

Zeller
11.10.24 / 2-7-25

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. Tex. Prop. Code § 51.002(i)

FILED
AT 11:00 O'CLOCK A.M.

FEB 07 2025

AMY FINCHER
County Clerk, County Court at Law
Angellina County, Texas
By MCS

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

STATE OF TEXAS §
§
COUNTY OF ANGELINA §

Date: February 6, 2025

Borrower: MUDRA LUFKIN, a Texas limited liability company

Borrower's Address: 4015 Windmill Creek Drive
Richmond, TX 77407

Holder: Fannie Mae, a corporation duly organized under the Federal National Mortgage Association Charter Act, as amended, 12 U.S.C. Section 1716 et seq. and duly organized and existing under the laws of the United States

Holder's Address: Granite Park VII
5600 Granite Parkway
Plano, Texas 75024

Mortgage Servicer: Lument Real Estate Capital, LLC, a Delaware limited liability company (formerly known as Hunt Mortgage Capital, LLC)

Mortgage Servicer's Address: 2001 Ross Ave., Ste 1900
Dallas, Texas 75201
Attn: Legal Department

Substitute Trustees: Jay L. Krystinik, Keith Aurzada, Brian C. Mitchell, Clark A. Donat, Michael P. Cooley, Bradley Purcell, Dylan Ross, and Haley Bray, and each of them acting alone

Substitute Trustees' Address: c/o Reed Smith LLP
2850 N. Harwood Street, Suite 1500
Dallas, Texas 75201
(469) 680-4200

Deed of Trust: Multifamily Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing

Date: as of September 30, 2019

Grantor: MUDRA LUFKIN, a Texas limited liability company

Lender: Hunt Mortgage Capital, LLC, a Delaware limited liability company, now known as Lument Real Estate Capital, LLC

Trustee: Hall Henderson

Secures: The loan in the original principal amount of \$3,262,000 evidenced by that certain Multifamily Note dated as of September 30, 2019, executed by Grantor and made payable to the order of Lender (as amended, restated, replaced, supplemented, or otherwise modified from time to time, the "Note"), which is currently held by Holder

Recording: Recorded September 30, 2019, in the Real Property Records of Angelina County, Texas (the "Records"), as Instrument Number 2019-00386854, as assigned to Holder pursuant to that certain Assignment of Security Instrument, dated as of September 30, 2019, recorded September 30, 2019, in the Records, as Instrument Number 2019-00386855

Property: All real property, improvements and personal property described as collateral in the Deed of Trust; the legal description of the real property is also, for the sake of convenience only, described on Exhibit A attached hereto and made a part hereof for all purposes; however, the description of the real property, improvements and personal property in the Deed of Trust will control to the extent of any conflict or any deficiency in such description contained in this instrument, it being the intent that the "Property", for all purposes hereof, means all property, real, personal, tangible and intangible, which constitutes collateral under, and described in, the Deed of Trust.

Foreclosure Sale

Date of Sale: Tuesday, March 4, 2025

Time of Sale: The sale of the Property will take place between the hours of 10:00 a.m. and 4:00 p.m. local time; the earliest time at which the sale will take place is 12:00 p.m., and the sale will begin within three hours thereafter.

Place of Sale:

The sale will take place on at the Angelina County Courthouse Annex located at 211 E. Shepherd Ave., Lufkin Texas; or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

Holder has appointed Jay L. Krystinik, Keith Aurzada, Brian C. Mitchell, Clark A. Donat, Michael P. Cooley, Bradley Purcell, Dylan Ross, and Haley Bray, and each of them acting alone, as Substitute Trustees under the Deed of Trust upon the contingency and in the manner outlined by the Deed of Trust and in accordance with Chapter 51 of the Texas Property Code. Default has occurred pursuant to the provisions of the Deed of Trust. The indebtedness evidenced by the Note is now wholly due. Holder has instructed Substitute Trustees, and each of them acting alone, to sell the Property toward the satisfaction of the Note.

The Deed of Trust may encumber both real and personal property. Notice is hereby given of Holder's election to proceed against and sell all the real property and any personal property described in the Deed of Trust in accordance with the Holder's rights and remedies under the Deed of Trust and Section 9.604 of the Texas Business and Commerce Code.

