

NOTICE OF FORECLOSURE SALE

STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, GREENACRE DEVELOPMENT, LLC, a Texas limited liability company ("Mortgagor"), executed and delivered to Bill Smith (the "Original Trustee") for the benefit of ABC BANK N.A. ("Mortgagee"), whose street address is 1234 Wall Street, Suite 500, Dallas, Texas 75201, that certain Deed of Trust, Assignment of Rents, Security Agreement and Fixture Filing (as same may have been heretofore extended, renewed, modified and/or restated, the "Deed of Trust"), dated June 6, 2020, recorded as Document No. 12345678, Real Property Records, Williamson County, Texas, to secure that certain Promissory Note (together with any and all modifications, amendments, extensions, renewals, restatements and/or replacements thereof, the "Note") dated of even date with the Deed of Trust, in the principal sum of \$35,000,000.00, executed by Mortgagor and payable to Mortgagee, and all other indebtedness, liabilities, and obligations (collectively, the "Indebtedness") described in the Note and Deed of Trust and all other documents evidencing, securing or governing the Indebtedness (collectively, the "Loan Documents"); and

WHEREAS, to secure the Indebtedness, the Deed of Trust created a lien on, among other things, certain land (the "Land") situated in Harris County, Texas, as more particularly described on Exhibit A hereto, and a lien and security interest in favor of Mortgagee in certain other collateral located on or related to the Land as more particularly described on Exhibit B hereto (collectively, the "Other Collateral") (the Land and the Other Collateral being herein collectively called the "Mortgaged Property"); and

WHEREAS, the Indebtedness evidenced by the Note and secured by Deed of Trust has matured by its terms and is now wholly due and payable; and

WHEREAS, Mortgagee has made demand upon Mortgagor to pay to Mortgagee the Indebtedness now due, but such Indebtedness has not been paid; and

WHEREAS, pursuant to and in accordance with the authority of Section 51.0075(c) of the Texas Property Code and the Deed of Trust, Mortgagee has appointed Sue Carol, Amy Johnson and Bob Roberts, each with a street address of 1234 Wall Street, Suite 500, Dallas, Texas 75201, individually and severally, and not jointly (collectively, the "Substitute Trustees" or, severally, a "Substitute Trustee"), each of whom may act alone, without the necessity of the joinder of the other Substitute Trustees, as the substitute trustee in the place and stead of and to succeed to all of the rights, titles, estates, powers, privileges and authorities granted in the Deed of Trust to the Original Trustee, and any previously appointed substitute trustee(s); and

WHEREAS, Mortgagee, as the beneficiary under the Deed of Trust, has instructed the Substitute Trustees, or any one of them, acting alone without the necessity of the joinder of the other Substitute Trustees, to post, file and mail, or cause to be posted, filed and mailed, appropriate notice and to sell the Mortgaged Property to satisfy, in whole or in part, the unpaid Indebtedness; and

WHEREAS, the Mortgaged Property will be sold "as-is" without any expressed or implied warranties, except as to warranties of title, and at the purchaser's own risk (and not as a consumer) pursuant to Section 51.009 of the Texas Property Code.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, October 3, 2023, no earlier than 10:00 a.m., or no later than three hours after that time, the Substitute Trustees, or any one of them, acting alone without the necessity of the joinder of the other Substitute Trustees, will commence the sale of all or a portion of the Mortgaged Property, in parcels or as a whole, at public auction to the highest bidder for cash, pursuant to the Deed of Trust and applicable law; such sale will be held at the following designated area, which area was, designated by the Commissioner's Court of said County: outside the northeast lower level door of the Williamson County Justice Court at 405 MLK Street, Georgetown, Texas, Williamson County, Texas, said location having been designated by the Commissioners' Court of Williamson County, Texas, or such other area as such Commissioner's Court may designate for the subject sale; SUBJECT, HOWEVER, to all liens, exceptions to title, easements, restrictions, and encumbrances affecting any of the Mortgaged Property or title thereto which have equal or superior priority to the lien and security interest created by the Deed of Trust, and further subject to any and all tenant or space leases covering all or any part of the Mortgaged Property to which the Deed of Trust is now or may prior to such sale be subordinated. The Substitute Trustee's sale will occur between the earliest time to begin the sale as specified above and 4:00 p.m.

If such sale or sales do not result in full satisfaction of all of the Indebtedness now due, the lien and security interest of the Deed of Trust shall remain in full force and effect in respect of any of the Mortgaged Property not so sold and any and all other types of real and personal property covered by the Deed of Trust and not described herein.

The Land is located in an area subject to a special taxing authority/utility district. You are hereby advised of the special disclosures contained in the Notice to Purchaser attached hereto as Exhibit C; please carefully read such notice

Any purchaser at such foreclosure sale will be required to execute and deliver, at the time of and as a condition to, the acceptance of such purchaser's bid, a Notice to Purchaser (Deed Restrictions) in the form attached hereto as Exhibit D and incorporated herein by reference for all purposes, which will be recorded in the Real Property Records of Williamson County, Texas, as required by Section 212.155 of the Tex. Local Gov. Code.

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving, or within the last nine (9) months have served, 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.

IN WITNESS WHEREOF, the Substitute Trustee has signed this notice as of September 3, 2023.

[The remainder of this page is intentionally left blank.]

SUBSTITUTE TRUSTEE:

Name: Sue Carol

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was ACKNOWLEDGED before me on September 5, 2023, by Sue Carol, in the capacity therein stated.

Notary Public in and for the State of Texas

My Commission Expires:

Printed Name of Notary Public

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