

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

STATE OF TEXAS                    §  
   §        **KNOW ALL PERSONS BY THESE PRESENTS**  
COUNTY OF HARRIS               §

**WHEREAS**, Falls of Alta Vista, 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 January 27, 2022, 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-2022-52388 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, 20<sup>th</sup> 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, 20<sup>th</sup> 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]

COPY UNOFFICIAL

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, 20<sup>th</sup> Floor  
Dallas, Texas 75201

COPY UNOFFICIAL

**EXHIBIT A  
LEGAL DESCRIPTION**

**TRACT I:**

BEING A DESCRIPTION OF A 24.160 ACRE (1,052,401 SQUARE FEET) TRACT OF LAND BEING PORTIONS OF LOTS 10, 11, 12 OF BLOCK 30 OF PASADENA OUTLOTS AS RECORDED IN VOLUME 93, PAGE 21, HARRIS COUNTY DEED RECORDS, AND BEING THAT SAME TRACT OF LAND DESCRIBED IN DEED TO PASADENA HOLDINGS, LLC, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER Z246544 AND BEING OUT OF THE WILLIAM VINCE SURVEY, A-78, CITY OF PASADENA, HARRIS COUNTY, TEXAS, SAID 24.160 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEARING BASIS IS THE EAST R.O.W. LINE OF SOUTH RICHEY STREET BEING NORTH 00 DEGREES 10 MINUTES 44 SECONDS EAST;

BEGINNING AT A "X" CUT IN CONCRETE FOUND AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID SOUTH RICHEY STREET (AN 80 FOOT WIDE RIGHT-OF-WAY) WITH THE NORTHERLY RIGHT-OF-WAY LINE OF WEST HARRIS AVENUE (A 60 FOOT WIDE RIGHT-OF-WAY) AT THE SOUTHWESTERLY CORNER OF SAID BLOCK 30 FOR THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE, NORTH 00 DEGREES 10 MINUTES 44 SECONDS EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID SOUTH RICHEY STREET, A DISTANCE OF 1200.00 FEET TO A 5/8 INCH IRON ROD FOUND AT THE SOUTHWESTERLY CORNER OF THAT 4.116 ACRE TRACT OF LAND DESCRIBED IN DEED TO PASADENA HOLDINGS, LLC, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER Z246544 FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

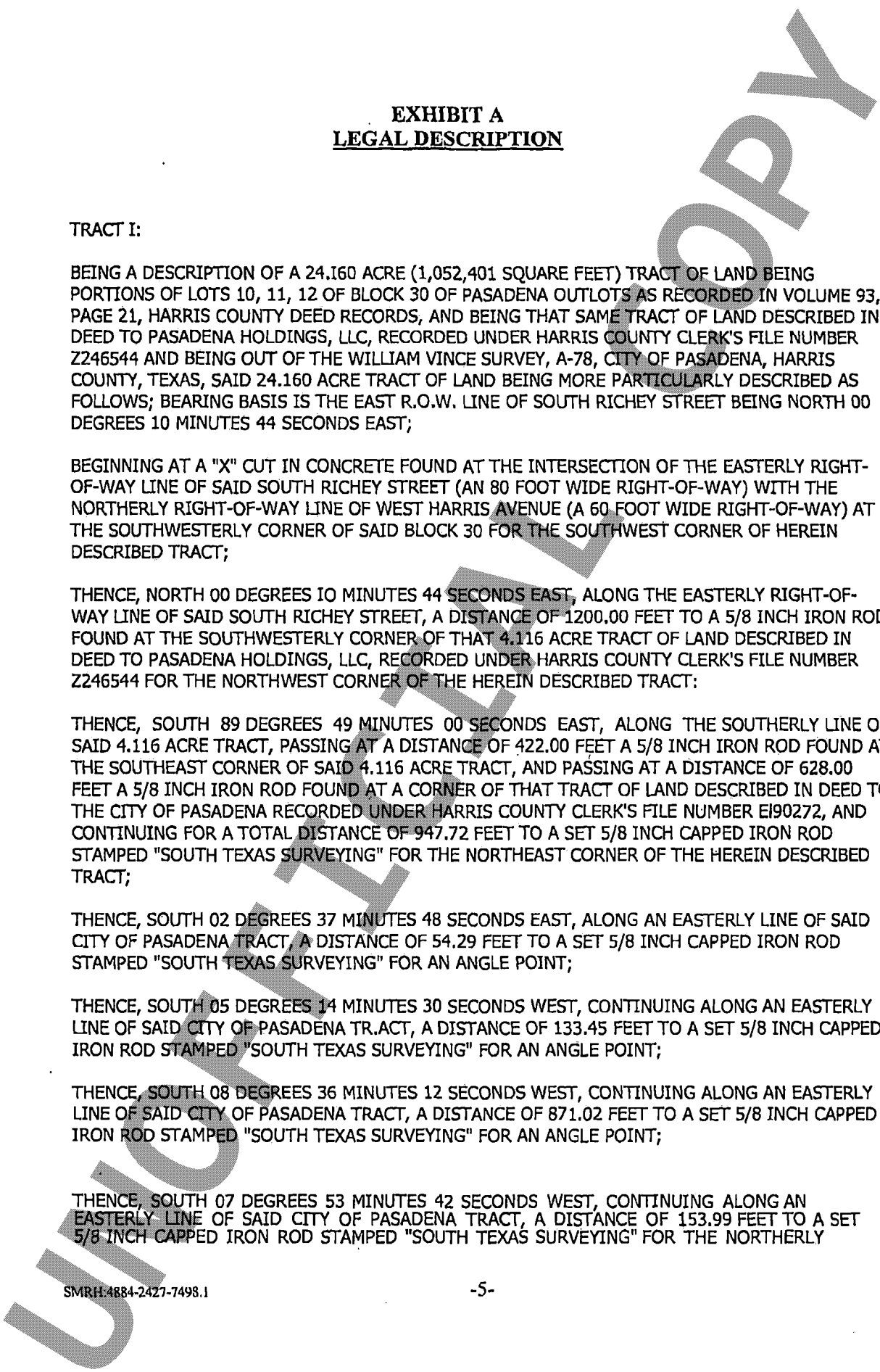
THENCE, SOUTH 89 DEGREES 49 MINUTES 00 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID 4.116 ACRE TRACT, PASSING AT A DISTANCE OF 422.00 FEET A 5/8 INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID 4.116 ACRE TRACT, AND PASSING AT A DISTANCE OF 628.00 FEET A 5/8 INCH IRON ROD FOUND AT A CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF PASADENA RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER EI90272, AND CONTINUING FOR A TOTAL DISTANCE OF 947.72 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02 DEGREES 37 MINUTES 48 SECONDS EAST, ALONG AN EASTERLY LINE OF SAID CITY OF PASADENA TRACT, A DISTANCE OF 54.29 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" FOR AN ANGLE POINT;

