

TENESHIA HUDSPETH, COUNTY CLERK, HARRIS COUNTY, TEXAS
FRCL-2024-6901
FILED 12/16/2024 8:43:04 AM

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

THE STATE OF TEXAS)
)
COUNTY OF HARRIS)

WHEREAS, **Piney Point 2023 LLC** (the "**Borrower**") executed and delivered a certain *Multifamily Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing* (the "**Deed of Trust**") dated as of June 8, 2023, conveying to **Gavriel Toso**, as Trustee, the real and personal property described in that Deed of Trust, which is recorded in the Official Public Records of Harris County, Texas, as follows:

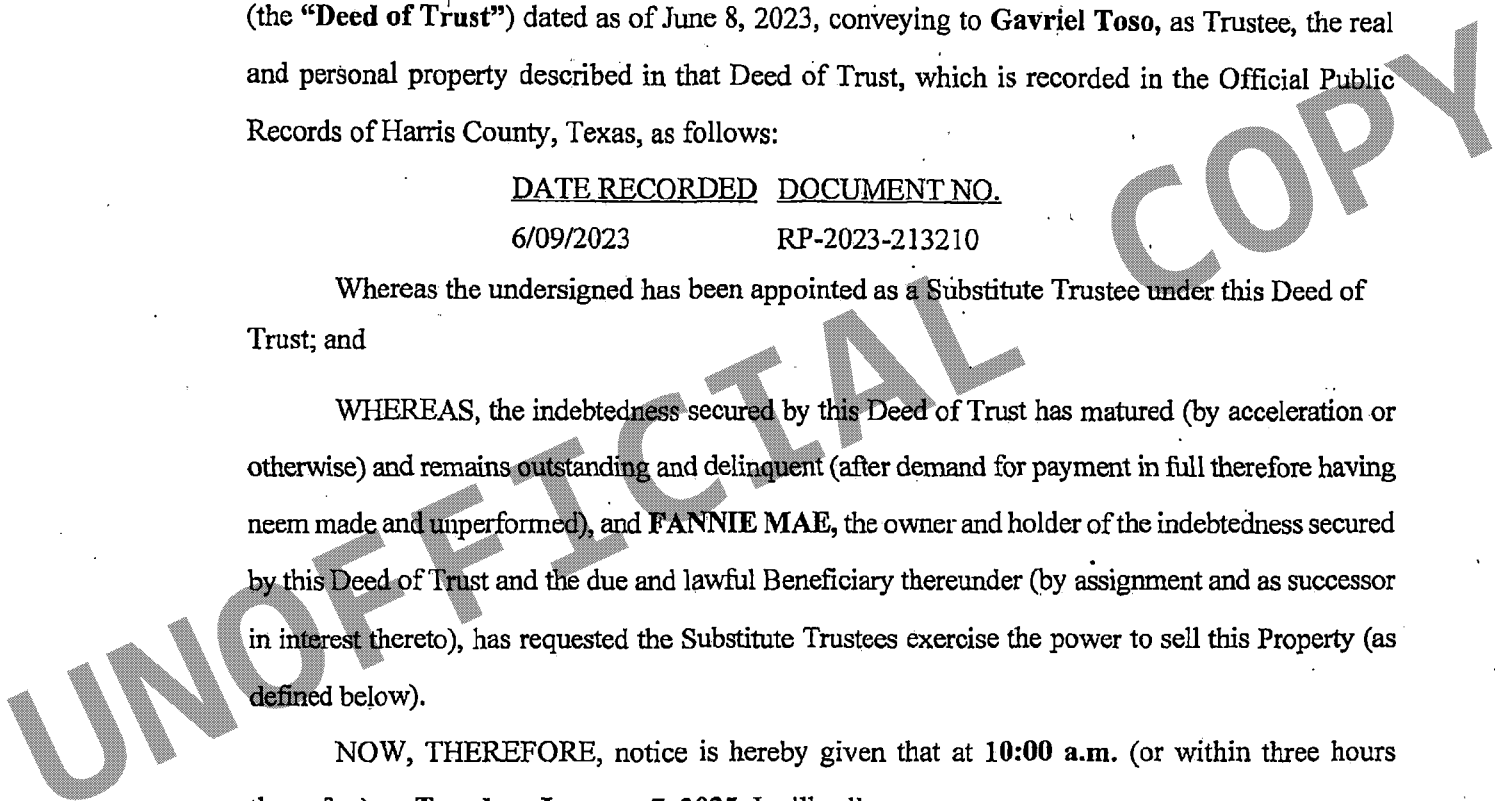
DATE RECORDED DOCUMENT NO.
6/09/2023 RP-2023-213210

