



Notice of Trustee's Sale

Date: October 16, 2017

Substitute Trustee: Patrick H. Autry or Grady B. Jolley

Substitute Trustee's Address:

711 Navarro Street, Suite 500
San Antonio, Texas 78205
Bexar County

Note: Note executed by Mondial, Inc., a Texas corporation dated July 7, 2010 in the original principal amount of \$300,000.00.

Second Lien Deed of Trust, Security Agreement and Financing Statement

Date: July 7, 2010

Grantor: Mondial, Inc., a Texas Corporation

Mortgagee: Thomas Petroleum, LLC, a Texas limited liability company

Recording information: Clerk's File No. 1005342, Volume 1226, Page 494 of the Official Public Records of Waller County, Texas.

Property: See attached Exhibit A (Real Property); and Exhibit B (Personal Property).

Holder of Note and Lien: Speedy Stop Food Stores, LLC, a Texas limited liability company, successor to Thomas Petroleum, LLC

County: Waller County, Texas

Date of Sale (first Tuesday of month): November 7, 2017

Time of Sale: 10:00 A.M. and no later than three hours thereafter.

Place of Sale: The sale of the Property will be held at the county courthouse in Waller County, Texas (located at 836 Austin Street, Hempstead, Texas), the county in which the above described Property is located, and at that area of said county courthouse which has been so designated by the Waller County Commissioners' Court as follows: Foyer at south entrance to courthouse.

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.

Holder has appointed Patrick H. Autry or Grady B. Jolley as Trustee under the Deed of Trust. Holder has instructed Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, Trustees will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS." THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PERSONAL PROPERTY IN THIS DISPOSITION. The sale will begin at the Time of Sale or not later than three hours thereafter.

SUBSTITUTE TRUSTEE:



Patrick H. Autry
Branscomb | PC
711 Navarro Street, Suite 500
San Antonio, Texas 78205
Telephone: (210) 598-5400
Email: pautry@branscombpc.com

EXHIBIT A – PROPERTY DESCRIPTION

Exhibit A pg. #1

LEGAL DESCRIPTION
RESTRICTED RESERVE "A"

ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 10.845 ACRES (472,421 SQUARE FEET) BEING SITUATED IN THE JUSTO LIENDO SURVEY, ABSTRACT NO. 41 AND THE ISAAC DONAHO SURVEY, ABSTRACT NO. 12), WALLER COUNTY TEXAS AND BEING ALL OF RESTRICTED RESERVE "A" OF 290 HEMPSTEAD WEST, A SUBDIVISION AS SHOWN ON MAP OR PLAT THEREOF RECORDED IN VOLUME 660, PAGE 25 OF THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS AND ALSO BEING OUT OF AND A PART OF THAT CERTAIN CALLED 11.138 ACRE TRACT CONVEYED TO MONDIAL, INC. DESCRIBED IN GENERAL WARRANTY DEED RECORDED IN VOLUME 0619 PAGE 112 OF SAID OFFICIAL PUBLIC RECORDS WALLER COUNTY, TEXAS, TOGETHER WITH ALL THAT CERTAIN CALLED 0.675 OF ONE ACRE TRACT CONVEYED TO MONDIAL, INC. DESCRIBED IN CASH WARRANTY DEED RECORDED IN VOLUME 628 PAGE 278 OF SAID OFFICIAL PUBLIC RECORDS, SAID 10.845 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS; (THIS LEGAL DESCRIPTION BASED ON A SURVEY PREPARED BY HUGHES-SOUTHWEST SURVEING COMPANY DATED NOVEMBER 25, 2002 UNDER JOB NO. 0464-02)

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR THE SOUTHERNMOST CORNER OF SAID RESTRICTED RESERVE "A", BEING THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF F.M. HIGHWAY NO. 1488 (VARIABLE WIDTH) WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF COTTONWOOD STREET (KNOWN AS THE FEEDER ROAD FOR U.S. HIGHWAY 290) AND ALSO BEING IN THE NORTHEAST LINE OF THAT CERTAIN CALLED 1.706 ACRE TRACT CONVEYED TO THE CITY OF HEMPSTEAD, TEXAS AS DESCRIBED IN GIFT DEED RECORDED IN VOLUME 522, PAGE 219 OF SAID DEED RECORDS;

THENCE NORTH 47 DEGREES 57 MINUTES 56 SECONDS WEST, ALONG THE SOUTHWESTERLY LINE OF SAID RESTRICTED RESERVE "A" AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 290, A DISTANCE OF 226.01 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER ON A NON-TANGENT CURVE TO THE LEFT;