Notice is hereby given that on the Date of Sale, at the Time of Sale, Substitute Trustees, or any of them acting alone, will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS" pursuant to section 51.009 of the Texas Property Code and further subject to any valid leases of the Property, which leases shall not terminate as a result of the sale. THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION OR QUIET ENJOYMENT OR THE LIKE FOR THE PERSONAL PROPERTY INCLUDED IN THE SALE. Holder may bid by credit against the indebtedness secured by the Deed of Trust. The Substitute Trustee(s) conducting the Foreclosure Sale may, at their option, postpone the sale for a reasonable time to permit the highest bidder (if other than Holder) to produce cash to pay the purchase price bid, and the sale may be resumed if the bidder fails to produce cash to pay the purchase price within such time period, provided in any event the sale shall be concluded no later than 4:00 P.M. local time.

IN WITNESS WHEREOF this Notice of Substitute Trustee's Sale has been executed on this the 6th day of February 2025.


Jay L. Krystinik, Substitute Trustee


STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this 6th day of February 2025, by Jay L. Krystinik, as Substitute Trustee.



[SEAL]

My Commission Expires:
May 23, 2028


Notary Public, State of Texas

Gabriel Saenz
Printed Name of Notary

After filing return to:

Jay L. Krystinik
Reed Smith LLP
2850 N. Harwood Street, Suite 1500
Dallas, Texas 75201

EXHIBIT A
[DESCRIPTION OF THE LAND]

Document No. 2018-00364356 of the Official Records of Angelina County, Texas, Save and Except two tracts to the City of Lufkin, Texas, for street purposes, as recorded in Volume 419, Page 728 of the Deed Records of Angelina County, Texas and being Tract 1: 1.784 acres and Tract 2: 0.745 acres, more or less, Leaving a net acreage of 11.224 acres, more or less.

Being 13.717 acres, more or less, out of the Joel Hill Survey, Abstract No. 323, Angelina County, Texas, and being all of that called 13.717 acre tract to Stutts Investments, LLC, a Texas limited liability company, dated April 9, 2018, recorded in

Being all that certain tract or parcel of land lying and situated in Angelina County, Texas, being located in the JOEL HILL SURVEY, ABSTRACT NO. 323, being all of that certain called 13.717 acre tract, as conveyed in Warranty Deed with Vendor's Lien from WBS Partners, LLC, a Texas limited liability company, to Stutts Investments, LLC, a Texas limited liability company, recorded in the Official Public Records of Angelina County, Texas (OPRACT) in Document Number 2018-00364356 dated April 9, 2018, Save and Except Tract One and Tract Two as described in that certain Warranty Deed from Lotus Lane Foundation Charitable Trust to the City of Lufkin for street purposes, recorded in said records in Volume 419 on Page 728, dated December 3, 1974, to which reference is hereby made, for any and all purposes and said tract being described by metes and bounds as follows to wit:

Beginning at the Southeast corner of the said referenced tract, said point being the Southwest corner of the Brewer Subdivision as recorded in the Map and Plat Records of Angelina County, Texas in Cabinet B on Slide 126B, said point being on the North boundary line of that certain called 2.654 acre tract as conveyed in Special Warranty Deed from David Allen Berry to Patty Ann Berry and recorded in the OPRACT in document number 2014-00322627, dated April 9, 2014, said point being within a 5 inch creosote post found for corner and from which a 1/2 in. iron pipe found for the Southeast corner of said Brewer Addition bears N88°08'49"E - 32.78 feet;

Thence with the South boundary line of the referenced tract, the North boundary line of the said 2.654 acre tract and with the North boundary line of the residue of that certain called 64 acre tract of Verna Berry Griffith et al (see affidavit of heirship 1086/695), and more particularly described in the OPRACT in volume 69 on page 147, S 88°08'49" W, at a distance of 864.88 feet, the Southwest corner of the said referenced tract and intersect the East boundary line of that certain Lot 1 of Angelina Steel Subdivision as recorded in the MPRACT in Cabinet F on Slide 5A a 1/2 in. iron pipe found for corner in the approximate centerline of a 33 feet wide pipeline easement as recorded in said records in volume 387 on page 433;

Thence with the West boundary line of the referenced tract and the East boundary line of said Lot 1 and along the approximate centerline of said pipeline, N 18°44'29" W, at a distance of 14.94 feet, a 1/2 in. iron pipe found for corner;

