



Notice of Substitute Trustee's Sale

March 11, 2024

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.

Deed of Trust, Assignment of Rents, and Security Agreement("Deed of Trust"):

Dated: August 17, 2021

Grantor: Crown Ridge Builders, LLC ("Debtor" or "Grantor")

Trustee: Joy Lambert Phillips

Lender: Hancock Whitney Bank ("HWB")

Recorded in: Clerk's File No. 2109842 of the real property records of Waller County, Texas

Legal Description: Lots Forty-Three (43) and Forty-Four (44), in Block One (1), of LEGENDARY OAKS, a subdivision in Waller County, Texas, according to the subdivision replat recorded in Volume 648, Page 829, of the Deed Records of Waller County, Texas.

Secures: Commercial Note dated August 17, 2021 ("Note") in the original principal amount of \$621,103.00, executed by Crown Ridge Builders, LLC and payable to the order of Hancock Whitney Bank

Modifications and Renewals: Modification Agreement effective as of September 3, 2022 by and between Debtor and HWB; Renewal and Extension Agreement effective as of December 3, 2022 by and between Debtor and HWB; Second Renewal and Extension Agreement effective as of June 3, 2023 by and between Debtor and HWB (as used herein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as so modified, renewed, and/or extended)

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

Substitute Trustee: Neale Shields

Substitute Trustee's
Address: 977 CR 4303, Jacksonville, TX 75766

**Date, Time and
Place of Sale:**

Date: Tuesday, April 2, 2024

Time: The earliest time at which the Foreclosure Sale will begin is 10:30 a.m. and not later than three hours thereafter.

Place: The foyer at the South entrance of the Waller County Courthouse, or as otherwise designated by the County Commissioners.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder submitting valid cash, cashier's check, or certified check; except that Hancock Whitney Bank's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

The Note has matured, and 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, Hancock Whitney Bank, 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 Hancock Whitney Bank's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Hancock Whitney Bank'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 Hancock Whitney Bank 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 Hancock Whitney Bank. 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.

If the Foreclosure Sale is set aside for any reason, the sole and exclusive remedy of the purchaser at such sale shall be the return of any monies paid by said purchaser. The purchaser shall have no further recourse against the Mortgagor, the Mortgagee, the Mortgagee’s attorney(s), or the Substitute Trustee.

If the Substitute Trustee is unable for any reason to convey title, the successful bidder’s sole and exclusive remedy shall be the return of any monies paid to the Substitute Trustee. The successful bidder shall have no further recourse against the Mortgagor, the Mortgagee, the Mortgagee’s attorney(s), or the Substitute Trustee.

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.

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.



Neale Shields
Attorney and Substitute Trustee for
mortgagee Hancock Whitney Bank,

FILED AND RECORDED

Instrument Number: 24-031

Filing and Recording Date: 03/12/2024 09:19:54 AM Pages: 4 Recording Fee: \$3.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



Debbie Hollan

Debbie Hollan, County Clerk
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Mariene Arranaga, Deputy

Returned To: