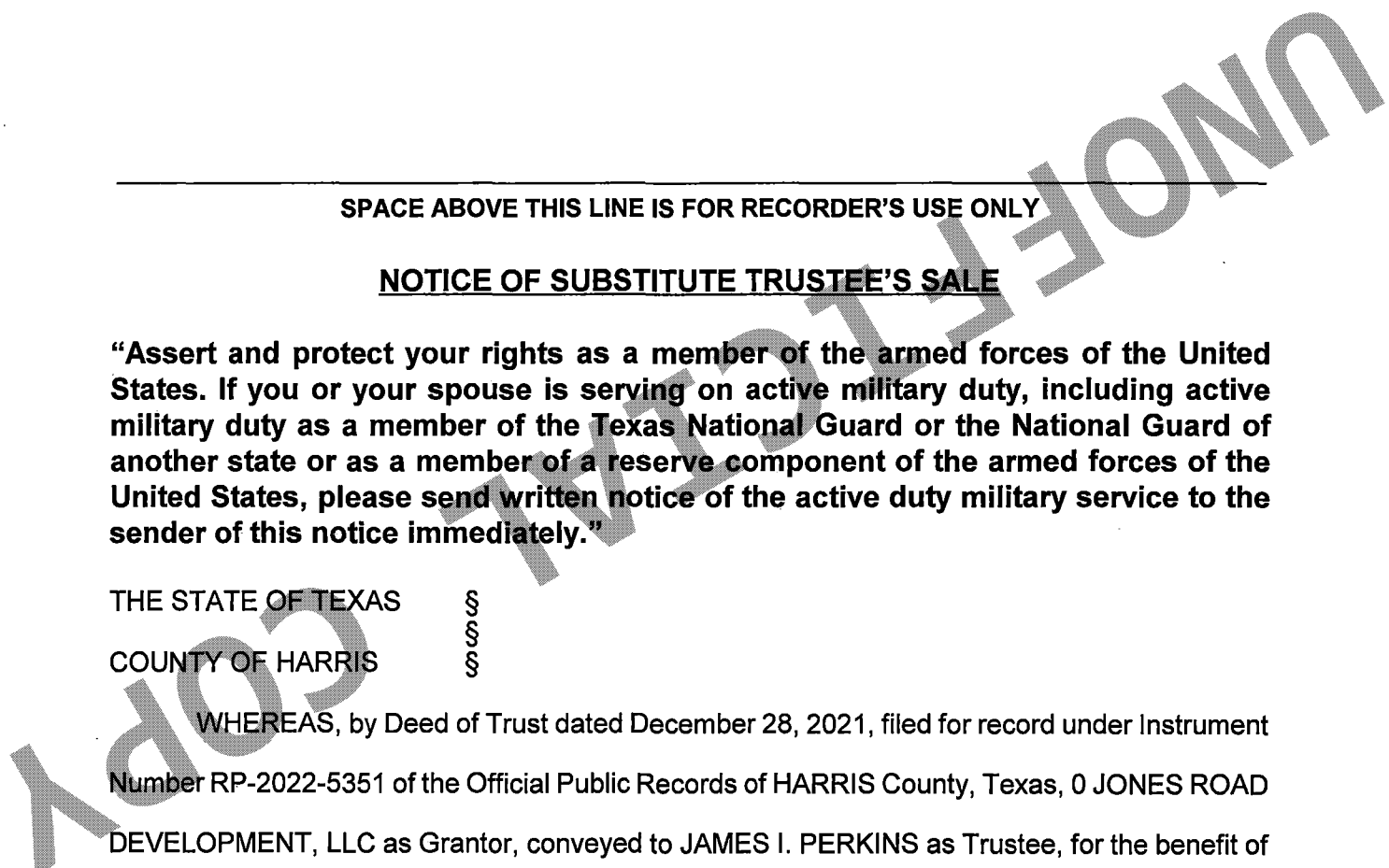
WHEREAS, by Deed of Trust dated December 28, 2021, filed for record under Instrument Number RP-2022-5351 of the Official Public Records of HARRIS County, Texas, 0 JONES ROAD DEVELOPMENT, LLC as Grantor, conveyed to JAMES I. PERKINS as Trustee, for the benefit of CITIZENS 1ST BANK, TYLER, TEXAS ("Lender"), certain Real Property situated in HARRIS County, Texas, being more commonly known as 0 Jones Road, Houston, Texas 77070 and being more particularly described as follows, and the Personal Property as described therein (both "Real Property" and "Personal Property" defined collectively as the "Property"):