Thence continuing with said West boundary line, approximate centerline of pipeline and the East boundary line of said Lot 1, N 13°25'14" W, at a distance of 04.58 feet pass the Northeast corner of Lot 1 and the Southeast corner of that certain called 7.425 acre tract as conveyed in Warranty Deed from Stephen Peyton Moore and John Walker Moore to Charles Carezza as recorded in the OPRACT in volume 837 on page 534, dated June 4, 1991, and continuing with said line, at a distance of 638.51 feet, a 1/2 in. iron rod found for angle corner (capped Goodwin Lasiter);

Thence continuing with said West boundary line, approximate centerline of pipeline and the East boundary line of said 7.425 acre tract, two (2) calls as follows:
(1). N 11°55'43" W, at a distance of 278.79 feet, a 1/2 in. iron pipe found for corner;
(2). N 02°15'19" E, at a distance of 122.52 feet, the Northwest corner of referenced tract, the Northeast corner of said 7.425 acre tract and intersect the South Right-of-way (ROW) line of Lotus Lane (80' ROW (1990)), a 1/2 in. iron rod found for corner (capped KLL);

Thence with the North boundary line of referenced tract and the South ROW line of Lotus Lane, S 58°11'55" E, at a distance of 942.84 feet, the Northeast corner of referenced tract and the Northwest corner of the aforesaid referred to Brewer Addition, a 1/2 in. iron rod found for corner (capped Goodwin Lasiter);

Thence with the East boundary line of referenced tract and the West boundary line of said Brewer Addition, three (3) calls as follows:
(1). S 24°53'43" W, at a distance of 6.35 feet, a 1/2 in. iron found for corner (capped Goodwin Lasiter);
(2). S 27°50'52" E, at a distance of 444.95 feet, a 3/8 in. iron rod found for corner in chain link fence;
(3). S 31°14'45" E, at a distance of 122.21 feet, the POINT OF BEGINNING of the herein described tract and found to contain 13.717 acres more or less **SAVE AND EXCEPT** the following two tracts called 'Tract One' and 'Tract Two' which were conveyed out of the above described 13.717 acre tract in Warranty Deed from Lotus Lane Foundation Charitable Trust to

the City of Lufkin for street purposes as recorded in the OPRACT in volume 419 on page 728, dated December 3, 1974 to which reference is hereby made for any and all purposes and said Tracts are described by metes and bounds as follows to-wit:

Tract One:

Commencing at the Northwest corner of the aforesaid referred to 13.717 acre tract on the South ROW of Lotus Lane; Thence with the North boundary line of said 13.717 acre tract and the South ROW, S 58°11'55" E, at a distance of 108.96 feet the POINT OF BEGINNING of the herein described tract, a point for corner;

Thence with said Tract One (Right-of-way of street a/k/a known as Herman Brown Circle), nineteen (19) calls as follows:

- 1). Curve to the left, (LC = S 10°15'21" E - 177.32 ft., $\Delta = 31^{\circ}39'43"$, R = 325.00 ft., A = 179.60 feet), a point for corner;
- 2). S 26°05'09" E, at a distance of 223.02 feet, a 1/2 in. iron rod set for corner;
- 3). Curve to the right, (LC = S 14°34'51" E - 152.28 ft., $\Delta = 23^{\circ}00'36"$, R = 381.75 ft., A = 153.31 feet), a 1/2 in. iron rod set for corner;
- 4). S 03°04'37" E, at a distance of 203.52 feet, a 1/2 in. iron rod set for corner;
- 5). Curve to the left, (LC = S 47°39'27" E - 175.48 ft., $\Delta = 89^{\circ}09'40"$, R = 125.00 ft., A = 194.52 feet), a point for corner;
- 6). N 87°45'43" E, at a distance of 353.00 feet, a point for corner;
- 7). Curve to the left, (LC = N 31°19'17" E - 141.66 ft., $\Delta = 112^{\circ}52'52"$, R = 85.00 ft., A = 167.46 feet), a point for corner;
- 8). N 25°07'10" W, at a distance of 141.30 feet, a 1/2 in. iron rod set for corner;
- 9). Curve to the left, (LC = N 38°21'11" W - 57.21 ft., $\Delta = 26^{\circ}27'34"$, R = 125.00 ft., A = 57.73 feet), a 1/2 in. iron rod set for corner;
- 10). S 31°48'05" W, at a distance of 50.56 feet, a 1/2 in. iron rod set for corner;
- 11). Curve to the right, (LC = S 36°07'14" E - 28.62 ft., $\Delta = 22^{\circ}00'08"$, R = 75.00 ft., A = 28.80 feet), a 1/2 in. iron rod set for corner;
- 12). S 25°07'10" E, at a distance of 141.30 feet, a 1/2 in. iron rod set for corner;
- 13). Curve to the right, (LC = S 31°19'17" W - 58.33 ft., $\Delta = 112^{\circ}52'52"$, R = 35.00 ft., A = 68.96 ft.), a 1/2 in. iron rod set for corner;
- 14). S 87°45'43" W, at a distance of 353.00 feet, a 1/2 in. iron rod set for corner;
- 15). Curve to the right, (LC = N 47°39'28" W - 105.29 ft., $\Delta = 89^{\circ}09'40"$, R = 75.00 ft., A = 116.71 ft.), a 1/2 in. iron rod set for corner;
- 16). Thence N 03°04'37" W, at a distance of 203.52 feet, a 1/2 in. iron rod set for corner;
- 17). Curve to the left, (LC = N 14°34'51" W - 172.23 ft., $\Delta = 23^{\circ}00'36"$, R = 431.75 ft., A = 173.39 ft.), a 1/2 in. iron rod set for corner;
- 18). N 26°05'09" W, at a distance of 223.02 feet, a 1/2 in. iron rod set for corner;
- 19). Curve to the right, (LC = N 12°53'03" W - 125.61 ft., $\Delta = 26^{\circ}24'13"$, R = 275.00 ft., A = 126.73 feet), the South ROW of Lotus Lane, a point for corner;

