

**NOTICE OF TRUSTEE'S SALE AND
APPOINTMENT OF SUBSTITUTE TRUSTEE**

STATE OF TEXAS

§

KNOW ALL PERSONS BY THESE PRESENTS

COUNTY OF HARRIS

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WHEREAS, Falls of Las Villas, LLC, a Texas limited liability company ("Borrower"), became indebted to Owemanco Mortgage Holding Corporation, a corporation incorporated under the laws of the Province of Ontario, Canada, and TIG Rompsen US Master Mortgage LP, an exempted Cayman Islands limited partnership (collectively, "Lender"), as evidenced by that certain Promissory Note dated January 27, 2022 in the maximum principal amount of THIRTY-THREE MILLION FIVE HUNDRED THOUSAND and NO/100 DOLLARS (\$33,500,000.00) (the "Promissory Note"), executed and delivered by Borrower to the order of Lender, as payee, bearing interest and being due and payable as therein provided;

WHEREAS, the indebtedness evidenced by the Promissory Note is secured by, among other things, certain liens, security interests and assignments, evidenced by, among other things, that certain Deed of Trust, Assignment of Rents and Profits, Security Agreement and Fixture Filing (the "Deed of Trust") dated of even date with the Promissory Note, naming K. Lance Anderson, Esq. as Trustee for the benefit of Lender and/or its assigns, said Deed of Trust being duly recorded on January 31, 2022, as Instrument No. RP-2022-52389 of the Official Public Records of Harris County, Texas, covering the property described in Exhibit A attached hereto and made a part hereof by reference for all purposes, together with all appurtenances, buildings, structures, fixtures, personal property, and improvements on, in and under said real property, including without limitation any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other utility facilities to the extent same pertain to or benefit all or any portion of said real property, including without limitation all reservations or commitments or letters covering any such use in the future, whether now or hereafter acquired, and any leases and rents relating thereto, which are described therein (all of which is hereinafter referred to as the "Property");

WHEREAS, the Promissory Note and the Deed of Trust and all other documents securing the Promissory Note are now held by the Owemanco Mortgage Holding Corporation as Servicer and Agent on behalf of the Lender (hereinafter referred to as "Beneficiary"), having an address c/o Sheppard Mullin, Richter & Hampton LLP, 2200 Ross Avenue, 20th Floor, Dallas, Texas 75201;

WHEREAS, default has occurred in the payment of the Promissory Note and indebtedness, and in the performance of the obligations of the Deed of Trust, and because of such default, Beneficiary, as the owner and holder of the Promissory Note and the Deed of Trust, has requested Substitute Trustee to sell the Property;

WHEREAS, to the extent the Deed of Trust encumbers both real and personal property, formal notice is hereby given of Beneficiary's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Beneficiary's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code;

WHEREAS, pursuant to the authority granted in the Deed of Trust and in accordance with the Texas Property Code, Beneficiary has appointed each of the undersigned as "Substitute Trustee" under the Deed of Trust pursuant to duly authorized and executed appointment document;

WHEREAS, Beneficiary has requested the undersigned Substitute Trustee to enforce the liens of the Deed of Trust by sale of the Property in the manner set forth under the terms of the Deed of Trust and pursuant to the laws of the State of Texas; and

WHEREAS, the undersigned, Substitute Trustee, acting upon the request of said Beneficiary, by these presents is hereby posting, filing and giving notice of the foreclosure of the Deed of Trust and the lien thereof in accordance with applicable Texas law and the terms and provisions of the Deed of Trust.

NOW, THEREFORE, pursuant to authority conferred upon each of us by the Deed of Trust, we, the undersigned duly appointed Substitute Trustee under said Deed of Trust or another such duly appointed Substitute Trustee or Successor Substitute Trustee under said Deed of Trust, having an address c/o Sheppard, Mullin, Richter & Hampton LLP, 2200 Ross Avenue, 20th Floor, Dallas, Texas 75201, in order to satisfy the indebtedness secured thereby and at the request of Beneficiary, the owner and holder of said indebtedness, default having been made in the payment of the Promissory Note and said indebtedness and/or default having been made under the covenants set out in the said Deed of Trust, will sell the Property on Tuesday, January 7, 2025, at a time commencing not earlier than 10:00 AM and no later than 1:00 PM, to the highest bidder for cash (except that Beneficiary's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust) at the area designated by the Harris County Commissioner's Court as the area where non-judicial foreclosures shall take place, and more specifically the Bayou City Event Center located at 9401 Knight Road, Houston, Texas 77045, pursuant to Section 51.002 of the Texas Property Code.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE(S), EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER THE HOLDER OF THE PROMISSORY NOTE NOR THE SUBSTITUTE TRUSTEE(S) MAKE(S) ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

PURSUANT TO SECTION 51.0075(A) OF THE TEXAS PROPERTY CODE, SUBSTITUTE TRUSTEE RESERVES THE RIGHT TO SET FURTHER REASONABLE CONDITIONS FOR CONDUCTING SUCH SALE CONTEMPLATED BY THIS NOTICE. ANY SUCH FURTHER CONDITIONS SHALL BE ANNOUNCED BEFORE BIDDING IS OPENED FOR THE FIRST SALE OF THE DAY BY SUBSTITUTE TRUSTEE.

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 HOLDER IMMEDIATELY.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED BELOW 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.