Whereas the undersigned has been appointed as a Substitute Trustee under this Deed of Trust; and

WHEREAS, the indebtedness secured by this Deed of Trust has matured (by acceleration or otherwise) and remains outstanding and delinquent (after demand for payment in full therefore having been made and unperformed), and **FANNIE MAE**, the owner and holder of the indebtedness secured by this Deed of Trust and the due and lawful Beneficiary thereunder (by assignment and as successor in interest thereto), has requested the Substitute Trustees exercise the power to sell this Property (as defined below).

NOW, THEREFORE, notice is hereby given that at **10:00 a.m.** (or within three hours thereafter) on **Tuesday, January 7, 2025**, I will sell:

- The real property described on the attached Exhibit "A" (the "**Real Property**"), and
- The other property (whether real property, personal property, fixtures or otherwise) which is (i) described in the Deed of Trust and (ii) located on, affixed to or otherwise appurtenant to that Real Property (collectively, the "**Property**")



The Property described above shall be sold to the highest bidder. The sale shall be conducted in accordance with the Deed of Trust and the Texas Property Code in the area designated by the Commissioners Court of Harris County, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted) at the date and time of the sale indicated herein above.

FANNIE MAE, the owner and holder of the indebtedness secured by the Deed of Trust, reserves the right to credit-bid at this sale. Except for any such credit-bid, the purchase price set forth in the final bid accepted by the Substitute Trustee is due and payable in cash (or cashier's checks) without delay upon acceptance of the bid.

In accordance with TEX. BUS. & COMM. CODE §22.004, the winning bidder at the foreclosure sale, other than the owner and holder of the indebtedness, shall provide the following information to the Substitute Trustee at the time the Substitute Trustee completes the sale:

1. the name, address, telephone number, and e-mail address of the bidder and of each individual tendering or who will tender the sale price for the winning bid;
2. if the bidder is acting on behalf of another individual or organization, the name, address, telephone number, and e-mail address of the individual or organization and the name of a contact person for the organization;
3. the name and address of any person to be identified as the grantee in the Trustee's Deed;
4. the purchaser's tax identification number;
5. a government-issued photo identification to confirm the identity of each individual tendering funds for the winning bid; and
6. any other information reasonably needed to complete the Substitute Trustee's duties and functions concerning the sale.

Notice. 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.

Executed this 16TH day of December, 2024.

By: *Sandy Dasigenis*
Substitute Trustee

Sandy Dasigenis, Jeff Leva, Steve Leva, and David Garvin

Attn: Clay M. Taylor
Dentons, US LLP
100 Crescent Court, Suite 900
Dallas, Texas 75201-2347
214 647-2496
Clay.Taylor@Dentons.com

UNOFFICIAL COPY

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

TRACT 1:

3.071 ACRES OF LAND LOCATED IN THE JOHN TAYLOR LEAGUE, ABSTRACT NUMBER 72, CITY OF HOUSTON, HARRIS COUNTY, TEXAS, AND BEING ALL OF "TRACT 1" OF WEST POINT, SECTION 1, AS RECORDED IN VOLUME 156, PAGE 42, HARRIS COUNTY MAP RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND "X" MARKING THE NORTHWEST CORNER OF SAID "TRACT 1" AND BEING IN THE EASTERLY RIGHT-OF-WAY LINE OF LAZY HOLLOW DRIVE (60-FOOT WIDTH) AS RECORDED IN VOLUME 153, PAGE 50, HARRIS COUNTY MAP RECORDS;

THENCE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 422.16 FEET TO A 5/8-INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING SET;

THENCE, SOUTH 00 DEGREES 04 MINUTES 00 SECONDS WEST, A DISTANCE OF 317.00 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING;

THENCE, SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 421.79 FEET TO A SET "X";

THENCE, NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 317.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.071 ACRES (133,776 SQUARE FEET) OF LAND.