Thence with said ROW N 58°11'55" W, at a distance of 57.03 feet, the POINT OF BEGINNING of Tract One and found to contain 1.784 acres more or less.

Tract Two:

Commencing at the Northwest corner of the aforesaid referred to 13.717 acre tract on the South ROW of Lotus Lane; Thence with the North boundary line of said 13.717 acre tract and the said South ROW S 58°11'55" E, at a distance of 884.90 feet the POINT OF BEGINNING of the herein described tract, a 1/2 in. iron rod set for corner;

Thence with Tract Two (Right-of-way of street a/k/a known as Herman Brown Circle), eleven (11) calls as follows:

- 1). S 31°48'05" W, at a distance of 118.02 feet, a 1/2 in. iron rod set for corner;
- 2). N 58°10'18" W, at a distance of 390.22 feet, a point for corner;
- 3). Curve to the left, (LC = N 83°52'29" W - 65.04 ft., $\Delta = 51^{\circ}23'43"$, R = 75.00 ft., A = 67.28 ft.), a 1/2 in. iron rod set for corner;
- 4). S 70°26'16" W, at a distance of 48.89 feet, intersect an Eastern boundary of 'Tract One', a 1/2 in. iron rod set for corner;

- 5). Thence with the Eastern boundary of said 'Tract One', S 26°05'09" E, at a distance of 44.49 feet, a point for corner;
- 6). Continuing with said Eastern boundary in curve to the right, (LC = S 25°41'58" E – 5.83 ft., $\Delta = 0^\circ 46' 23''$, R = 431.75 ft., A = 5.83 ft.), a 1/2 in. iron rod set for corner;
- 7). N 70°26'16" E, at a distance of 43.22 feet, a 1/2 in. iron rod set for corner;
- 8). Curve to the right, (LC = S 83°52'07" E - 21.68 ft., $\Delta = 51^\circ 23' 43''$, R = 25.00 ft., A = 22.42 ft.), a point for corner in 26 in. Water Oak;
- 9). S 58°10'18" E, at a distance of 433.08 feet, a 1/2 in. iron rod set for corner;
- 10). Curve to the right, (LC = S 49°53'10" E – 7.24 ft., $\Delta = 5^\circ 31' 44''$, R = 75.00 ft., A = 7.24 ft.), intersect a Western boundary of the said 'Tract One', a 1/2 in. iron rod set for corner;
- 11). N 31°48'05" E, at a distance of 50.56 ft., leave the said Western boundary of 'Tract One' and at a total distance of 169.09 feet, intersect the South ROW of Lotus Lane, a 1/2 in. iron rod set for corner from which a 1/2 in. iron rod set for the Northeast corner of the said 13.717 acre tract bears S58°11'55"E – 7.94 ft.;

Thence with the South ROW line of Lotus Lane, N 58°11'55" W, at a distance of 50.00 feet, the POINT OF BEGINNING of Tract Two, and found to contain 0.745 acres more or less. Leaving within the bounds of the aforesaid described 13.717 acre tract a net acreage of 11.224 acres more or less.