

POSTED
NO 8:35 AM DATE 3-1-22
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NOTICE OF TRUSTEE'S SALE

Pursuant to Deed of Trust dated August 22, 2019, executed by **GFSI-MHE MANUFACTURING OF TEXAS, LLC**, ("Mortgagor"), Mortgagor conveyed to **PATRICK F. DOYLE, DENNIS R. BETTISON, JEFF ADAMS, DONNIE QUINTANILLA, JANA L. HARTNETT, THEA CLARK, ALBERT G. REDMOND** or **PETER J SAPIO, JR.**, as Trustee(s) all of their right, title, and interest in and to that certain parcel of real property situated in Galveston County, Texas and described as:

TRACT 1:

2010729.60 SQ. FEET (46.16 ACRES) OF LAND OUT OF SECTION 51, BLOCK 22, T&P RY. SURVEYS, AND LOTS 11,12 AND 13 OF THE SWEETWATER INDUSTRIAL PARK (NOLAN COUNTY PLAT RECORDS SLIDE 234A), ALL IN SWEETWATER, NOLAN COUNTY, TEXAS, SAID 46.16 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO.

TRACT 2:

A 10.00 ACRE TRACT OF LAND SITUATED WITHIN THE NE/4 OF SECTION 71, BLOCK 22, T. & P. RY. CO. SURVEY, ABSTRACT NO. 290, NOLAN COUNTY, TEXAS, SAID 10.00 ACRE TRACT BEING OUT OF AND PART OF A TRACT OF LAND DESCRIBED IN A DEED TO GEORGE ORTIZ RECORDED IN VOLUME 1077, PAGE 246 OF THE OFFICIAL PUBLIC RECORDS, NOLAN COUNTY, TEXAS, SAID 10.00 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "B" ATTACHED HERETO.

to secure the payment of that one certain Real Estate Note and Lien ("Note") dated **August 22, 2019**, in the principal amount of **\$1,700,000.00**, executed by **GFSI-MHE MANUFACTURING OF TEXAS, LLC**, and payable to the order of **NLCG PRIVATE LENDING FUND, LLC** ("Beneficiary") and any and all other indebtedness secured by the Deed of Trust;

The Deed of Trust was filed of recorded under **Instrument No. 19-29252, Volume 1546, Page 0285**; said note and lien having been renewed, modified and/or extended under instruments dated February 1, 2021 and October 1, 2021, filed for record under **Instrument No. 21-33477, Volume 1627, Page 0043** and **Instrument No. 21-35641, Volume 1672, Page 0077**; all in the **Office of the County Clerk of Nolan County, Texas**

The Note and Deed of Trust are in default and the entire unpaid balance of the Note is due and payable; and Beneficiary intends to enforce the power of sale set forth in the above-

referenced Deed of Trust; and

The Beneficiary has directed the Trustee to enforce the power of sale under the Deed of Trust for the purpose of collecting the indebtedness secured under it, after the giving of at least 21 consecutive days notice and recording the Notice in the Waller County Clerk's Office giving the time, place, terms of said sale, and description of the property to be sold, pursuant to the Deed of Trust and the laws of the State of Texas.

Therefore, I, **Peter J. Sapio, Jr.**, Trustee, hereby give notice, after due publication as required by the Deed of Trust and/or security instruments and the Texas Property Code, that I will, after due posting, publication, and filing of this Notice, and after having given written notice of at least 21 consecutive days by certified mail, return receipt requested, as well as regular mail, to each debtor obligated to pay the Note and indebtedness secured by the Deed of Trust, at the last known address of each such debtor, according to the records of Beneficiary, as required by the Deed of Trust and the laws of the State of Texas, sell the Property at public auction to the highest bidder or bidders for cash, between the hours of **1:00 p.m. and 4:00 p.m.** on the first Tuesday in December, being **April 5, 2021**, at the lobby of the **Nolan County Courthouse, 100 E 3rd Street, Sweetwater, Texas 79556**, or as designated by the County Commissioners.

Pursuant to Section 51.002 of the Texas Property Code, the foreclosure sale will begin no earlier than 1:00 p.m. and no later than three hours after that time.

The sale conducted pursuant to this Notice will be made subject to any valid and existing liens and any other title encumbrances affecting title to the property described above or any part of the property that are proved superior to the liens and other rights of Beneficiary under the security instrument or other recorded instruments.

