

3/14/23
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POSTED
DATE 3-14-23
A.M. 4:08 P.M.
BY Michelle Reynolds Deputy

FILED
MICHELLE REYNOLDS
COUNTY CLERK
SOMERVELL CO., TEXAS

NOTICE OF TRUSTEE'S SALE 2023 MAR 14 PM 4:03

DEPUTY
BY MC

DATE: March 13, 2023

INSTRUMENT TO BE FORECLOSED: Deed of Trust, Security Agreement, and Assignment of Rents between Brazos Bend Materials, LLC as Grantor, and Carlisle A. Braun, Trustee, and NSCP Brazos Bend Lender, LLC as Lender, dated November 2nd, 2021, in the amount of \$1,830,000.00 (the "Lien Document").

ORIGINAL BENEFICIARY: NSCP Brazos Bend Lender, LLC

CURRENT BENEFICIARY: NSCP Brazos Bend Lender, LLC

DATE OF RECORDING: June 10, 2022

RECORDING INFORMATION: Instrument Number 20221618 of the Official Public Records of Somervell County, Texas, recorded on June 10, 2022.

PROPERTY: The land described on the attached Exhibit "A" of the Lien Document ("Land"), together with all improvements located on the Land, if any; and all other easements and appurtenances belonging or appertaining to the Land (collectively the "Property").

TRUSTEE: Carlisle A. Braun

TRUSTEE'S MAILING ADDRESS: 6850 TPC Drive, Suite 210, McKinney, TX 75070

DATE AND TIME OF TRUSTEE'S SALE OF PROPERTY: The sale will take place on April 4, 2023, the first Tuesday of the month, to commence at 12 pm, or within three (3) hours after that time.

PLACE OF TRUSTEE'S SALE OF PROPERTY: Steps of the Somervell County Courthouse, 101 NE Barnard St, Glen Rose, TX 76043

NOTICE

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 sender of this notice immediately.

RECITALS

Default has occurred in the payment of the Lien Document and in the performance of the obligations under the Lien Document. Because of this default, Lender, the owner and holder of the Lien Document under Texas Property Code section 51.002, has requested the Substitute Trustee sell the Property according to the terms of the Lien Document and applicable law.


The Lien Documents may encumber both real and personal property. Formal notice is now given of Lender's election to proceed against and sell both the real property and any personal property described in the Lien Document, consistent with Lender's rights and remedies under the Lien Document and Texas Business and Commerce Code section 9.604(a).

WHEREAS, in my capacity as the attorney for the present owner and holder of the note, and pursuant to Section 51.0076(3) Texas Property Code, I hereby name, appoint and designate Carlisle A. Braun the Trustee in the above-described Lien Document and/or to act under and by virtue of said Lien Document, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Lien Document securing the payment of said note.

Therefore, notice is given that on the Date and Time of Trustee's Sale of Property and at the Place of Trustee's Sale of Property, Trustee, or any other substitute trustee Lender may appoint, will sell the Property by public sale to the highest bidder for cash or acceptable certified funds, according to the Lien Document and applicable law. The sale and conveyance of the Property will be subject to all matters of record applicable to the Property that are superior to the Lien Document and to any permitted exceptions to title described in the Lien Document. Trustee has not made and will not make any covenants, representations, or warranties about the Property other than providing the successful bidder at the sale with a deed to the Property containing any warranties of the title

required by the Lien Document. The Property will be sold AS IS, WHERE IS, AND WITH ALL FAULTS.

EXECUTED as of March 13, 2023



Carlisle A. Braun, Trustee

CERTIFICATE OF POSTING

My name is _____, and my address is _____
_____. I declare under penalty of perjury that on _____, I filed at the
office of the Somervell County Clerk and caused to be posted at the Somervell County courthouse
(or other designated place) this notice of sale.

Signed: _____

Declarant's Name: _____

Date: _____

After recording, please return to:

Saunders, Walsh, & Beard
Attn: Carlisle Braun
6850 TPC Drive, Suite 210
McKinney, Texas 75070

EXHIBIT "A"

LEGAL DESCRIPTION

Will include Legal from DoT.