

NOTICE OF SUBSTITUTE TRUSTEE'S NON-JUDICIAL FORECLOSURE SALE

STATE OF TEXAS

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COUNTY OF ANDREWS

WHEREAS, by that certain Deed of Trust dated as of November 6, 2013, executed by AE HOTELS, LLC ("Grantor"), to Commonwealth Business Bank, Trustee, for the benefit of COMMONWEALTH BUSINESS BANK ("Lender"), filed for record as Document Number 13-6407 in the deed records of Andrews County, Texas (the "Deed of Trust") and any and all addendums and/or modifications to such Deed of Trust, which are incorporated herein for all purposes, Grantor conveyed to Trustee certain property situated in Andrews County, Texas (the "Property"), which Property includes the real property, the improvements thereon as described in the Deed of Trust, said real property being all that certain tract or parcel of land situated in Andrews County, Texas, more fully described in Exhibit "A" attached hereto and made a part hereof for all purposes, to secure the repayment of that certain Promissory Note dated on or about November 6, 2013, in the original principal amount of \$4,975,000.00, executed by Grantor as Maker and payable to the order of Lender, and all renewals, extensions and modifications thereto (the "Note"), and any and all other indebtedness secured by and described in the Deed of Trust; and

WHEREAS, by instrument entitled Appointment of Substitute Trustee, the Lender, the beneficiary of the Note and Deed of Trust, appointed John H. Ivie, III, Katherine M. Thompson, Shelley Nail, Johnie Eads, or Donna Trout as Substitute Trustee, whose address is 1401 Burnham Dr., Plano, Texas 75093;

WHEREAS, default has occurred under the terms of the Note secured by the Deed of Trust, and the outstanding principal balance, together with accrued but unpaid interest and other sums owed pursuant to the Note and Deed of Trust (the "Indebtedness"), is now wholly due and payable; and

WHEREAS, the owner and holder of said Note has requested the undersigned to sell all personalty located on the Property in accordance with the terms and provisions of Article 9 of the Texas Business and Commerce Code. The sale of the personalty will be held at the same time and place as the above described real property sale; however, for purposes of determining the scope of this sale conducted pursuant to this paragraph, all personalty and improvements located on the Property shall be deemed realty to the extent permitted by the Deed of Trust and the laws of the State of Texas.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on March 2, 2021, no earlier than 1:00 o'clock p.m., nor later than 4:00 o'clock p.m., I, or another duly appointed substitute trustee under the Deed of Trust, will sell the Property and all of the components thereof and all personalty located on the Property in the area designated by the Commissioner's Court of Andrews County, Texas, to the highest bidder for cash (the "Sale").

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 9 day of February, 2021.

By:


Substitute Trustee

EXHIBIT "A"

LOTS 1 AND 2 HOLIDAY INN SUBDIVISION, ANDREWS COUNTY, TEXAS, ACCORDING TO MAP OR PLAT OF SAID SUBDIVISION RECORDED IN SLIDE NO. 335, PLAT RECORDS OF ANDREWS COUNTY, TEXAS.

RECEIVED

2021 FEB -9 P 3 15

VICKI SCOTT
COUNTY CLERK
ANDREWS COUNTY