THENCE NORTHWESTERLY, CONTINUING ALONG THE SOUTHWESTERLY LINE OF RESTRICTED RESERVE "A" AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 290, WITH THE ARC OF A 4,935.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 298.42 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER; SAID ARC HAVING A CENTRAL ANGLE OF 03 DEGREES 27 MINUTES 53 SECONDS AND BEING SUBTENDED BY A CHORD BEARING NORTH 40 DEGREES 38 MINUTES 54 SECONDS WEST, 298.37 FEET IN LENGTH FOR THE MOST WESTERLY CORNER OF RESTRICTED RESERVE "A" AND BEING A SOUTHERLY LINE OF THAT CERTAIN RESIDUE OF A 130.142 ACRES OF LAND CONVEYED IN DEED TO ODIS STYERS, III, AND DESCRIBED IN DEED RECORDED IN VOLUME 419, PAGE 271 OF THE WALLER COUNTY DEED RECORDS;

THENCE NORTH 49 DEGREES 59 MINUTES 56 SECONDS EAST, ALONG A NORTHERLY LINE OF RESTRICTED RESERVE "A", A DISTANCE OF 271.80 FEET TO AN INTERIOR CORNER, FROM WHICH A 1/2 INCH IRON ROD FOUND BEARS NORTH 09 DEGREES 29 MINUTES, 56 SECONDS, EAST A DISTANCE OF 1.10 FEET;

THENCE NORTH 25 DEGREES 07 MINUTES 21 SECONDS WEST, ALONG A NORTHWESTERLY LINE OF RESTRICTED RESERVE "A", A DISTANCE OF 224.06 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 64 DEGREES 52 MINUTES 39 SECONDS EAST, ALONG A NORTHERLY LINE OF RESTRICTED RESERVE "A", A DISTANCE OF 743.61 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF MACK WASHINGTON ROAD (40 FEET WIDE), FROM WHICH A 5/8 INCH CAPPED IRON ROD FOUND BEARS NORTH 42 DEGREES, 04 MINUTES, 41 SECONDS, WEST A DISTANCE OF 0.70 FEET;

THENCE SOUTH 02 DEGREES 20 SECONDS 09 MINUTES EAST, WITH THE WESTERLY RIGHT-OF-WAY LINE OF MACK WASHINGTON ROAD, A DISTANCE OF 588.60 FEET THE SOUTHEAST CORNER OF SAID RESTRICTED RESERVE "A" AND THE NORTHEAST CORNER OF RESTRICTED RESERVE "C" OF SAID SUBDIVISION FOR THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