Being a tract of land situated in the Samuel Everett Survey, Abstract No. 956 in Harris County, Texas, same being a portion of that tract of land conveyed to David S. McDonald, Trustee, by deed recorded in Document Number

TENESHIA HUDSPETH, COUNTY CLERK, HARRIS COUNTY, TEXAS

FRCL-2024-6865

FILED 12/12/2024 2:44:19 PM



RP-2022-5351

Exhibit "A"

Property 1:
Being a tract of land situated in the Samuel Everett Survey, Abstract No. 956 in Harris County, Texas, same being a portion of that tract of land conveyed to David S. McDonald, Trustee, by deed recorded in Document Number F672213, Official Public Records, Harris County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner, said corner being in the West line of Jones Road (public right-of-way) and being the Northeast corner of that tract of land conveyed to Shiba Properties, LLC, by deed recorded in Instrument Number 20090341303, Official Public Records, Harris County, Texas;

THENCE North 89 degrees 46 minutes 57 seconds West, along the North line of said Shiba Properties tract, passing along that tract of land conveyed to Hellgate Holding Company, LLC, a Texas Limited Liability Company, by deed recorded in Instrument Number 20070567657, Official Public Records, Harris County, Texas, passing along that tract of land conveyed to Houston Portfolio Joint Venture II, a California Limited Partnership, by deed recorded in Document Number M111856, Official Public Records, Harris County, Texas, a distance of 412.87 feet to a 5/8 inch iron rod found for corner, said corner being the Southeast corner of that tract of land conveyed to Colombo Holdings LLC, a Texas Limited Liability Company, by deed recorded in Document Number RP-2018-8941, Official Public Records, Harris County, Texas;

THENCE North 00 degrees 31 minutes 01 seconds East, along the East line of said Colombo Holdings tract a distance of 226.18 feet to a 5/8 inch iron rod found for corner, said corner being the Southwest corner of that tract of land conveyed to The Allen and Dorothy Caine Living Trust, Allen Patrick Caine and Dorothy Marie Caine, co-trustees, by deed recorded in Document Number RP-2016-34101, Official Public Records, Harris County, Texas;

THENCE South 89 degrees 37 minutes 13 seconds East, along the South line of said The Allen and Dorothy Caine tract, a distance of 410.83 feet to a 5/8 inch iron rod found for corner, said corner being the Southeast corner of said The Allen and Dorothy Caine tract and being in the West line of aforesaid Jones Road;

THENCE South, along the West line of said Jones Road, a distance of 225.01 feet to the POINT OF BEGINNING and containing 92,910 square feet or 2.13 acres of land.

NOTE: THIS COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

F672213, Official Public Records, Harris County, Texas and being more particularly described by metes and bounds on the attached Property Exhibit, marked Exhibit "A"

to secure the payment of one certain Promissory Note dated September 30, 2021 in the original principal amount of \$3,110,000.00 (the "Note"), executed by Grantor and made payable to Lender, the current owner and holder of the Note, and all other indebtedness of Grantor to Lender pursuant to that Cross-Collateralization provision contained in the Deed of Trust; and extended by an Extension of Real Estate Note and Lien dated June 28, 2023 and filed for record on July 19, 2023 under Instrument Number RP-2023-270145 of the Official Public Records of HARRIS County, Texas; and

WHEREAS, DONALD L. TURBYFILL and/or DEBORAH C. S. RIHERD, or either of them as alternate Substitute Trustees, have been appointed in the place and stead of JAMES I. PERKINS, as Trustee in the aforesaid Deed of Trust, said appointment being in the manner authorized by the Deed of Trust; and

WHEREAS, Substitute Trustees' address is in care of Devlin, Naylor & Turbyfill, P.L.L.C., 5120 Woodway, Suite 9000, Houston, Texas 77056; and