TRACT 2:

3.068 ACRES OF LAND LOCATED IN THE JOHN TAYLOR LEAGUE, ABSTRACT NUMBER 72, CITY OF HOUSTON, HARRIS COUNTY, TEXAS, AND BEING ALL OF "TRACT 2" OF WEST POINT, SECTION 1, AS RECORDED IN VOLUME 156, PAGE 42, HARRIS COUNTY MAP RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND "X" MARKING THE NORTHWEST CORNER OF SAID "TRACT 1" OF SAID WEST POINT, SECTION 1, AND FURTHER BEING IN THE EASTERLY RIGHT-OF-WAY LINE OF LAZY HOLLOW DRIVE (60-FOOT WIDTH), AS RECORDED IN VOLUME 153, PAGE 50, HARRIS COUNTY MAP RECORDS;

THENCE, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 317.00 FEET, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID LAZY HOLLOW DRIVE TO A SET "X" FOR THE POINT OF BEGINNING;

THENCE, EAST, A DISTANCE OF 421.79 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING;

THENCE, SOUTH 00 DEGREES 04 MINUTES 00 SECONDS WEST, A DISTANCE OF 317.00 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING;

THENCE, SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 421.42 FEET TO A FOUND NAIL;

THENCE, NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 317.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.068 ACRES (133,652 SQUARE FEET) OF LAND.

TRACT 3:

3.064 ACRES OF LAND LOCATED IN THE JOHN TAYLOR LEAGUE, ABSTRACT NUMBER 72, CITY OF HOUSTON, HARRIS COUNTY, TEXAS, AND BEING ALL OF NOTICE OF SUBSTITUTE TRUSTEE'S SALE

"TRACT 3" OF WEST POINT, SECTION I, AS RECORDED IN VOLUME 156, PAGE 42, HARRIS COUNTY MAP RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A SET 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING MARKING THE SOUTHWEST CORNER OF SAID WEST POINT, SECTION 1;

THENCE, NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 317.00 FEET TO A FOUND 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING;

THENCE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 421.09 FEET TO A FOUND "X";

THENCE, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 317.00 FEET TO A FOUND NAIL IN SHINER;

THENCE, SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 421.09 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.064 ACRES (133,486 SQUARE FEET) OF LAND.

TRACT 4:

3.064 ACRES OF LAND LOCATED IN THE JOHN TAYLOR LEAGUE, ABSTRACT NUMBER 72, CITY OF HOUSTON, HARRIS COUNTY, TEXAS, AND BEING ALL OF "TRACT 4" OF WEST POINT, SECTION I, AS RECORDED IN VOLUME 156, PAGE 42, HARRIS COUNTY MAP RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND "X" MARKING THE NORTHEAST CORNER OF SAID "TRACT 4" AND BEING IN THE WESTERLY RIGHT -OF-WAY LINE OF LAZY HOLLOW DRIVE (60-FOOT WIDTH), AS RECORDED IN VOLUME 153, PAGE 50, HARRIS COUNTY MAP RECORDS;

THENCE, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 317.00 FEET TO A SET "X";

THENCE, SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 421.09 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING;

THENCE, NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 317.00 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING;

