



THE STATE OF TEXAS §
 COUNTY OF LUBBOCK §

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, by Deed of Trust, Security Agreement, and Assignment of Rents dated March 11, 2019 ("Deed of Trust"), Douglas B. Allen and wife, Nancy Allen, as Grantor, conveyed to Dulan D. Elder, Trustee, for the benefit of SouthStar Financial, LLC, certain real and personal property situated in Lubbock County, Texas, being described as follows:

Real Property: Tract B-One (B-1), Breedlove Addition to the City of Lubbock, Lubbock County, Texas, according to the Map, Plat, and/or Dedication Deed thereof recorded under Clerk's File No. 2006045600 of the Official Public Records of Lubbock County, Texas, as more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes; and

Personal Property: All of the personal property described in Exhibit "A" attached hereto and incorporated herein for all purposes;

(hereinafter known as the "Property").

The Property described above is to secure payment of:

Secured Commercial Promissory Note dated March 11, 2019, in the original principal amount of \$1,240,000.00, executed by Douglas B. Allen, Nancy Allen and Vertical Turbine Specialist, Inc., and made payable to SouthStar Financial, LLC ("Note").

The Deed of Trust is recorded under Instrument Number 2019008603 in the Official Public Records of Lubbock County, Texas, reference to said Deed of Trust being hereby made for all purposes; and

WHEREAS, the undersigned has been appointed as Substitute Trustee in the place and stead of Dulan D. Elder, Trustee in the aforesaid Deed of Trust, said appointment being in the manner authorized by the Deed of Trust; and

WHEREAS, default has occurred under the terms of the Note secured by the Deed of Trust, the indebtedness evidenced therein is now wholly due, and the owner and holder of said indebtedness has requested the undersigned to sell the Real Property to satisfy same.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, the seventh (7th) day of February, 2023, between the hours of 10:00 o'clock a.m. and 1:00 o'clock p.m., I will sell the Property at the area of the Lubbock County Courthouse, Lubbock, Texas, designated by the Commissioners Court for foreclosure sales or trustee's sales, with the said property being sold to the highest bidder for cash. The earliest time at which the sale will occur is 10:00 a.m., and the sale will begin no later than three (3) hours after 10:00 a.m.

WITNESS MY HAND, this 4th day of January, 2023.

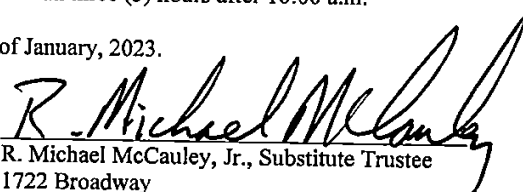

 R. Michael McCauley, Jr., Substitute Trustee
 1722 Broadway
 Lubbock, Texas 79401

EXHIBIT "A"

1. Real Property:

Tract B-One (B-1), Breedlove Addition to the City of Lubbock, Lubbock County, Texas, , according to the Map, Plat, and/or Dedication Deed thereof recorded under Clerk's File No. 2006045600 of the Official Public Records of Lubbock County, Texas;

together with all buildings, improvements, structures, and fixtures now situated or hereafter placed thereon; all additions, enlargements, extensions and improvements thereto and substitutions therefore; and all rights, privileges, tenements, hereditaments, rights-of-way, easements, appendages, and appurtenances in any way appertaining thereto, including, but not limited to, all right, title, and interest of Mortgagor in and to adjacent roads, right-of-ways, alleys, drainage facilities, easements and utility facilities, strips and gores between the described Real Property and abutting properties.

Assignment of Lease: Mortgagee retains the right at any time and from time to time to require Mortgagor to additionally secure the Indebtedness by a separate written assignment in recordable form of any or all leases of the Real Property.

2. Personal Property:

All of Mortgagor's personal property and goods, remedies, powers, privileges, rights, titles and interests (including all of Mortgagor's power, if any, to pass greater title than it has itself) of every kind and character now owned or hereafter acquired (the "Collateral"), including, but not limited to those created or arising in and to (i) the real property described above and incorporated herein for all purposes (the "Real Property") (including both that now and that hereafter existing) to the full extent that the Collateral may be subject to the Uniform Commercial Code (Texas Business & Commerce Code in the State of Texas) of the state or states where the Collateral is situated (the "UCC"), (ii) all equipment, furniture, furnishings, supplies, artwork, instruments, contract rights, investment property, accounts, accounts receivable, deposit accounts, software, electronic chattel paper, payment intangibles, general intangibles, fixtures, inventory, chattel paper, notes, documents and other personal property of Mortgagor, including all such property used, intended or acquired for use, on or in connection with the development, use or operation of the Collateral/Real Property, or otherwise related to the Collateral/Real Property, and all products and proceeds of it, including all rentals and all security deposits under leases now or at any time hereafter held by or for Mortgagor's benefit, all monetary deposits which Mortgagor has been required to give to any public or private utility with respect to utility services furnished to the Real Property, all funds, accounts, instruments, accounts receivable, documents, trademarks, trade names and symbols used in connection therewith, and notes or chattel paper arising from or by virtue of any transactions related to the Collateral/Real Property, all permits, licenses, franchises, certificates, and other rights and privileges obtained in

connection with the Collateral/Real Property, and all guaranties and warranties obtained with respect to all improvements, equipment, furniture, furnishings, personal property and components of any thereof located on or installed at the Real Property.

All insurance and proceeds of insurance related to the Mortgaged Property;

All accounts receivable, notes receivable, checks, drafts, contract rights, instruments, documents, chattel paper, and general intangibles of every nature evidencing Mortgagor's right to the payment of money and arising from the business of Mortgagor conducted with or upon the Mortgaged Property or from the sale, lease or license of the Mortgaged Property; and

All proceeds, cash and non-cash from the above, together with all property of Mortgagor in the possession of Mortgagee, including deposits, savings accounts and certificates of deposit.

Together with all substitutions for and proceeds of any of the foregoing received upon the rental, sale, exchange, transfer, collection or other disposition or substitution of it and together with all general intangibles now owned by Mortgagor or existing or hereafter acquired, created or arising (whether or not related to any of the foregoing Mortgaged Property).

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Kelly Pinion
Kelly Pinion, County Clerk
Lubbock County, TEXAS
01/03/2023 09:59 AM
FEE: \$3.00
2023000406