

ATTENTION SERVICE MEMBERS: ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR 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.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, 538 WESTOVER, LLC, A TEXAS LIMITED LIABILITY COMPANY delivered that one certain Deed of Trust dated SEPTEMBER 22, 2021, which is recorded in INSTRUMENT NO.: 2021-00008358 of the real property records of HOWARD County, Texas, conveying to the Trustee(s) therein named the real property therein described, to secure the payment of a Promissory Note in the principal amount of \$6,269,800.00 payable to the order of LOAN FUNDER LLC, SERIES 21739, to which reference is hereby made for a description of the Promissory Note, the terms and covenants of the Deed of Trust, and the property therein conveyed; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Deed of Trust, has occurred and the outstanding indebtedness on same is now wholly due; and

WHEREAS, the undersigned has been appointed Substitute Trustee in place of the original Trustee, upon the contingency and the manner authorized by the Deed of Trust; and

WHEREAS, LOAN FUNDER LLC, SERIES 21739, the Mortgagee, or the Mortgage Servicer, has instructed a Substitute Trustee(s) to sell real property described in the Deed of Trust in order to satisfy the indebtedness secured thereby.

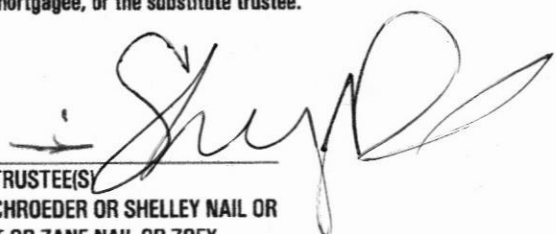
NOTICE IS HEREBY GIVEN that on SEPTEMBER 3, 2024, beginning at 10:00 AM, or not later than three (3) hours after that time, a Substitute Trustee(s) will sell, to the highest bidder submitting cashier's check, certified check or money order, the following described real property:

SEE EXHIBIT "A" AND EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

The sale will occur at that area designated by the Commissioners Court of HOWARD County, Texas, for such sales (OR AT NORTH STEPS OF THE COURTHOUSE).

NOTICE IS FURTHER GIVEN that the address of LOAN FUNDER LLC, the Mortgagee or Mortgage Servicer, is 645 MADISON AVE, 19TH FLOOR, NEW YORK, NY 10022. Pursuant to the Texas Property Code, the Mortgagee or Mortgage Servicer is authorized to administer a foreclosure sale. The name and address of a substitute trustee is Michael J. Schroeder, 3610 North Josey Lane, Suite 206, Carrollton, Texas 75007. A Substitute Trustee is authorized by the Texas Property Code to set reasonable conditions for the foreclosure sale. If the sale is set aside, the Purchaser will be entitled only to a return of the purchase price, less any applicable fees and costs, and shall have no other recourse against the mortgagor, the mortgagee, or the substitute trustee.

Dated: AUGUST 12, 2024.


SUBSTITUTE TRUSTEE(S)
MICHAEL J. SCHROEDER OR SHELLEY NAIL OR
DONNA TROUT OR ZANE NAIL OR ZOEY
FERNANDEZ OR ZIA NAIL

FILE NO.: MISC-1847
PROPERTY: 538 WESTOVER ROAD
BIG SPRING, TX 79720
538 WESTOVER, LLC

NOTICE SENT BY:
MICHAEL J. SCHROEDER
3610 NORTH JOSEY LANE, SUITE 206
CARROLLTON, TEXAS 75007
Tele: (972) 394-3086
Fax: (972) 394-1263

MAILED at 12:51 P.M. O'clock 8-12-24
BRENT ZITTERKOPF, County Clerk, Howard County, Texas
By Angie Math Deputy



4822632

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**EXHIBIT A
LEGAL DESCRIPTION**

BEING a 9.6775 acre tract or parcel of land lying and being situated in the SW/4 of Section 8, Block 32, T-1-S, of the T & P RR Co. Survey, Howard County, Texas, and being that certain tract described in Assignment and Assumption of Leases assigned to Barcelona Apartments, LLC, recorded in County Clerk's Instrument Number 2013-00007356, Official Public Records, Howard County, Texas (D.R.H.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING (N: 6,778.375.03, E: 1,047,681.23) at a 3/4 inch pipe found for the southeast corner of said Barcelona Apartments, LLC tract located on the west right-of-way line of Westover Road (a 60-foot wide right-of-way);

THENCE South 77 degrees 05 minutes 56 seconds West, along the south line of said Barcelona Apartments, LLC tract, a distance of 105.52 feet to a 1/2 inch iron rod with cap marked "BRADSHAW" found for the beginning of a curve to the right having a radius of 210.00 feet and a chord bearing North 88 degrees 08 minutes 29 seconds West, 104.98 feet;

THENCE Westerly, along said curve to the right and said south line, through a central angle of 28 degrees 58 minutes 55 seconds, an arc distance of 108.10 feet to a 3/4 inch pipe found for the end of said curve;

THENCE North 73 degrees 48 minutes 18 seconds West, along the south line of said Barcelona Apartments, LLC tract, a distance of 238.13 feet to a 3/4 inch pipe found for the beginning of a curve to the right having a radius of 210.00 feet and a chord bearing North 67 degrees 56 minutes 35 seconds West, 30.81 feet;

THENCE Northwestery, along said curve to the right and said south line, through a central angle of 08 degrees 21 minutes 32 seconds, an arc distance of 30.84 feet to a 1/2 inch iron rod with cap marked "BRADSHAW" found for the end of said curve;

THENCE South 34 degrees 44 minutes 28 seconds West, along the south line of said Barcelona Apartments, LLC tract, a distance of 200.88 feet to a 1/2 inch pipe found for the most easterly southwest corner of said Barcelona Apartments, LLC tract located on the northeast right-of-way line of FM 700 (a 200-foot wide right-of-way per Volume 182, Page 336, D.R.H.C.T.);

THENCE North 51 degrees 48 minutes 23 seconds West, along said right-of-way line and the south line of said Barcelona Apartments, LLC tract, a distance of 48.59 feet to a 1/2 inch pipe found for the most westerly southwest corner of said Barcelona Apartments, LLC tract;

THENCE North 13 degrees 03 minutes 47 seconds West, along the west line of said Barcelona Apartments, LLC tract, a distance of 786.11 feet to a 1/2 inch pipe found for the northwest corner of said Barcelona Apartments, LLC tract;

THENCE South 82 degrees 33 minutes 41 seconds East, along the north line of said Barcelona Apartments, LLC tract, a distance of 883.25 feet to a 1/2 inch iron rod with red plastic cap marked "WEST CO. MIDLAND" set for the northeast corner of said Barcelona Apartments, LLC tract located on the aforementioned west right-of-way line of Westover Road; said set iron rod also being on a curve to the left having a radius of 622.72 feet and a chord bearing South 05 degrees 04 minutes 14 seconds East, 178.54 feet;

THENCE Southerly, along said curve to the left and said right-of-way line and the east line of said Barcelona Apartments, LLC tract, through a central angle of 18 degrees 29 minutes 04 seconds, an arc distance of 178.16 feet to a point for the end of said curve;

THENCE South 13 degrees 22 minutes 32 seconds East, along the east line of said Barcelona Apartments, LLC tract, a distance of 442.27 feet to the Point of Beginning and containing 9.6775 acres (421,350 square feet) of land.

MISC-1847
538 WESTOVER, LLC

Exhibit B

Exceptions

1. Easement as shown in instrument from W.P. Edwards to Texas Electric Service Company, dated March 9, 1928 and filed in Volume 69, Page 514, Deed Records of Howard County, Texas; and as shown on survey dated August 7, 2019, prepared by Kerry M. Hoefner, RPLS No. 4562.
2. Easement as shown in instrument from W.P. Edwards to Empire Southern Service Company, dated February 25, 1936 and filed in Volume 93, Page 563, Deed Records of Howard County, Texas; and as shown on survey dated August 7, 2019, prepared by Kerry M. Hoefner, RPLS No. 4562.
3. Easement as shown in instrument from Edwards Properties to Pioneer Natural Gas Company, dated October 5, 1965 and filed in Volume 362, Page 441, Deed Records of Howard County, Texas; and as shown on survey dated August 7, 2019, prepared by Kerry M. Hoefner, RPLS No. 4562.
4. Easement as shown in instrument from T-W-BS Associates, Ltd. to Texas Electric Service Company, dated May 29, 1973 and filed in Volume 432, Page 746, Deed Records of Howard County, Texas; and as noted on survey dated August 7, 2019, prepared by Kerry M. Hoefner, RPLS No. 4562.
5. Mineral conveyance as shown in instrument from Barcelona Apartments, LLC to FS Minerals, Ltd., dated August 16, 2016 and recorded in Volume 1566, Page 444, Official Public Records of Howard County, Texas. Said mineral interest has not been researched since the date of said instrument.