

NOTICE OF FORECLOSURE SALE

FILED FOR RECORD

2022 JUL -8 PM 12: 27

Notice is hereby given of a public nonjudicial foreclosure sale.

MANDY SAWYER
COUNTY CLERK
RAINS COUNTY, TEXAS
DEPUTY

1. Property To Be Sold. The property to be sold is described as follows:

All property (real, personal or otherwise) described in the Deed of Trust (as hereinafter defined), together with the rights, appurtenances and improvements thereto, including, but not limited to, the real property described on **Exhibit A** attached hereto and made a part hereof. In the event any property encumbered by the Deed of Trust has been released by Lender (or its predecessor in interest, as applicable), then said released property shall be excluded from the property sold at foreclosure.

2. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: **Tuesday, August 2, 2022.**

Time: The sale shall begin no earlier than **10:00 a.m.** or no later than three hours thereafter. The sale shall be completed by no later than **1:00 p.m.**

Place: **The sale will take place at the Rains County Courthouse at the place designated by the Rains County Commissioner's Court.**

The Deed of Trust permits the Lender (as hereinafter defined) to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code and/or Texas Business and Commerce Code. Such reposting or refileing may be after the date originally scheduled for this sale.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Lender to have the bid credited to the note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust, in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code (Texas UCC).

4. Type of Sale. The sale is a nonjudicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by that certain Deed of Trust (as amended, the "Deed of Trust") recorded under Instrument Nos. 2018 1496 and 2018 1497, in the Real Property Records of Rains County, Texas, and executed by ZR Holdings, Inc., a Texas corporation (whether one or more, the "Grantor"), for the benefit of Regions Bank ("Lender"), covering the property described above.

5. Obligations Secured. The Deed of Trust provides that they secure the payment of the indebtedness and obligations therein described (collectively the "Indebtedness") including but not limited to the unpaid principal and interest owing on: that certain Promissory Note (as amended, the "Note") dated on or about June 22, 2018, in the maximum principal amount of \$4,178,100.00, executed by the Grantor and payable to the order of Lender, and all renewals, modifications and extensions of the Note. Lender is the current owner and holder of the Note and the Indebtedness and is the beneficiary under the Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the Lender:

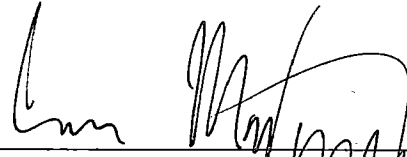
Regions Bank
3017 West Seventh Street, #410
Fort Worth, Texas 76107
Attn: Tom Bacarella
Phone: 602-459-6149
Fax: _____

6. Default and Request To Act. Default has occurred under the Deed of Trust, and Lender has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale Lender may appoint another person as substitute trustee to conduct the sale.

7. Armed Forces Notice. **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.**

8. **SECTION 51.0076. THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

DATED: July 8, 2022.



Cameron Montgomery, Substitute Trustee
Higier Allen & Lautin, P.C.
2711 North Haskell Avenue, Suite 2400
Dallas, Texas 75204
Telephone: (972) 716-1888
Fax: (972) 716-1899

*****PLEASE FAX ALL COMMUNICATIONS REGARDING THIS MATTER TO THE
SUBSTITUTE TRUSTEE AT 972-716-1899 (FAX), NOTE THE SUBSTITUTE
TRUSTEE'S NAME ON YOUR COVER SHEET AND CONTACT THE SUBSTITUTE
TRUSTEE AT 972-716-1888 (PHONE) TO CONFIRM RECEIPT. PLEASE ASSUME
YOUR FAX HAS NOT BEEN RECEIVED UNTIL YOU VERBALLY CONFIRM
RECEIPT THEREOF WITH OUR OFFICE. THANKS IN ADVANCE FOR YOUR
COOPERATION.*****

EXHIBIT A

PROPERTY DESCRIPTION

[FOLLOWS THIS COVER PAGE]

EXHIBIT "A"

Legal Description

LEGAL DESCRIPTION - TRACT ONE

Being a lot, tract, or parcel of land situated in the John Vachery Survey, Abstract No. 253, Rains County, Texas, same being a portion of that tract of land conveyed to Darryl S. Meeks, Sr. and Lori A. Meeks, by deed recorded in Volume 483, Page 733, Real Records, Rains County, Texas, and being more particularly described by metes and bounds as follows:

