

STATE OF TEXAS §
 §
COUNTY OF HUNT §

P.18
19 OCT 14 PM 4:13
BY: DEPUTY
FILE FOR RECORD
JENNIFER LINDENZWEIG
COUNTY CLERK HUNT CO TX

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Notice is hereby given that a public sale, at auction, of the Mortgaged Property (as that term is defined in the Deed of Trust and as used herein) will be held at the date, time and place specified in this notice.

DATE, TIME AND PLACE OF SALE: Tuesday, November 5, 2019 (which is the first Tuesday of that month) between the hours of 10:00 a.m. and 1:00 p.m. (Hunt County, Texas time). The sale will take place at the Hunt County Courthouse located in Greenville, Texas on the common area at the base of the Central stairway on the 2nd floor inside the Courthouse, or the base of the North steps outside in the event the Courthouse is closed on the first Tuesday of the month pursuant to Hunt County Commissioners' Court Order Item No. 12,598, recorded as Instrument No. 2013-911 in the Official Public Records of Hunt County, Texas or at such other place as may be designated by the Commissioners' Court of Hunt County, Texas.

INDEBTEDNESS PROMPTING SALE: That certain Promissory Note dated June 21, 2019, executed by New Phoenix Metals, Ltd. ("**Borrower**"), payable to the order of TRT SPV, LLC, a Texas limited liability company ("**Lender**") in the principal amount of \$1,750,000 (together with all extensions, modifications and replacements thereof, collectively the "**Note**").

DEED OF TRUST AND SECURITY INTERESTS CREATING LIEN THAT IS THE SUBJECT OF SALE: That certain Deed of Trust, Security Agreement, Financing Statement, and Assignment of Rents dated June 21, 2019, executed by New Phoenix Metals, Ltd., as grantor ("**Grantor**") to Joe Coleman, Trustee, for the benefit of Lender, recorded as Instrument No. 2019-08638 in the Official Public Records of Hunt County, Texas (together with all extensions, modifications and replacements thereof, collectively the "**Deed of Trust**").

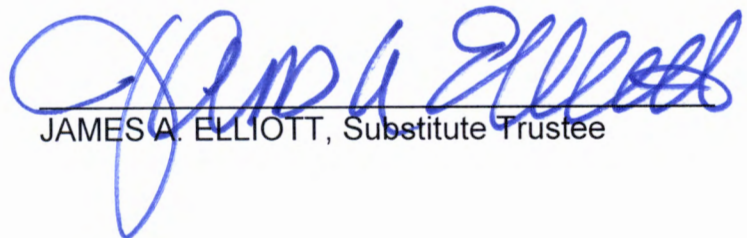
OWNER AND HOLDER OF INDEBTEDNESS AND SECURITY INSTRUMENT: TRT SPV, LLC is the sole legal owner and holder of the Note and Deed of Trust and all beneficial interests, rights and remedies under the Note and Deed of Trust and all other written documents, instruments, or agreements executed, delivered, made or entered into in connection with the Note, Deed of Trust and Loan Documents.

PROPERTY BEING SOLD: The real property is situated in Hunt County, Texas and is more particularly described on **Exhibit "A"** attached hereto and incorporated herein by this reference in its entirety (the "**Land**"), Minerals, Fixtures, Improvements, Personalty, Contracts and Leases, together with any and all other security and collateral of any nature whatsoever, now or hereafter given for the repayment of the Indebtedness or the performance and discharge of the Obligations and all other property more fully described in the Deed of Trust (collectively, the "**Mortgaged Property**").

SUBSTITUTE TRUSTEE CONDUCTING THE SALE: Lender has appointed **JAMES A. ELLIOTT, JOHN R "RUSTY" LANE** and **GORDON B. RUSSELL** (each having an address at 901 Main Street, Suite 5200, Dallas, Texas 75202 / Phone: (214)777-4200) as multiple trustees, individually and severally, and not jointly (collectively "**Substitute Trustees**" or severally, a "**Substitute Trustee**") each of whom may act alone, without the necessity of joinder of any other Substitute Trustee in the place and stead of and to succeed to all the rights, titles, powers and estates granted under the Deed of Trust to the Trustee to act under and by virtue of the Deed of Trust to sell the Mortgaged Property for cash and that the proceeds of such sale be applied in accordance with the provisions of the Deed of Trust and under applicable law. Therefore, on the date and at the time and place set forth above Substitute Trustee will sell the Mortgaged Property to the highest bidder for cash pursuant to the terms of the Deed of Trust and applicable law, subject to the right of Lender to enter a credit bid on the Mortgaged Property, and further subject to the right of Lender to direct Substitute Trustee to postpone and resume the foreclosure sale or to cancel the foreclosure sale in its sole and absolute discretion.

PURSUANT TO SECTION 51.009 OF THE TEXAS PROPERTY CODE, THE MORTGAGED PROPERTY WILL BE SOLD AND CONVEYED BY THE SUBSTITUTE TRUSTEE "AS IS," AND THE PURCHASER AT THE FORECLOSURE SALE SHALL ACQUIRE THE FORECLOSED PROPERTY AT THE PURCHASER'S OWN RISK AND "AS IS" AND WITHOUT ANY EXPRESS OR IMPLIED WARRANTIES, EXCEPT AS TO THE WARRANTY OF TITLE GIVEN TO THE PURCHASER BY AND ON BEHALF OF THE GRANTOR OF THE DEED OF TRUST, ITS SUCCESSORS, ASSIGNS, HEIRS AND LEGAL REPRESENTATIVES BY VIRTUE OF AND PURSUANT TO THE AUTHORITY CONFERRED BY THE DEED OF TRUST, ANY SUCH OTHER WARRANTIES BEING EXPRESSLY DISCLAIMED; AND SUCH PURCHASER IS AND SHALL NOT BE A CONSUMER.

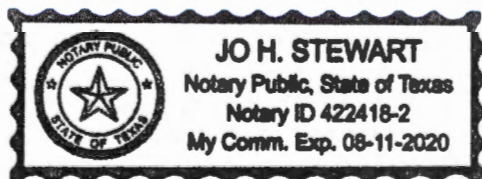
IN WITNESS WHEREOF, this Notice of Substitute Trustee's Sale has been executed on the 14th day of October, 2019.

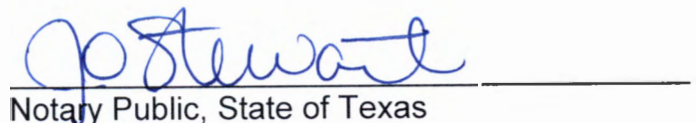


JAMES A. ELLIOTT, Substitute Trustee

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the 14th day of October, 2019, by JAMES A. ELLIOTT, as Substitute Trustee.





Notary Public, State of Texas

EXHIBIT "A"

LAND DESCRIPTION

Lot 1, Block 1, New Phoenix Metals Addition, an addition to the City of Greenville, Hunt County, Texas, according to the plat thereof recorded in Volume 400, Page 1997, and Cabinet F, Slide 305, Plat Records, Hunt County, Texas.