WHEREAS, default has occurred under the terms of the Note secured by the Deed of Trust, and the indebtedness evidenced therein is now wholly due, therefore, the owner and holder of said indebtedness has requested one of the Substitute Trustees to sell the Property to satisfy same.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, January 7, 2025, at no earlier than 10:00 a.m. and no later than 1:00 p.m., the undersigned will sell the Property at the following location designated by the Commissioner's Court of HARRIS County, Texas:

11,681 Square Feet area of covered concrete, being a 13,979 Square Feet area of covered concrete under the Bayou City Event Center Pavilion, save and except a 2,298 Square Feet Concession and Restroom area under said Pavilion,

and commonly known as the Bayou City Event Center, 9401 Knight Road, Houston, Harris County, Texas 77045; or if the preceding area is no longer the designated area, at the area most recently

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designated by the County Commissioner's Court where foreclosure sales are to take place. If no location has been designated, the sale will occur at the place where the Notice of Substitute Trustee's Sale was posted. Said Property will be sold to the highest bidder for cash.

The purchase of the Property is **MADE "AS IS"** with all faults and shall be **ACCEPTED SUBJECT TO** any and all restrictions, covenants, conditions, agreements, assessments, maintenance charges, liens, leases, easements, previously conveyed or reserved mineral interests, to the extent that any of the aforementioned relating to the Property are still in effect and are shown of record.

WITNESS MY HAND this 12th day of December, 2024.

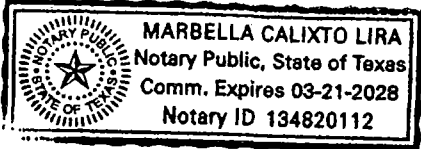
SUBSTITUTE TRUSTEE
DONALD L. TURBYFILL and/or
DEBORAH C. S. RIHERD,
c/o Devlin, Naylor & Turbyfill, P.L.L.C.
5120 Woodway, Suite 9000
Houston, Texas 77056-1725
(713) 622-8338 [TELEPHONE]
(877) 627-9039 [TOLL FREE]
dturbyfill@dntlaw.com [E-MAIL]

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared DONALD L. TURBYFILL, as Substitute Trustee, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and who acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12 day of December, 2024.

My Commission Expires: 3/21/28

NOTARY PUBLIC in and for
THE STATE OF TEXAS

CERTIFICATE OF POSTING

My name is JOSHUA M. RICHARDSON, and my address is 5120 Woodway, Suite 9000, Houston, Texas 77056. I declare under penalty of perjury that on December 12, 2024, I filed at the office of the HARRIS County Clerk and caused to be posted at the HARRIS County Courthouse this Notice of Sale.



Declarant's Name: JOSHUA M. RICHARDSON

Date: December 12, 2024

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the above and foregoing instrument was served on the below listed parties by certified mail, return receipt requested, and regular first-class mail on this December 12, 2024:

0 JONES ROAD DEVELOPMENT, LLC
5633 Southwest Freeway
Houston, Texas 77057

via certified mail
9589 0710 5270 0462 6707 70
return receipt requested
and regular first-class mail

Richard E. Brown
Registered Agent for
0 JONES ROAD DEVELOPMENT, LLC
14099 Southwest Freeway, Suite 300
Sugar Land, Texas 77478

via certified mail
9589 0710 5270 0462 6707 87
return receipt requested
and regular first-class mail

Richard E. Brown
Registered Agent for
0 JONES ROAD DEVELOPMENT, LLC
5406 Deerbourne Chase Dr.
Sugar Land, Texas 77479-4192

via certified mail
9589 0710 5270 0462 6708 00
return receipt requested
and regular first-class mail

Thomas F. Jones, III
Law Office of Thomas F Jones III
P.O. Box 570783
Houston, Texas 77257-0783

via certified mail
9589 0710 5270 0462 6707 94
return receipt requested
and regular first-class mail


DONALD L. TURBYFILL

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EXTENSION OF REAL ESTATE NOTE AND LIEN

RECORDATION REQUESTED BY:

Citizens 1st Bank, Tyler, Texas
Tyler Branch
2001 ESE Loop 323
P.O. Box 7640
Tyler, TX 75711-7640