[SIGNATURE PAGE FOLLOWS]

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In accordance with Section 51.0076 of the Texas Property Code, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint the following attorneys at law as Substitute Trustee to act under and by virtue of said Deed of Trust:

AMANDA COTTRELL
ALEXANDRIA AMERINE
GRACE MILLER

EXECUTED AND EFFECTIVE NOVEMBER 18, 2024.



Sheppard, Mullin, Richter & Hampton LLP
2200 Ross Avenue, 20th Floor
Dallas, Texas 75201

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EXHIBIT A
LEGAL DESCRIPTION

DESCRIPTION OF A 16.922 ACRE TRACT OF LAND SITUATED IN THE CITY OF PASADENA, HARRIS COUNTY, TEXAS AND BEING OUT OF LOTS 2, 11, AND 12, BLOCK 29 OF PASADENA OUTLOTS, RECORDED IN VOLUME 93, PAGE 21, OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS, ALSO BEING A PORTION OF A TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO FOCUS COMPTON, LLC, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER 20110463447, SAID 16.922 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: (BEARING BASIS IS THE EAST RIGHT-OF-WAY LINE OF SOUTH RICHEY STREET BEING NORTH 00 DEGREES 02 MINUTES 44 SECONDS EAST);

BEGINNING AT AN "X" CUT IN CONCRETE FOUND AT THE NORTH END OF A CUTBACK CORNER AT THE NORTHWEST CORNER OF A CALLED 199.66 SQUARE FOOT TRACT OF LAND GRANTED TO THE CITY OF PASADENA RECORDED IN HARRIS COUNTY CLERK'S FILE NO. X452029, OF THE OFFICIAL REAL PROPERTY RECORDS OF HARRIS COUNTY, TEXAS, BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH RICHEY STREET (AN 80 FOOT WIDE RIGHT-OF-WAY) FOR THE UPPER SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE WITH THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH RICHEY STREET, NORTH 00 DEGREES 02 MINUTES 44 SECONDS EAST A DISTANCE OF 1109.03 FEET TO A POINT FROM WHICH A FOUND 5/8 INCH IRON ROD WHICH BEARS SOUTH 69 DEGREES 52 MINUTES WEST 0.48 FEET;

THENCE DEPARTING THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH RICHEY STREET, SOUTH 89 DEGREES 57 MINUTES 16 SECONDS EAST A DISTANCE OF 226.16 FEET TO A POINT FROM WHICH A FOUND 5/8 INCH IRON ROD WHICH BEARS NORTH 19 DEGREES 06 MINUTES WEST 0.38 FEET;

THENCE NORTH 00 DEGREES 02 MINUTES 44 SECONDS EAST A DISTANCE OF 79.00 FEET TO A POINT FROM WHICH A CHAIN LINK FENCE CORNER POST WHICH BEARS SOUTH 21 DEGREES 35 MINUTES EAST A DISTANCE OF 0.36 FEET;

THENCE SOUTH 89 DEGREES 57 MINUTES 16 SECONDS EAST A DISTANCE OF 393.84 FEET TO A FOUND 5/8 INCH IRON ROD FOUND;

THENCE SOUTH 00 DEGREES 02 MINUTES 44 SECONDS WEST A DISTANCE OF 1220.19 FEET TO A FOUND 5/8 INCH IRON ROD FOR CORNER IN THE NORTHERLY RIGHT-OF-WAY LINE OF WEST JACKSON AVENUE;

THENCE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF WEST JACKSON AVENUE THE FOLLOWING:

NORTH 89 DEGREES 49 MINUTES 00 SECONDS WEST A DISTANCE OF 408.89 FEET TO AN "X" CUT IN CONCRETE FOUND FOR THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1402.40 FEET;

WESTERLY WITH SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 52 MINUTES 00 SECONDS, AN ARC DISTANCE OF 70.17 FEET (THE CHORD OF SAID CURVE BEARS NORTH 88 DEGREES 22 MINUTES 19 SECONDS WEST A DISTANCE OF 70.16 FEET) TO AN 5/8 INCH IRON ROD FOUND FOR THE END OF SAID CURVE;

NORTH 86 DEGREES 57 MINUTES 09 SECONDS WEST A DISTANCE OF 68.11 FEET TO A POINT FROM WHICH AN "X" CUT IN CONCRETE FOUND BEARS NORTH 75 DEGREES 01 MINUTES WEST A DISTANCE OF 0.91 FEET FOR THE BEGINNING OF A CURVE THE RIGHT HAVING A RADIUS OF 1462.40 FEET;

WESTERLY WITH SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 05 MINUTES 02 SECONDS, AN ARC DISTANCE OF 53.19 FEET (THE CHORD OF SAID CURVE BEARS NORTH 85 DEGREES 54 MINUTES 03 SECONDS WEST A DISTANCE OF 53.19 FEET) TO AN "X" CUT IN CONCRETE FOUND AT THE SOUTH END OF SAID CUTBACK CORNER BEING THE SOUTHEAST CORNER OF SAID 199.66 SQUARE FOOT TRACT AND BEING THE LOWER SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 42 DEGREES 12 MINUTES 39 SECONDS WEST, ALONG SAID CUTBACK CORNER, BEING THE NORTHEAST LINE OF SAID 199.66 SQUARE FOOT TRACT, A DISTANCE OF 29.61 FEET TO THE POINT OF BEGINNING AND CONTAINING 16.922 ACRES (737,158 SQUARE FEET) OF LAND, MORE OR LESS.