BEGINS at a 1/2 inch iron rod found at the Northeast corner of a called 3.000 acre tract conveyed to TII Operations, Inc., by Warranty Deed, as recorded in Volume 354, Page 507, Real Records, Rains County Texas, said point being in the West line of Industrial Park Road, (60' R.O.W.):

THENCE, North 57 Degrees 45 Minutes 15 Seconds West, with the North line of said 3.000 acre tract, a distance of 419.72 feet to a 1/2 inch iron rod found with a yellow plastic cap stamped (DCA NIC) at the Northwest corner of said 3.000 acre tract, said point being in the East line of a called 35.83 acre tract conveyed to Douglas, by Warranty Deed, as recorded in Volume 354, Page 487, Real Records, Rains County Texas;

THENCE, North 01 Degree 08 Minutes 15 Seconds West, with the East line of said 35.83 acre tract, a distance of 119.71 feet to a 1/2 inch iron rod found with a yellow plastic cap stamped (DCA NIC) at the Southeast corner of the remainder of a called 6.048 acre tract, called Tract One, conveyed to the City of Emory Development Corporation, by Warranty Deed, as recorded in Volume 358, Page 301, Real Records, Rains County Texas;

THENCE, South 57 Degrees 45 Minutes 15 Seconds East, with the South line of the remainder of said 6.048 acre tract, a distance of 481.75 feet to a 1/2 inch iron rod found with a yellow plastic cap stamped (DCA NIC) at the Southeast corner of the remainder of said 6.048 acre tract, said point being in the West line of said Industrial Park Road;

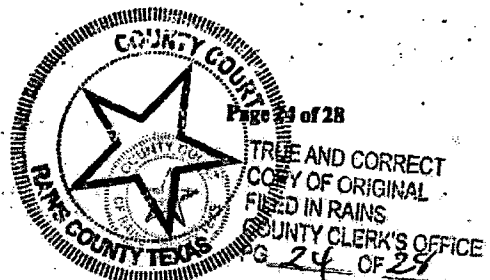
THENCE, South 32 Degrees 19 Minutes 45 Seconds West, with the West line of said Industrial Park Road, a distance of 100.00 feet to the POINT OF BEGINNING and CONTAINING 44,877 square feet or 1.03 acres of land.

LEGAL DESCRIPTION - TRACT NO. TWO

Being a lot, tract, or parcel of land situated in the John Vachery Survey, Abstract No. 253, Rains County, Texas, same being the remainder of that tract of land conveyed to Darryl S. Meeks, Sr. and Lori A. Meeks, by deed recorded in Volume 483, Page 733, Real Records, Rains County, Texas, and being more particularly described by metes and bounds as follows:

BEGINS at a 1/2 inch iron rod found with a yellow plastic cap stamped (DCA NIC) for corner, said corner being along the Southeast line of Industrial Park Road (60 feet right-of-way), and being the West corner of the remainder of said Meeks tract;

(Regions) Deed of Trust - ZR Holdings / SBA Loan No. 26801170-05



THENCE, North 22 Degrees 18 Minutes 45 Seconds East, with the East line of said Industrial Park Road, a distance of 171.81 feet to a 1/2 inch iron rod found with a yellow plastic cap stamped (DCA INC) for corner, said corner being at or near the back of a concrete curb at the intersection of the East line of said Industrial Park Road, with the South line of Prosperity Parkway (40 foot right-of-way);

THENCE, South 28 Degrees 20 Minutes 28 Seconds East, with the South line of said Prosperity Parkway, a distance of 220.02 feet to a 3/8 inch stamped (Beach) found for corner, said corner being at the East corner of the remainder of said Meeks tract;

THENCE, South 32 Degrees 18 Minutes 45 Seconds West, with the Northwest line of said remainder of Meeks tract, a distance of 174.38 feet to a 1/2 inch iron rod set with a yellow cap stamped (CSG SURVEYING);

THENCE, North 57 Degrees 40 Minutes 15 Seconds West, with the North line of said remainder of Meeks tract, a distance of 220.00 feet to the POINT OF BEGINNING and CONTAINING 38,082 square feet or 0.87 acres of land.