RP-2023-270145
07/19/2023 RP2 \$26.00

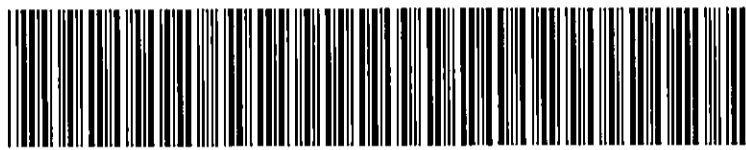
WHEN RECORDED MAIL TO:

Citizens 1st Bank, Tyler, Texas
Tyler Branch
2001 ESE Loop 323
P.O. Box 7640
Tyler, TX 75711-7640

SEND TAX NOTICES TO:

0 Jones Road Development, LLC, a Texas limited liability
company
5633 SW Freeway
Houston, TX 77057

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY



10293701449006282023

THIS EXTENSION OF REAL ESTATE NOTE AND LIEN dated June 28, 2023, is made and executed between 0 Jones Road Development, LLC, a Texas limited liability company; 5633 SW Freeway; Houston, TX 77057 ("Grantor") and Citizens 1st Bank, Tyler, Texas ("Lender").

lee

NOTE. Grantor has executed the following described Promissory Note payable to the order of Lender (the "Indebtedness"):

Promissory Note dated December 28, 2021, executed by 0 Jones Road Development, LLC, a Texas limited liability company, in the original principal amount of \$3,110,000.00, payable to Citizens 1st Bank, Tyler, Texas.

LIEN. To secure the Indebtedness, Grantor has previously conveyed in trust for the benefit of Lender, certain Real Property pursuant to a Deed of Trust dated delivered to Lender's trustee, creating a lien upon the Real Property in favor of Lender (hereinafter referred to as the "Lien") and recorded in the real property records of Harris County, State of Texas as follows:

Construction Deed of Trust recorded under Instrument No. RP-2022-5351, in the Official Records of Harris County, Texas.

REAL PROPERTY DESCRIPTION. The Lien covers the following described real property located in Harris County, State of Texas:

See Exhibit "A" attached hereto and made part thereof for all purposes.

The Real Property or its address is commonly known as 0 Jones Road, Houston, TX 77070. The Real Property tax identification number is 0460560000052.

EXTENSION OR MODIFICATION. Grantor and Lender hereby extend or otherwise modify the Note and the Lien as follows:

Effective June 28, 2023, Lender does hereby agree to modify, renew and extend the terms of the note and liens as follows: Based on the outstanding principal balance of \$3,053,690.96, undisbursed funds of \$55,869.47, for a total combined loan amount of \$3,109,560.43, with 12 consecutive monthly interest payments beginning on July 28, 2023, with interest calculated on the unpaid principal balance using an initial interest rate of Wall Street Journal Prime plus 1.000%; followed by 60 monthly consecutive principal and interest payments, beginning on July 28, 2024, with interest calculated on the unpaid principal balances using an interest rate based on an independent index which is the Federal Home Loan Bank 5/30 Amortizing Advance Rate (The index is currently 4.487%), plus a margin of 2.750%; continuing until the new maturity date of June 28, 2029, at which time any remaining principal and interest shall be due and payable, if not sooner paid.


CONTINUING VALIDITY. Except as expressly modified in this Extension Agreement, the terms of the original Lien and Note shall remain unchanged and in full force and effect until the Indebtedness has been paid. Consent by Lender to this Extension Agreement does not waive Lender's right to require strict performance of the Lien and Note as changed in this Extension Agreement or obligate Lender to make any future modifications. Nothing in this Extension Agreement shall constitute a satisfaction of the Lien and Note or other credit agreement secured by the Lien. It is the intention of Lender to retain as liable all parties to the Lien and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Extension Agreement. If any person who signed the original Lien or Note does not sign this Extension Agreement, then all persons signing below acknowledge that this Extension Agreement is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Extension Agreement or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent extensions and modifications.

EACH PARTY TO THIS AGREEMENT ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS EXTENSION OF REAL ESTATE NOTE AND LIEN, AND EACH AGREES TO ITS TERMS.