Signed on **February 22, 2022**.

DOYLE LAW FIRM, PLLC
6710 Stewart Road, Suite 300
Galveston, Texas 77551
Telephone: 409/744-9783
Fax: 409/744-9786

By: 
PETER J. SAPIO, JR., Trustee

EXHIBIT "A"

2010729.60 SQ. FEET (46.18 ACRES) OF LAND OUT OF SECTION 51, BLOCK 22, T&P RY. SURVEYS, AND LOTS 11, 12 AND 13 OF THE SWEETWATER INDUSTRIAL PARK (NOLAN COUNTY PLAT RECORDS SLIDE 234A), ALL IN SWEETWATER, NOLAN COUNTY, TEXAS. DESCRIBED FURTHER BY METES AND BOUNDS AS FOLLOWS:

BEGINNING: AT A FOUND 1/2" IRON PIN WITH CAP MARKED MORRIS 2426 IN THE SOUTH RIGHT OF WAY OF ALABAMA AVENUE THAT IS NORTH 77°55'39" EAST A DISTANCE OF 80.01' FROM A FOUND 1/2" IRON PIN FOR THE NORTH EAST CORNER OF A 7.047 ACRE TRACT OF LAND DESCRIBED IN A DEED TO RECOR, INC. RECORDED IN NOLAN COUNTY PUBLIC RECORDS VOLUME 240 PAGE 55

THENCE: NORTH 77°55'39" EAST A DISTANCE OF 445.04' ALONG SAID SOUTH RIGHT OF WAY TO A FOUND CHAIN LINK FENCE CORNER OF THE NORTH WEST CORNER OF THE TRACT OF LAND DESCRIBED IN A DEED TO HOUSING AUTHORITY OF THE CITY OF SWEETWATER RECORDED IN NOLAN COUNTY DEED RECORDS VOLUME 189 PAGE 624

THENCE: SOUTH 12°53'54" EAST A DISTANCE OF 299.21' TO A FOUND CHAIN LINK FENCE CORNER FOR THE SOUTH WEST CORNER OF SAID HOUSING AUTHORITY TRACT

THENCE: NORTH 77°04'43" EAST A DISTANCE OF 873.28' TO A FOUND CHAIN LINK FENCE CORNER IN THE WEST RIGHT OF WAY OF ROBERT LEE STREET FOR THE SOUTH EAST CORNER OF SAID HOUSING AUTHORITY TRACT

THENCE: SOUTH 12°58'30" EAST A DISTANCE OF 1133.70' ALONG SAID WEST RIGHT OF WAY TO A FOUND 1/2" IRON PIN WITH CAP MARKED MORRIS 2426 IN THE NORTH RIGHT OF WAY OF INDUSTRIAL DRIVE

THENCE: SOUTH 77°21'12" WEST A DISTANCE OF 360.03' ALONG SAID NORTH RIGHT OF WAY TO A SET "X" IN CONCRETE THE WEST RIGHT OF WAY OF INDUSTRIAL DRIVE

THENCE: SOUTH 29°12'06" WEST A DISTANCE OF 778.20' ALONG SAID WEST RIGHT OF WAY TO A SET 1/2" IRON PIN WITH CAP MARKED MORRIS 2426 FOR THE EAST CORNER OF A 4.40 ACRE TRACT OF LAND DESCRIBED IN A DEED TO DPC INDUSTRIES, INC. RECORDED IN NOLAN COUNTY PUBLIC RECORDS VOLUME 425 PAGE 125

THENCE: NORTH 61°01'33" WEST A DISTANCE OF 389.43' TO A SET 1/2" IRON PIN WITH CAP MARKED MORRIS 2426 FOR THE NORTH CORNER OF SAID DPC INDUSTRIES TRACT

THENCE: SOUTH 47°30'32" WEST A DISTANCE OF 158.64' TO A FOUND 1/2" IRON PIN FOR A CORNER OF SAID DPC INDUSTRIES TRACT

THENCE: NORTH 60°36'24" WEST A DISTANCE OF 14.91' TO A FOUND PK NAIL IN A RAILROAD CROSS TIE FOR A CORNER OF SAID DPC INDUSTRIES TRACT

