



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

STATE OF TEXAS
COUNTY OF WALLER

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KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, on FEBRUARY 3, 2014, MIN SOO KANG d/b/a LEGENDARY BBQ ("Debtor") executed that certain Deed of Trust (as extended and renewed, "Deed of Trust") conveying to HARRY J. BROOKS, Trustee ("Trustee") the real property more particularly described in attached Exhibit "A", together with all improvements, fixtures, equipment, and other property located on the real property and any and all other items, rights, or interest described in the Deed of Trust, all of which property is more fully described in the Deed of Trust, to which reference is hereby made for further description of the property covered by this notice (collectively, "Property"); and

WHEREAS, the Deed of Trust was recorded at Clerk's File No. 1400788 in the Official Public Records of WALLER County, Texas; and

WHEREAS, the Deed of Trust was executed and delivered to secure the payment of the following items of indebtedness ("Indebtedness"):

That certain Promissory Note (as extended, renewed, modified, or replaced, "Note") dated of even date with the Deed of Trust and executed by Debtor, payable to the order of COMMERCIAL STATE BANK ("Creditor"), said note being in the original principal amount of THREE HUNDRED TWENTY FOUR THOUSAND AND NO/100 (\$324,000.00) DOLLARS.

WHEREAS, the Indebtedness is due and payable, and despite Creditor's demands, Debtor has failed to pay, and continues to fail to pay, the Indebtedness; and

WHEREAS, Creditor by written instrument made, constituted, and appointed ROBERT J. ADAM, STEPHEN W. BING, LEIGH ANN THOMPSON, OR PHILIP D. CONWAY, whose address is 12611 Jones Road, Suite 200, Houston, TX 77070, as substitute trustee under the Deed of Trust ("Substitute Trustee") and requested and directed Substitute Trustee to exercise the power of sale under the Deed of Trust for the purpose of enforcing the collection of the Indebtedness;

NOW, THEREFORE, the undersigned hereby gives notice that, after due publication of this notice as required by law and the Deed of Trust, the undersigned will sell the Property, as an entirety or in parcels, by one or by several sales, held at one time or at different times, all as the undersigned may elect to announce at such sale or sales, at THE FOYER AT THE SOUTH ENTRANCE TO THE COURTHOUSE OF WALLER COUNTY, TEXAS said location having been designated by the county commissioners of WALLER County, Texas ("Commissioners") (or such other location as may be designated by the Commissioners after the sending of this notice and before the time of the sale), in which county the Property is situated, on JUNE 7, 2016, being the first Tuesday of said month, at 10:00 AM (or within three hours thereafter) to the highest bidder or bidders for cash at a public auction, and will make due conveyance of the Property to the purchaser or purchasers, with special warranty deed binding Debtor, his successors and assigns.

The sale noticed herein shall include the interest of Debtor in all fixtures and personal property covered by the Deed of Trust and any other documents executed in connection with or as security for the Indebtedness, Creditor having directed the undersigned to sell, and the undersigned hereby noticing the sale of, said fixtures and personalty pursuant to rights granted to Creditor under Section 9.501(d) of the Texas Business & Commerce Code.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-

STATUTORY, OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER CREDITOR NOR SUBSTITUTE TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS, OR SPECIFICATIONS NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS, OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH SHALL BE EXPRESSLY WAIVED BY PURCHASER.

IF YOU ARE AN INDIVIDUAL, 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.

EXECUTED in multiple original copies on the 16 day of May, 2016.



ROBERT J. ADAM, STEPHEN W. BING, LEIGH
ANN THOMPSON, OR PHILIP D. CONWAY,
Substitute Trustee

ATTACHMENT

Exhibit "A"- Property Description

EXHIBIT "A"
LEGAL DESCRIPTION

File No.: 1347333053

DESCRIPTION OF 2.11 ACRES, MORE OR LESS, OF LAND AREA BEING A PORTION OF TRACT 2, MARSHALL SUBDIVISION OF HEMPSTEAD, WALLER COUNTY, TEXAS, RECORDED IN VOLUME 781, PAGE 416 OF THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS, BEING THAT TRACT DESCRIBED AS 2.109 ACRES IN A DEED TO JR.'S TEXAS BEST, LLC., RECORDED IN VOLUME 1101, PAGE 68 OF THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found in the north line of U.S. Highway No. 290 at the common southwest corner of Tract 2 and the southeast corner of Tract 1, Marshall Subdivision of Hempstead;

THENCE leaving the PLACE OF BEGINNING and U.S. Highway 290, with the common west line of Tract 2 and the east line of Tract 1, N11°47'03"E (this course being the bearing basis for this description) 550.74 feet to a 1/2" iron rod found in the southwest line of Urban Road, a variable width right-of-way, at the common northwest corner of Tract 2 and the northeast corner of Tract 1;

THENCE with the common northeast line of Tract 2 and the southwest line of Urban Road, S45°07'16"E 242.41 feet to a calculated point which falls in a railroad tie fence corner post at the common northerly east corner of Tract 2 and the north corner of that tract described in a deed to Camerino M. Pacheco, recorded in Volume 1245, Page 146 of the Official Public Records of Waller County, Texas;

THENCE leaving Urban Road, with the common northerly southeast line of Tract 2 and the northwest line of the Pacheco Tract, S53°41'25"W 210.01 feet to a calculated point at the common interior corner of Tract 2 and the west corner of the Pacheco Tract, from which a wire fence corner post found bears S47°56'32"E 2.18 feet;

THENCE with the common southerly northeast line of Tract 2 and the southwest line of the Pacheco Tract, S45°35'37"E 207.85 feet to a calculated point which falls in a wire fence corner post found at the common interior corner of Tract 2 and the south corner of the Pacheco Tract;

THENCE with the common southeasterly northwest line of Tract 2 and the southeast line of the Pacheco Tract, N57°16'27"E 26.10 feet to a 1/2" iron rod found at the southeasterly north corner of the JR.'s Best, LLC Tract and the northerly west corner of that tract described in a deed to Craig A. Blankenburg and Robin E. Bainkenburg, recorded in Volume 932, Page 403 of the Official Public Records of Waller County, Texas;

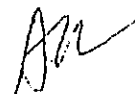
THENCE crossing Tract 2 with the common southeast line of the JR.'s Best LLC Tract and the southerly northwest line of the Blankenburg Tract, the following two courses and distances:

1. S40°40'57"E 31.25 feet to a calculated point which falls in a fence corner post found at the common

east corner of the JR.'s Best, LLC Tract and an interior corner of the Blankenburg Tract.

2. S31°51'05"W 180.13 feet to a 1/2" iron rod found in the common south line of Tract 2 and the north line of U.S. Highway 290, at the common southeast corner of the JR.'s Best LLC Tract and the southwest corner of the Blankenburg Tract.

THENCE with the common south line of Tract 2 and the north line of U.S. Highway 290, N73°05'12"W 220.35 feet to the PLACE OF BEGINNING.



FILED AND RECORDED

Instrument Number: 16-038

Filing and Recording Date: 05/17/2016 10:20:00 AM Pages: 5 Recording Fee: \$4.00

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.

Stephanie Tompkins, Deputy

Returned To:

Debbie Hollan
Waller County Clerk
1000 Waller County Courthouse
Waller, Texas 75781

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1000 Waller County Courthouse
Waller, Texas 75781