GRANTOR:

0 JONES ROAD DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY

By: 
Romy Solanji, Manager / Member of 0 Jones Road Development, LLC, a Texas limited liability company

By: 
Daniel Hernandez-Andersen, Manager of 0 Jones Road Development, LLC, a Texas limited liability company

RP-2023-270145

EXTENSION OF REAL ESTATE NOTE AND LIEN
(Continued)

Loan No: 1029370

Page 2

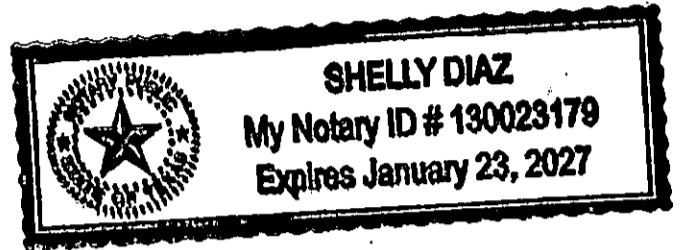
LENDER:

CITIZENS 1ST BANK, TYLER, TEXAS

X Brent Taylor
Brent Taylor, Senior Vice President

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Texas)
) SS
COUNTY OF HARRIS)

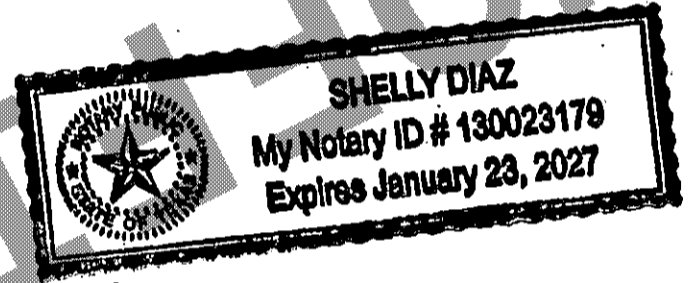


This instrument was acknowledged before me on July 5th, 2023 by Romy Solanji, Manager / Member of
O Jones Road Development, LLC, a Texas limited liability company, a Texas limited liability company, on behalf of said limited liability company.

Shelly Diaz
Notary Public, State of Texas

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Texas)
) SS
COUNTY OF HARRIS)



This instrument was acknowledged before me on July 5th, 2023 by Daniel Hernandez-Andersen,
Manager of O Jones Road Development, LLC, a Texas limited liability company, a Texas limited liability company, on behalf of said limited liability company. 1 OR

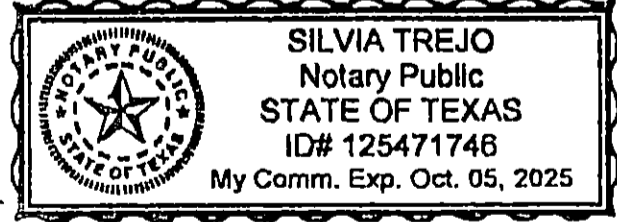
Shelly Diaz
Notary Public, State of Texas

LENDER ACKNOWLEDGMENT

STATE OF Texas)
) SS
COUNTY OF Smith)

This instrument was acknowledged before me this 7th day of July, 2023 by Brent Taylor as Senior Vice President of Citizens 1st Bank, Tyler, Texas.

Silvia Trejo
Notary Public, State of Texas



RP-2023-270145

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

Exhibit "A"

Property 1:
Being a tract of land situated in the Samuel Everett Survey, Abstract No. 956 in Harris County, Texas, same being a portion of that tract of land conveyed to David S. McDonald, Trustee, by deed recorded in Document Number F672213, Official Public Records, Harris County, Texas and being more particularly described by metes and bounds as follows:

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NOTE: THIS COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

Exhibit "A"

File Number 9995-21-23951

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RP-2022-5351

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COPY

FILED FOR RECORD

10:45:33 AM

Wednesday, July 19, 2023

Laneshia Hudspeth

COUNTY CLERK, HARRIS COUNTY, TEXAS

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED; in the Official Public Records of Real Property of Harris County Texas

Wednesday, July 19, 2023

Laneshia Hudspeth

COUNTY CLERK
HARRIS COUNTY, TEXAS



RP-2023-270145

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