THENCE, SOUTH 05 DEGREES 14 MINUTES 30 SECONDS WEST, CONTINUING ALONG AN EASTERLY LINE OF SAID CITY OF PASADENA TRACT, A DISTANCE OF 133.45 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" FOR AN ANGLE POINT;

THENCE, SOUTH 08 DEGREES 36 MINUTES 12 SECONDS WEST, CONTINUING ALONG AN EASTERLY LINE OF SAID CITY OF PASADENA TRACT, A DISTANCE OF 871.02 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" FOR AN ANGLE POINT;

THENCE, SOUTH 07 DEGREES 53 MINUTES 42 SECONDS WEST, CONTINUING ALONG AN EASTERLY LINE OF SAID CITY OF PASADENA TRACT, A DISTANCE OF 153.99 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" FOR THE NORTHERLY



RIGHT-OF-WAY LINE OF SAID WEST HARRIS AVENUE FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 89 DEGREES 42 MINUTES 58 SECONDS WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WEST HARRIS AVENUE, A DISTANCE OF 790.32 FEET TO THE POINT OF BEGINNING AND CONTAINING A COMPUTED AREA OF 24.160 ACRES OR 1,052,401 SQUARE FEET OF LAND.

TRACT II:

BEING A DESCRIPTION OF A 4.116 ACRE (179,279 SQUARE FEET) TRACT OF LAND BEING PORTIONS OF LOTS 2 AND 12 OF BLOCK 30 OF PASADENA OUTLOTS AS RECORDED IN VOLUME 93, PAGE 21, HARRIS COUNTY DEED RECORDS, AND BEING THAT SAME TRACT OF LAND DESCRIBED IN DEED TO PASADENA HOLDINGS, LLC, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER Z246544 AND BEING OUT OF THE WILLIAM VINCE SURVEY, A-78, CITY OF PASADENA, HARRIS COUNTY, TEXAS, SAID 4.116 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEARING BASIS IS THE EAST R.O.W. LINE OF SOUTH RICHEY STREET BEING NORTH 00 DEGREES 10 MINUTES 44 SECONDS EAST;

