

17-00084C

FILED FOR RECORD
SHELBY COUNTY, TEXAS

2017 MAY 10 PM 12 54

Deed of Trust, Security Agreement, and Financing Statement ("Deed of Trust"):

Dated: July 27, 2012 BY _____ DEPUTY

Grantor: Port Arthur Hospitality Partners, Ltd.

Trustee: William Z. Fairbanks

Lender: Golden Bull Fixed Income Fund II, LLC

Recorded in: Instrument No. 2012004494 in the Official Public Records of Shelby County, Texas

Secures: Secured Promissory Note ("Note") in the original principal amount of \$3,231,500.00, executed by Port Arthur Hospitality Partners, Ltd. ("Borrower") and payable to the order of Lender and all sums that may become due and owing to Beneficiary under the terms of the Deed of Trust or any other document executed in connection with, or securing, the Note

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Guaranty: The Note and all other indebtedness of Borrower to Lender is guaranteed by: Unconditional Guaranties of Payment and Performance in favor of Lender, executed by Port Arthur Hotels Management, LLC, Seema Dayal, and Jayesh Dayal

Substitute Trustee: Robert T. Cain, Jr.

Substitute Trustee's Address: 122 East Lufkin Avenue, Lufkin, Texas 75901

Foreclosure Sale: Tuesday, June 6, 2017

Date: Tuesday, June 6, 2017
Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three

hours thereafter.

Place: Shelby County Courthouse, 200 San Augustine Street, Center, Texas 75935, in the area within a radius of 100 feet of the southeastern door of said Courthouse, all as designated by the Commissioners' Court of Shelby County, Texas

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Lender's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Lender, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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.

Mortgage Servicer is representing Lender in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Lender. The address of Mortgage Servicer is set forth above.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Lender passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refilled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Lender. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

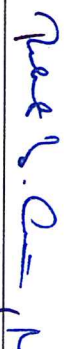
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

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.



Robert T. Cain, Jr.
Substitute Trustee

EXHIBIT "A"
LEGAL DESCRIPTION

FIRST TRACT: BEING 2 acres of land, more or less, a part of the NANCY SMITH SURVEY, A-644, Shelby County, Texas, and being the land described in the Warranty Deed from Bipin Patel to Krishna Center, Inc. dated July 21, 2010, recorded under instrument No. 2010008899, Official Public Records, Shelby County, Texas, and being described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch iron rod, whence bears an existing 1/2 inch iron rod found at NEC of a called 25.00 acres tract recorded in Vol. 967, Page 236 (SCDR) S. 28 deg. 01 min. E. a distance of 623.77 feet

THENCE across said 107.841 acres tract S. 88 deg. 27 min. 08 sec. W. a distance of 241.00 feet to a 1/2 inch iron rod set at the SEC of a 0.42 of an acre surveyed this date.

THENCE with the EBL of said 0.42 of an acre N. 01 deg. 33 min. 01 sec. W. a distance of 361.50 feet to a 1/2 inch iron rod set to mark the NEC of said 0.42 of an acre and being in the S. right-of-way line of Express Blvd.

THENCE with the S. right-of-way line of Express Blvd. N. 88 deg. 27 min. 06 sec. E. a distance of 241.00 feet to a 1/2 inch iron rod set in same.

THENCE across said 107.841 acres tract S. 01 deg. 33 min. 01 sec. E. a distance of 361.50 feet to the BEGINNING and containing 2.00 acres of land, more or less.

Surveyed by D. Dwayne Milley, Registered Professional Land Survey, No. 4164, State of Texas, on September 3, 2008.

SECOND TRACT: BEING 1 acre of land, more or less, a part of the NANCY SMITH SURVEY, A-644, Shelby County, Texas, and being the land described in the Warranty Deed from Bipin Patel to Krishna Center, Inc. dated July 21, 2010, recorded under instrument No. 2010008899, Official Public Records, Shelby County, Texas, and being described by metes and bounds as follows, to-wit:

BEGINNING at the SEC of that certain 2.00 acre tract which was conveyed (out of the above referred to 107.841 acre tract) from Foster Forestry, L.P., to Bipin Patel by deed dated October 28, 2008, recorded under instrument No. 2008011504, Deed Records, Shelby County, Texas, a 1/2 inch iron rod found for corner.

THENCE N. 06 deg. 34 min. 09 sec. W. with the EBL of said 2.00 acre tract, 361.48 feet to the NEC thereof, located in the SBL of that certain 1.30 acre tract which was conveyed (out of the above referred to 107.841 acre tract) from Foster Forestry Co., L.P., to City of Center, Texas, by deed dated July 5, 2006, recorded in Vol. 1053, Page 268, Deed Records, Shelby County, Texas, a 1/2 inch iron rod found for corner.

THENCE N. 83 deg. 27 min. 06 sec. E. with the SBL of said 1.30 acre tract, 120.51 feet to a 1/2 inch iron pipe set for corner therein, from which a 1/2 inch iron pipe found, an offset corner of said 1.30 acre tract, bears N. 83 deg. 27 min. 06 sec. E. 36.22 feet

THENCE S. 08 deg. 34 min. 08 sec. E. severing the above referred to 107.841 acre tract, 361.48 feet to a 1/2 inch iron pipe set for corner.

THENCE S. 83 deg. 26 min. 15 sec. W. severing the above referred to 107.841 acre tract, 120.51 feet to the place of beginning containing 1.00 acre of land, more or less.