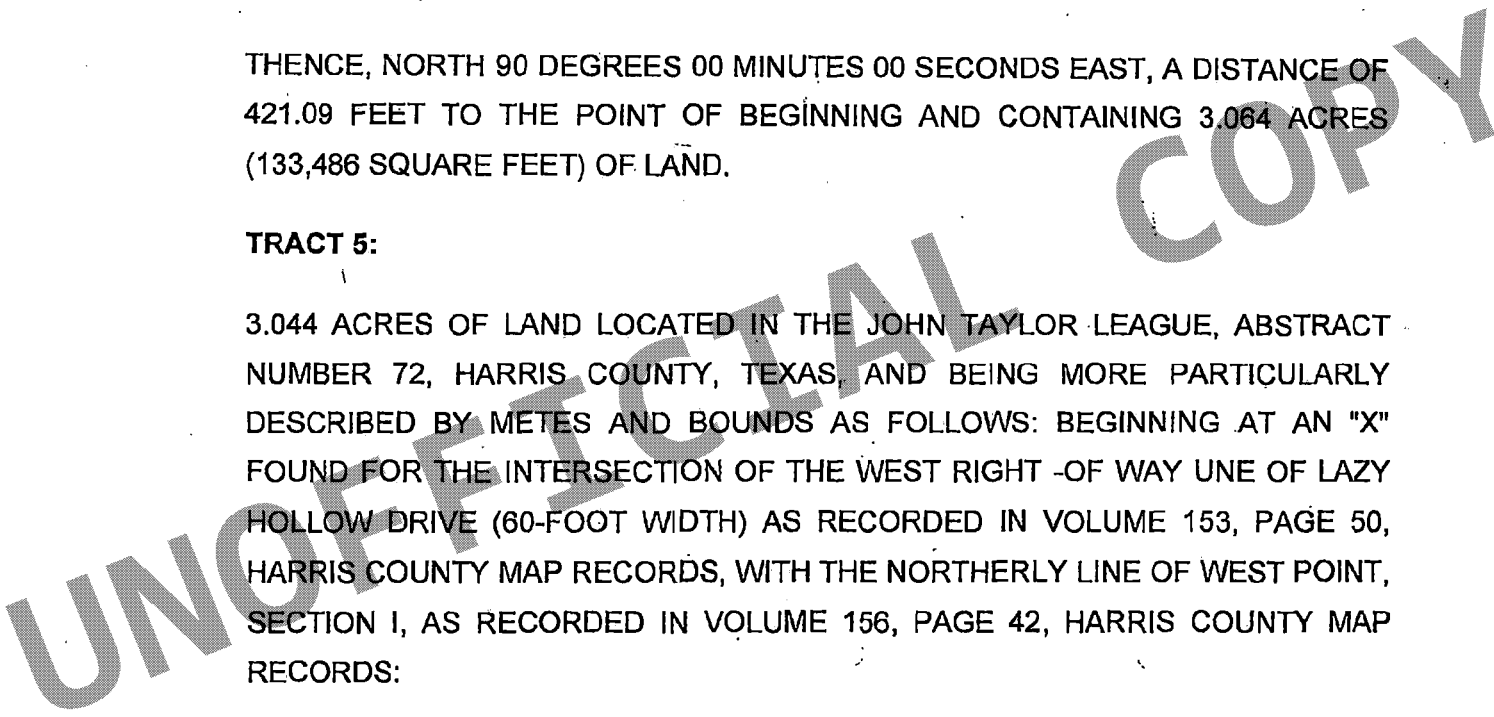
THENCE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 421.09 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.064 ACRES (133,486 SQUARE FEET) OF LAND.

TRACT 5:

3.044 ACRES OF LAND LOCATED IN THE JOHN TAYLOR LEAGUE, ABSTRACT NUMBER 72, HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT AN "X" FOUND FOR THE INTERSECTION OF THE WEST RIGHT -OF WAY UNE OF LAZY HOLLOW DRIVE (60-FOOT WIDTH) AS RECORDED IN VOLUME 153, PAGE 50, HARRIS COUNTY MAP RECORDS, WITH THE NORTHERLY LINE OF WEST POINT, SECTION I, AS RECORDED IN VOLUME 156, PAGE 42, HARRIS COUNTY MAP RECORDS:

THENCE, SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 421.09 FEET, ALONG THE SAID NORTHERLY LINE OF WEST POINT, SECTION I, TO A SET 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING;

THENCE, NORTH, A DISTANCE OF 287.67 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING IN THE SOUTHERLY RIGHT -OF-WAY LINE OF WOODWAY DRIVE (60-FOOT WIDTH) AS RECORDED IN VOLUME 153, PAGE 50, HARRIS COUNTY MAP RECORDS;



THENCE, ALONG THE SOUTHERLY RIGHT -OF-WAY LINE OF SAID WOODWAY DRIVE AND THE WESTERLY RIGHT -OF-WAY LINE OF SAID LAZY HOLLOW DRIVE THE FOLLOWING COURSES: NORTHEASTERLY ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 964.58 FEET, A CENTRAL ANGLE OF 23 DEGREES 05 MINUTES 56 SECONDS AND AN ARC DISTANCE OF 388.87 FEET TO A FOUND 5/8 INCH IRON ROD;

SOUTH 70 DEGREES 28 MINUTES 30 SECONDS EAST, A DISTANCE OF 14.14 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING FOR POINT OF CURVATURE;

SOUTHEASTERLY, ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 301.79 FEET, A CENTRAL ANGLE OF 25 DEGREES 28 MINUTES 30 SECONDS AND AN ARC DISTANCE OF 134.18 FEET TO A SET "X" FOR POINT OF TANGENCY;

SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 230.47 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.044 ACRES (132,609 SQUARE FEET) OF LAND.