THENCE: SOUTH 28°47'40" WEST A DISTANCE OF 185.75' TO A FOUND PK NAIL IN A RAILROAD CROSS TIE FOR A CORNER OF SAID DPC INDUSTRIES TRACT

THENCE: 9.11' ALONG A CURVE TO THE LEFT SUCH THAT DELTA = 01°01'18" RADIUS = 510.75' AND WITH A CHORD THAT BEARS SOUTH 26°31'46" WEST FOR A DISTANCE OF 9.11' TO A FOUND 1/2" IRON PIN FOR THE MOST WESTERLY NORTH WEST CORNER OF SAID DPC INDUSTRIES TRACT

THENCE: NORTH 13°06'13" WEST A DISTANCE OF 360.23' TO A SET 1/2" IRON PIN WITH CAP MARKED MORRIS 2426

THENCE: NORTH 22°42'44" EAST A DISTANCE OF 226.68' TO A SET 1/2" IRON PIN WITH CAP

MARKED MORRIS 2426

THENCE: NORTH 12°54'59" WEST A DISTANCE OF 1424.38' TO THE POINT OF BEGINNING AND CONTAINING 2010729.60 SQ. FEET (43.16 ACRES) OF LAND MORE OR LESS OF WHICH 34.53 ACRES IS CULTIVATED AND BEING USED FOR AGRICULTURAL PURPOSES AND 11.63 ACRES IS IMPROVED AND BEING USED FOR INDUSTRIAL PURPOSES.

EXHIBIT "B"

A 10.00 acre tract of land situated within the NE/4 of Section 71, Block 22, T. & P. Ry. Co. Survey, Abstract No. 290, Nolan County, Texas, said 10.00 acre tract being out of and part of a tract of land described in a deed to George Ortiz recorded in Volume 1077, Page 246 of the Official Public Records, Nolan County, Texas, said 10.00 acre tract being more particularly described by metes and bounds as follows:

Beginning at a 1/2" rebar rod set with a survey cap stamped A.L.S. 6224 6332 in the common line between said Section 71 and the Rosetta Taylor Survey, Abstract No. 1516, of Section 62, Block 22, T. & P. Ry. Co. Survey, Nolan County, Texas, same being the common line between said Ortiz tract and a tract of land described in a deed to Mike Ensminger et. ux. recorded in Volume 1215, Page 169 of the Official Public Records, Nolan County, Texas, for the Northwest corner of this described tract; from which a 1/2" rebar rod found with a survey cap stamped Morris 2426 (control monument) for a common corner between said Ortiz tract and Ensminger tract bears S 77° 47' 31" W, 1921.31 feet;

Thence N 77° 47' 31" E, 653.21 feet along the common line between said Section 71 and said Taylor Survey, same being the common line between said Ortiz tract and Ensminger tract, to a 3" pipe fence corner post in concrete (control monument) found in the West line of State Highway No. 70 for a common corner between said Ortiz tract and Ensminger tract, for the Northeast corner of this described tract;

Thence S 12° 09' 58" E over and across said Section 71 along the common line between said Ortiz tract and State Highway No. 70, at 388.03 feet passing a concrete right of way monument (control monument); thence continuing along the same course for a total distance of 668.70 feet to a 1/2" rebar rod found with a survey cap stamped Morris 2426 (control monument) for a common corner between said Ortiz tract and a tract of land described in a deed to Otis M. Graves et. ux. recorded in Volume 562, Page 41 of the Official Public Records, Nolan County, Texas, for the Southeast corner of this described tract;

Thence S 78° 06' 50" W over and across said Section 71 along the common line between said Ortiz tract and Graves tract, at 458.28 feet passing a 1/2" rebar rod found with a survey cap stamped Morris 2426 (control monument) for a common corner between said Ortiz tract and Graves tract; thence continuing over and across said Ortiz tract along the same course for a total distance of 653.21 feet, to a 1/2" rebar rod set with a survey cap stamped A.L.S. 6224 6332, for the Southwest corner of this described tract;

Thence N 12° 09' 58" W, 665.03 feet over and across said Section 71 and Ortiz tract along the West line of this described tract, to the place of beginning and containing 10.00 acres of land.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

RECEIVED
MAR 01 2022
Nolan County Clerk