

## Notice of Foreclosure Sale

January 3, 2023

Deed of Trust ("Deed of Trust"):

Dated: 10/28/21

Grantor: Shambala Treatment Center LLC

Trustee: FCI Lender Services Inc.

Lender: Community Loans & Investments LLC

Recorded in: Instrument number 20213948 of the real property records of Houston County, Texas

Legal Description: See Attached Exhibit "A". This property is commonly referred to as 1701 SW Loop 304, Crockett, TX 75835.

Secures: Interest-Only Period Fixed Rate Note ("Note") in the original principal amount of \$2,600,000, executed by Shambala Treatment Center LLC ("Borrower") and payable to the order of Lender

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Substitute Trustee: Wyatt J. Holtsclaw

Substitute Trustee's Address: 2060 North Loop West, Suite 220, Houston, Texas, 77018

Foreclosure Sale:

Date: Tuesday, February 7, 2023

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 11:00 A.M. and not later than three hours thereafter.

Place: At the eastside of the Houston County Courthouse located at 401 E. Houston Avenue, unless inclement weather, the 1st floor lobby

of the Houston County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

**Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Community Loans & Investments LLC's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Community Loans & Investments LLC, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Community Loans & Investments LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Community Loans & Investments LLC's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Community Loans & Investments LLC passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Community Loans & Investments LLC. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

**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.**

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

/s/ Wyatt J. Holtsclaw

Wyatt J. Holtsclaw  
Attorney for Mortgagee/Lender  
Community Loans & Investments LLC

Wyatt Holtsclaw

Silberman Law Firm PLLC  
2060 North Loop West, Suite 220  
Houston, Texas 77018  
Telephone (713) 255-4422  
Telecopier (713) 255-4426

# Exhibit "A"

Field Notes for 69.659 Acres  
FRANK JOHNSON SURVEY, A-46  
City of Crockett  
Houston County, Texas

69.659 acres out of and a part of the FRANK JOHNSON SURVEY, A-46, in City of Crockett, Houston County, Texas, and being out of and a part of the Texas Youth Commission called 81.83 acres tract, and being out of and a part of a called 32.6 acres tract, described in a deed recorded in Vol. 277, Page 221 of the Houston County Deed Records, which 69.659 acres more particularly described by metes and bounds as follows:

BEGINNING on a found concrete R.O.W. marker (top broke off) for the North East corner of this tract and being in the South East R.O.W. of Crockett Loop 304, and being in the West line of the Missouri Pacific Railroad;

THENCE S 18 deg. 22 min. 30 sec. W, 2058.07 feet to a ½ inch iron rod found for corner in the West R.O.W. of said Missouri Pacific Railroad and being in the South line of the said original called 32.6 acres tract, and being in a South line of the Crockett City Limits and also being a North East corner of the now or formerly Karl L. Leediker called 174.53 acres tract, recorded in Vol. 791, Page 893 of the Official Records of Houston County, Texas;

THENCE N 88 deg. 27 min. 07 sec. W, 480.66 feet to a ½ inch iron rod set at fence corner, same being the South, South West corner of the said original called 81.83 acres tract, and being in a North line of the said called 174.53 acres tract, and being the East corner of the now or formerly Julius Odums called 14.23 acres tract, recorded in Vol. 1006, Page 674 of the Official Records of Houston County;

THENCE N 20 deg. 02 min. 16 sec. W, at 468.52 feet passing a ½ inch iron rod found on line, and at a total distance of 1164.44 feet to a ½ inch iron rod found for corner, same being in the North East line of the now or formerly Crockett I.S.D. called 11.18 acres tract;

THENCE N 24 deg. 49 min. 38 sec. W, 838.21 feet to a ½ inch iron rod set for corner, same being the South East corner of the now or formerly Douglas and Carolyn Tomlin called 0.97 acre tract, recorded in Doc. No. 0610778 of the Official Records of Houston County;

THENCE N 24 deg. 59 min. 05 sec. W, 312.32 feet to a ½ inch iron rod set for corner, same being the North, North East corner of the said 0.97 acre tract, and being in a South West line of the said Crockett City Limits, and also being in the South East R.O.W. of F.M. 2110, R.O.W.;

THENCE along with and near the South East R.O.W. of said F.M. Hwy. No. 2110, as follows: N 49 deg. 09 min. 37 sec. E, 309.43 feet, N 51 deg. 52 min. 52 sec. E, 217.64 feet, N 58 deg. 05 min. 36 sec. E, 135.14 feet, N 62 deg. 34 min. 49 sec. E, 132.78 feet, and N 65 deg. 44 min. 04 sec. E, 85.94 feet to and "X" marked in concrete, for corner in same, same being in the South R.O.W. of said Crockett Loop 304;

THENCE along with the South line of the said Crockett Loop 304, as follows: S 70 deg. 15 min. 44 sec. E, 172.43 feet to a ½ inch iron rod for corner, S 41 deg. 27 min. 40 sec. E, 41.50 feet, S 50 deg. 02 min. 31 sec. E, 199.88 feet, S 53 deg. 56 min. 12 sec. E, 189.31 feet, S 58 deg. 30 min. 50 sec. E, 191.46 feet, S 63 deg. 32 min. 57 sec. E, 207.52 feet, S 68 deg. 05 min. 09 sec. E, 109.32 feet, S 61 deg. 53 min. 12 sec. E, 133.01 feet, and S 71 deg. 36 min. 06 sec. E, 244.53 feet to the place of beginning and containing 69.659 acres of land more or less.

Field Notes Prepared January 7, 2014.