TRACT 6:

4.8343 ACRES OF LAND LOCATED IN THE JOHN TAYLOR LEAGUE, ABSTRACT NUMBER 72, HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT AN "X" FOUND FOR THE INTERSECTION OF THE NORTHERLY LINE OF WEST POINT, SECTION I, AS RECORDED IN VOLUME 156, PAGE 42, HARRIS COUNTY MAP RECORDS WITH THE EAST RIGHT -OF-WAY LINE OF LAZY HOLLOW DRIVE (60-FOOT WIDTH) AS RECORDED IN VOLUME 153, PAGE 50, HARRIS COUNTY MAP RECORDS;

THENCE, ALONG THE EAST RIGHT -OF-WAY LINE OF SAID LAZY HOLLOW DRIVE AND THE SOUTHERLY RIGHT-OF-WAY LINE OF WOODWAY DRIVE (60-FOOT

WIDTH) AS RECORDED IN VOLUME 153, PAGE 50, HARRIS COUNTY MAP RECORDS;

NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 230.47 FEET TO AN "X" SET FOR POINT-OF-CURVATURE;

NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 361.79 FEET, A CENTRAL ANGLE OF 25 DEGREES 28 MINUTES 30 SECONDS AND AN ARC OF LENGTH OF 160.86 FEET TO A FOUND "X"; NORTH 19 DEGREES 31 MINUTES 30 SECONDS EAST, A DISTANCE OF 14.14 FEET TO A FOUND "X";

NORTHEASTERLY, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 964.58 FEET, A CENTRAL ANGLE OF 02 DEGREES 05 MINUTES 15 SECONDS AND AN ARC LENGTH OF 35.14 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING SET FOR THE POINT-OF-REVERSE-CURVATURE;

NORTHEASTERLY, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 844.58 FEET, A CENTRAL ANGLE OF 30 DEGREES 00 MINUTES 14 SECONDS AND AN ARC LENGTH OF 442.28 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING SET;

THENCE, SOUTH 00 DEGREES 04 MINUTES 00 SECONDS WEST, A DISTANCE OF 529.10 FEET TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING SET FOR THE NORTHEAST CORNER OF SAID WEST POINT, SECTION 1;

THENCE, SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE NORTHERLY LINE OF SAID WEST POINT, SECTION 1, A DISTANCE OF 422.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.8343 ACRES (210,583 SQUARE FEET) OF LAND.

TRACT 7:

2.827 ACRES OF LAND LOCATED IN THE JOHN TAYLOR LEAGUE, ABSTRACT NUMBER 72, HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT AN "X" SET MARKING THE MOST SOUTHERLY END OF A CUTBACK CORNER AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF LAZY HOLLOW DRIVE (60-FOOT WIDTH), AS RECORDED IN VOLUME 153, PAGE 50, HARRIS COUNTY MAP RECORDS, WITH THE NORTHERLY RIGHT-OF-WAY LINE OF WESTHEIMER ROAD (120-FOOT WIDTH);

THENCE, SOUTH 89 DEGREES 27 MINUTES 30 SECONDS, WEST, A DISTANCE OF 411.11 FEET, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WESTHEIMER ROAD, TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING FOR CORNER;

THENCE, NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 294.53 FEET, PARALLEL WITH SAID LAZY HOLLOW DRIVE, TO A 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING SET FOR THE SOUTHWEST CORNER OF WEST POINT, SECTION 1, AS RECORDED IN VOLUME 156, PAGE 42, HARRIS COUNTY MAP RECORDS;

THENCE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 421.09 FEET ALONG THE SOUTHERLY LINE OF SAID WEST POINT, SECTION 1, TO A NAIL FOUND IN THE WEST RIGHT -OF-WAY LINE OF SAID LAZY HOLLOW DRIVE;

THENCE, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST RIGHT -OF-WAY LINE OF SAID LAZY HOLLOW DRIVE A DISTANCE OF 280.55 FEET TO AN "X" SET FOR THE NORTHERLY CUTBACK RIGHT-OF-WAY CORNER OF THE NORTHWESTERLY INTERSECTION OF LAZY HOLLOW DRIVE WITH SAID WESTHEIMER ROAD;

THENCE, SOUTH 44 DEGREES 43 MINUTES 50 SECONDS WEST, ALONG SAID CUTBACK RIGHT-OF-WAY LINE A DISTANCE OF 14.21 FEET TO A POINT OF BEGINNING AND CONTAINING 2.827 ACRES (123,139 SQUARE FEET) OF LAND.