LEGAL DESCRIPTION - TRACT NO. THREE

Being a lot, tract, or parcel of land situated in the John Yeohery Survey, Abstract No. 233, Rains County, Texas, same being a portion of that tract of land conveyed to Doryl S. Meeks, Sr. and Lori A. Meeks, by deed recorded in Volume 493, Page 733, Real Records, Rains County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found with a yellow plastic cap stamped (DCA INC) for corner, at the West corner of the remainder of said Meeks tract, said point being in the East line of Industrial Park Road, (60 foot right-of-way);

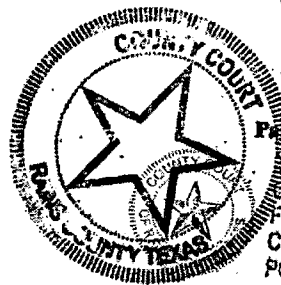
THENCE, South 57 Degrees 40 Minutes 15 Seconds East, with the South line of the remainder of said Meeks tract, a distance of 220.00 feet to a 1/2 inch iron rod set with a yellow plastic cap stamped (CSG SURVEYING) at the South corner of the remainder of said Meeks tract;

THENCE, South 32 Degrees 18 Minutes 45 Seconds West, parallel with the West line of said Meeks tract, a distance of 188.00 feet to a 3/8 inch iron rod found at the East corner of the West tract of land conveyed to City of Emory Development Corporation, by deed recorded in Volume 555, Page 250, Deed Records, Rains County Texas, from said point, a 3/8 inch iron rod found, bears South 32 Degrees 18 Minutes 38 Seconds West, a distance of 428.79 feet;

THENCE, North 57 Degrees 40 Minutes 15 Seconds West, with the North line of said City of Emory tract, a distance of 220.00 feet to a 1/2 inch iron rod set with a yellow plastic cap stamped (CSG SURVEYING) at the North corner of said City of Emory tract, and being in the East line of said Industrial Park Road;

THENCE, North 22 Degrees 18 Minutes 45 Seconds East, with the Southeast line of said Industrial Park Road, a distance of 188.00 feet to the POINT OF BEGINNING and CONTAINING 43,560 square feet or 1.00 acre of land.

(Regions) Deed of Trust - ZR Holdings / SBA Loan No. 26801170-05



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COUNTY CLERK'S OFFICE
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LEGAL DESCRIPTION - TRACT NO. FOUR.

Being a lot, tract, or parcel of land situated in the John Vochery Survey, Abstract No. 253, Rains County, Texas, same being a portion of that tract of land conveyed to Daryl S. Meeks, Sr. and Lot A, Meeks, by deed recorded in Volume 402, Page 723, Real Records, Rains County, Texas, and being more particularly described by metes and bounds as follows:

BEARING of a 1/2 inch iron rod found with an orange plastic cap of the Southeast corner of said Meeks tract;

THENCE, North 48 Degrees 10 Minutes 47 Seconds West, with the South line of the remainder of said Meeks tract, a distance of 11.55 feet to a 1/2 inch iron rod found for corner, said corner being along the Southeast line of that tract of land conveyed to the City of Emory Development Corporation, by deed recorded in Volume 553, Page 230, Deed Records, Rains County, Texas;

THENCE, North 32 Degrees 18 Minutes 45 Seconds East, parallel with the West line of said Meeks tract, and passing at a distance of 32.84 feet, a 3/8 inch iron rod found for corner, and continuing on and passing at a distance of 184.00 feet, a 1/2 inch iron rod set with a yellow cap stamped (CDD SURVEYING) for corner, and continuing on for a total distance of 405.35 feet to a 3/4 inch rod found stamped (BEADLY) for corner, said corner being in the South line of Prosperity Parkway, (40 feet right-of-way);

THENCE, South 58 Degrees 20 Minutes 34 Seconds East, with the North line of said Meeks tract, and the South line of said Prosperity Parkway, a distance of 11.55 feet to a 1/2 inch iron rod found stamped (BEADLY) for corner, said corner being at the East corner of said Meeks tract, and being the North corner of that tract of land conveyed to DMC Leasing Services, a Texas Corporation, by deed recorded in Volume 2010, Page 1490, Official Public Records, Rains County, Texas;

THENCE, South 32 Degrees 18 Minutes 45 Seconds West, with the Southeast line of said Meeks tract, and passing a tract of land conveyed to Asset Electronics Corporation, a Texas Corporation, by deed recorded in Volume 578, Page 710, Official Public Records, Rains County, Texas, a total distance of 405.18 feet to the POINT OF BEGINNING and CONTAINING 4,825 square feet or 0.11 acre of land.

(Regions) Deed of Trust - ZR Holdings / SBA Loan No. 26901170-05