BEGINNING AT AN "X" CUT IN CONCRETE FOUND IN THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH RICHEY STREET (AN 80 FOOT WIDE RIGHT-OF-WAY) AT THE SOUTHWESTERLY CORNER OF THAT CALLED 21.993 ACRE TRACT OF LAND DESCRIBED IN DEED TO DOWNTOWN PROPERTY MANAGEMENT, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER 20080215407 FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, THENCE, SOUTH 89 DEGREES 49 MINUTES 00 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID 21.993 ACRE TRACT, A DISTANCE OF 359.00 FEET TO A CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING SET AT AN ANGLE POINT;

THENCE, SOUTH 00 DEGREES 10 MINUTES 44 SECONDS WEST, CONTINUING ALONG A WESTERLY LINE OF SAID 21.993 ACRE TRACT, A DISTANCE OF 115.00 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" FOR AN ANGLE POINT;

THENCE, SOUTH 89 DEGREES 49 MINUTES 00 SECONDS EAST, CONTINUING ALONG A SOUTHERLY LINE OF SAID 21.993 ACRE TRACT, A DISTANCE OF 63.00 FEET TO AN "X" CUT IN CONCRETE SET FOR AN ANGLE POINT;

THENCE, SOUTH 00 DEGREES 10 MINUTES 44 SECONDS WEST, CONTINUING ALONG A WESTERLY LINE OF SAID 21.993 ACRE TRACT, A DISTANCE OF 327.00 FEET TO A 5/8 INCH IRON ROD FOUND IN THE NORTHERLY LINE OF THAT 24.160 ACRE TRACT DESCRIBED IN DEED TO PASADENA HOLDINGS, LLC, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER Z246544 FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 89 DEGREES 49 MINUTES 00 SECONDS WEST, ALONG THE NORTHERLY LINE OF SAID 24.160 ACRE TRACT, A DISTANCE OF 422.00 FEET TO A 5/8 INCH IRON ROD FOUND IN THE EASTERLY RIGHT-OF-WAY LINE OF SAID SOUTH RICHEY STREET AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 00 DEGREES 10 MINUTES 44 SECONDS EAST, A DISTANCE OF 442.00 FEET TO TIE POINT OF BEGINNING AND CONTAINING A COMPUTED AREA OF 4.116 ACRES OR 179,279 SQUARE FEET OF LAND.

TRACT III:

BEING A TRACT OF LAND CONTAINING 0.686 ACRES BEING A PORTION OF LOTS 2 AND 12 OF BLOCK 30 OF PASADENA OUTLOTS, AS RECORDED IN VOLUME 93, PAGE 21 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEARING BASIS IS THE EAST R.O.W. LINE OF SOUTH RICHEY STREET BEING NORTH 00 DEGREES 10 MINUTES 44 SECONDS EAST;

COMMENCING AT A 5/8 INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF THAT 4.116 ACRE TRACT AND THE NORTHWEST CORNER OF THAT 21.460 ACRE TRACT OF LAND DESCRIBED IN DEED TO PASADENA HOLDINGS, LLC, RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER Z246544;

THENCE, SOUTH 89 DEGREES 49 MINUTES 00 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID 4.116 ACRE TRACT AND THE NORTHERLY LINE OF SAID 21.460 ACRE TRACT, A DISTANCE OF 422.00 FEET TO A 5/8 INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID 4.116 ACRE TRACT, FOR THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 00 DEGREES 10 MINUTES 44 SECONDS EAST, ALONG THE EASTERLY LINE OF SAID 4.116 ACRE TRACT, A DISTANCE OF 145.00 FEET TO A 5/8 INCH IRON ROD FOUND AT A SOUTHWEST CORNER OF THAT CALLED 21.993 ACRE TRACT DESCRIBED IN DEED TO DOWNTOWN PROPERTY MANAGEMENT RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER 20080215407 FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 89 DEGREES 49 MINUTES 00 SECONDS EAST, ALONG A SOUTHERLY LINE OF SAID 21.993 ACRE TRACT, A DISTANCE OF 206.00 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 00 DEGREES 10 MINUTES 44 SECONDS WEST, CONTINUING ALONG A WESTERLY LINE OF SAID 21.993 ACRE TRACT AND A WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO CITY OF PASADENA RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER E190272, A DISTANCE OF 145.00 FEET TO A 5/8 INCH IRON ROD FOUND IN THE NORTHERLY LINE OF SAID 24.160 ACRE TRACT FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 89 DEGREES 49 MINUTES 00 SECONDS WEST, ALONG THE NORTHERLY LINE OF SAID 24.160 ACRE TRACT, A DISTANCE OF 206.00 FEET TO THE POINT OF BEGINNING AND CONTAINING A COMPUTED AREA OF 0.686 ACRE OR 29,870 SQUARE FEET OF LAND.

UNOFFICIAL