TRACT 8:

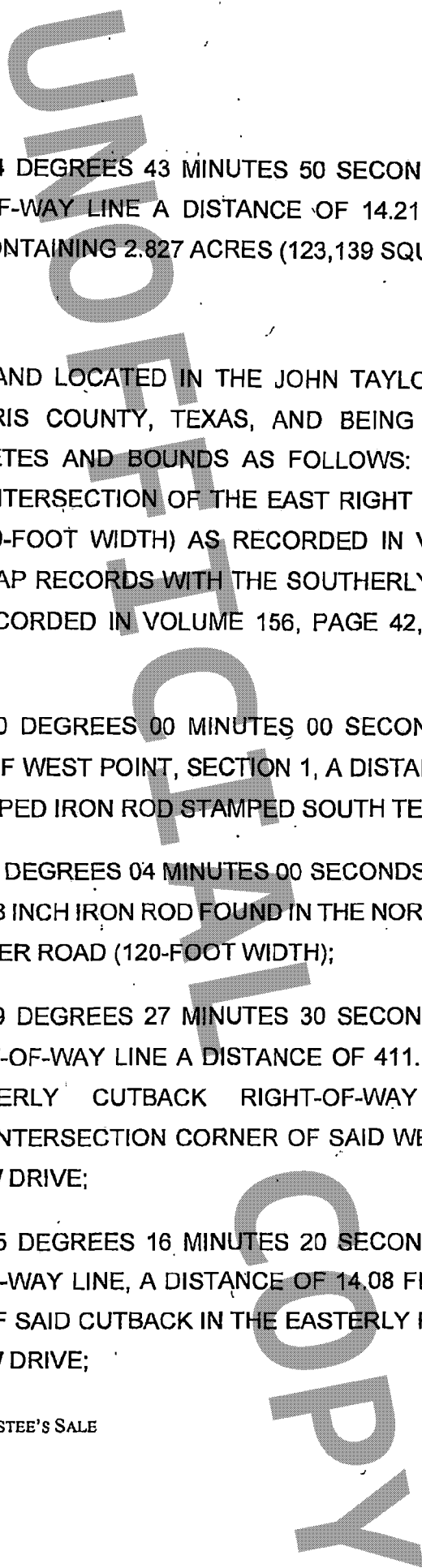
2.784 ACRES OF LAND LOCATED IN THE JOHN TAYLOR LEAGUE, ABSTRACT NUMBER 72, HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A NAIL FOUND FOR THE INTERSECTION OF THE EAST RIGHT -OF-WAY LINE OF LAZY HOLLOW DRIVE (60-FOOT WIDTH) AS RECORDED IN VOLUME 153, PAGE 50, HARRIS COUNTY MAP RECORDS WITH THE SOUTHERLY LINE OF WEST POINT, SECTION 1, AS RECORDED IN VOLUME 156, PAGE 42, HARRIS COUNTY MAP RECORDS;

THENCE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID SOUTHERLY LINE OF WEST POINT, SECTION 1, A DISTANCE OF 421.42 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED SOUTH TEXAS SURVEYING;

THENCE, SOUTH 00 DEGREES 04 MINUTES 00 SECONDS WEST, A DISTANCE OF 286.00 FEET TO A 5/8 INCH IRON ROD FOUND IN THE NORTHERLY RIGHT-OF-WAY LINE OF WESTHEIMER ROAD (120-FOOT WIDTH);

THENCE, SOUTH 89 DEGREES 27 MINUTES 30 SECONDS WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 411.11 FEET TO AN "X" SET FOR THE EASTERLY CUTBACK RIGHT-OF-WAY CORNER OF THE NORTHEASTERLY INTERSECTION CORNER OF SAID WESTHEIMER ROAD WITH SAID LAZY HOLLOW DRIVE;

THENCE, NORTH 45 DEGREES 16 MINUTES 20 SECONDS WEST, ALONG SAID CUTBACK RIGHT-OF-WAY LINE, A DISTANCE OF 14.08 FEET TO AN "X" SET FOR THE NORTH END OF SAID CUTBACK IN THE EASTERLY RIGHT -OF-WAY LINE OF SAID LAZY HOLLOW DRIVE;



THENCE, NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE
EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 279.98 FEET TO THE POINT OF
BEGINNING AND CONTAINING 2.784 ACRES (121,268 SQUARE FEET) OF LAND.

TRACT 9:

4.4226 ACRES BEING UNRESTRICTED RESERVE "A", BLOCK 1 OF CREEKSIDE
APARTMENTS, REPLAT NO. 3, A SUBDIVISION IN HARRIS COUNTY, TEXAS,
ACCORDING TO A MAP OR PLAT THEREOF UNDER HARRIS COUNTY FILM CODE
NO. 669224 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

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