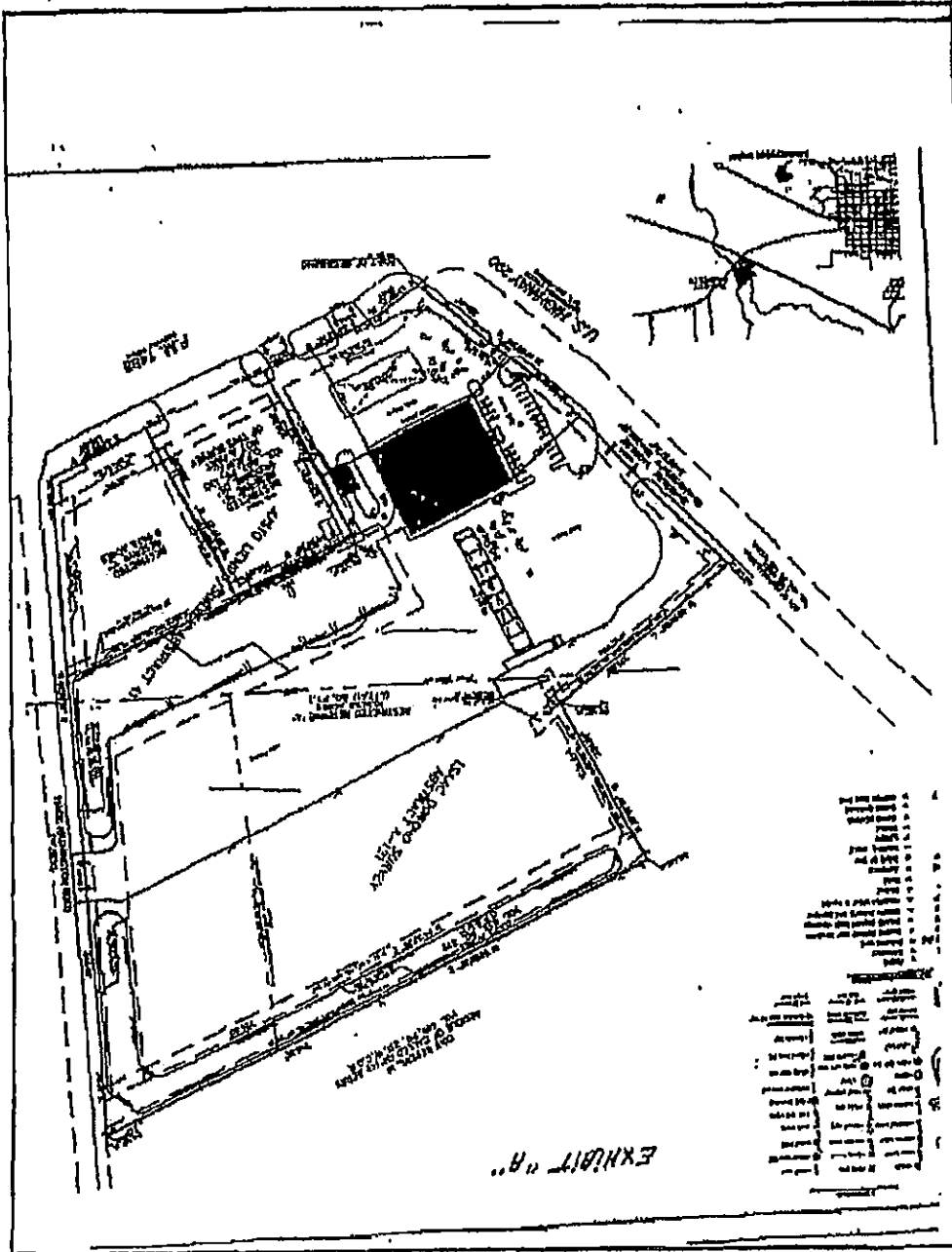
Exhibit A pg. #2

THENCE SOUTH 64 DEGREES 52 MINUTES 39 SECONDS WEST, WITH THE COMMON LINE OF SAID RESERVE "A" AND RESERVE "C" AT 288.72 FEET PAST A 5/8 IRON ROD MARKING THE NORTHEAST CORNER OF RESTRICTED RESERVE "B" OF SAID SUBDIVISION, CONTINUING IN ALL A TOTAL DISTANCE OF 388.72 FEET TO A 5/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID RESERVE "B" AND A INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 25 DEGREES 07 MINUTES 21 SECONDS EAST, ALONG A COMMON LINE OF RESTRICTED RESERVES "A" AND "B", A DISTANCE OF 235.00 FEET TO A 5/8 INCH IRON ROD WITH CAP FOUND IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF F.M. HIGHWAY NO. 1488;

THENCE SOUTH 64 DEGREES 52 MINUTES 39 SECONDS WEST, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF F.M. HIGHWAY NO. 1488, A DISTANCE OF 161.71 FEET TO A 5/8 INCH IRON ROD CAP SET FOR AN ANGLE POINT;

THENCE SOUTH 53 DEGREES 39 MINUTES 31 SECONDS WEST, CONTINUING ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF F.M. HIGHWAY NO. 1488, A DISTANCE OF 61.47 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.845 ACRES OF LAND.



Survey Map

SITE ANALYSIS

Exhibit A pg. #3

EXHIBIT B – PERSONAL PROPERTY DESCRIPTION

Exhibit B

All equipment and all materials and other goods of every type now or later situated upon the land described in Exhibit "A" to this Notice which are either (i) intended to be incorporated into the improvements or (ii) that are or become fixtures related to the land or the improvements;

All other goods and other personal property of every type, including inventory, equipment and fixtures, owned by Mortgagor and now or later situated on the land or in the improvements; and

All plans and specifications for the improvements, all of Mortgagor's rights under all existing and future leases (whether written or oral) of any of the mortgaged property (the "Leases"), construction, maintenance and other contracts relating to the land or the improvements, all tenant deposits under any leases, all licenses, permits, certificates, accounts, instruments, documents and general intangibles (including trade names and symbols used in connection with the land or the improvements), wastewater, fresh water and other utility capacity and facilities available to or allocated to the land or the improvements, and all other present or future rights and privileges relating to the land or the improvements.

FILED AND RECORDED

Instrument Number: 17-089

Filing and Recording Date: 10/17/2017 08:56:00 AM Pages: 9 Recording Fee: \$5.00

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,



A handwritten signature in black ink that reads "Debbie Hollan". The signature is written in a cursive style.

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.

Alexus Avendano, Deputy

Returned To: