

FIFTH NOTICE OF SUBSTITUTE TRUSTEE'S SALE

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HARRIS §

WHEREAS, on August 20, 2021, **MoParty Family Limited Partnership** ("Maker" or "Borrower"), executed and delivered that certain **Balloon Real Estate Lien Note** in the original principal amount of TWO MILLION ONE HUNDRED EIGHTY EIGHT THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$2,188,750.00), payable and bearing interest as stated therein (the "Note"), said Note and all other indebtedness, obligations and liabilities of any kind of the Grantors, or any Maker of the Note to Beneficiary, being secured by that certain **Deed of Trust and Security Agreement** dated August 20, 2021, executed by **Moparty Family Limited Partnership**, as "Grantor" in favor of Ramon A. Vitulli, III, as Trustee, filed for record on August 27, 2021 in the Official Public Records of Harris County, Texas, under Instrument No. RP-2021-491601 (the "Deed of Trust") covering and describing the "Premises", as such term is defined in the Deed of Trust.

Reference is further made to that certain **Collateral Assignment of Rents and Leases** dated August 20, 2021, executed by **Moparty Family Limited Partnership** as "Assignor" covering and describing the Premises, and filed for record on August 27, 2021 in the Official Public Records of Harris County, Texas, under Instrument No. RP-2021-491602, whereby the Borrower assigned all of its rights, titles and interests in any and all leases and rents of the Premises to further secured payment of the indebtedness.

WHEREAS, default has occurred under the terms and provisions of the referenced Note and Deed of Trust and the same are now wholly due, and Stellar Bank, formerly known as Allegiance Bank (the "Mortgagee"), the owner and holder of all the Note, has requested the undersigned to sell the Premises described below; and

WHEREAS, the above named Trustee and any previously appointed Substitute Trustee(s) was removed in accordance with the Deed of Trust and the Mortgagee designated and appointed **Ted L. Walker and Andrew W. Gray, 125 Main Street, PO Box 62, Jasper, Texas 75951**, as Substitute Trustee to enforce the Trust set forth in said Deed of Trust.

NOW, THEREFORE, pursuant to the authority conferred upon me by the Deed of Trust, I hereby give notice that the Premises described below will be sold at public auction to the highest bidder for cash. The sale is scheduled to be held at the following date, time, and place:

Date: November 3, 2026

Time: 1:15 p.m. C.S.T. and may occur no later than 4:00 p.m. C.S.T.

Place: The Bayou City Event Center 9401 Knight Road, Harris County, Houston, Texas 77047 or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court or as designated by the County Commissioners Court PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS.

This conveyance will be made subject to any exceptions referenced in the Deed of Trust, if any, to the extent the same are still in effect and shall not cover any part of the Land that has been released from the liens of the Deed of Trust. The Premises that will be sold at the foreclosure sale is described as follows:

Premises: SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

ACTIVE MILITARY SERVICE NOTICE

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE 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. To determine if you are entitled to and what protections may be afforded you under the Servicemembers Civil Relief Act, you may call the toll-free telephone numbers for Military One Source: From the United States: 1-800-342-9647. From outside the United States (where available): 1-800-342-6477. International collect: 484-530-5747.

THE SALE OF THE PREMISES IS "AS-IS" AND "WHERE-IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. THE SUBSTITUTE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE COMPLIANCE WITH THE LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, CONDITION, QUALITY, CAPACITY, A DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PREMISES, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

**SUBSTITUTE TRUSTEE RESERVES THE RIGHT TO DETERMINE
INCREMENTS IN WHICH BIDS WILL BE ACCEPTED AND TO ANNOUNCE
SAME AT THE SALE.**

Dated: October 2, 2026

/s/ Ted L. Walker

Ted L. Walker, Substitute Trustee
PO Box 62
Jasper, Texas 75951
Phone (409) 384-8899
Facsimile (409) 384-9899
Email twalker@walker-firm.com

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Exhibit A
Legal Description

Tract 1:

BEING 0.6077 acres of land, being known as Lots 1, 2, and 3, in Block 1 of Spring Dell an unrecorded Subdivision, being the same tracts of land described in deed as Tract 1, 2, and 3 to Mohamad R & Marcela J Kamalipour as recorded under Harris County Clerk's File Number V489695 of the Official Public Records of Real Property of Harris County, Texas, being in the A. Scales Survey, Abstract 687, Harris County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found with "JPM LAND SURVEYING" cap in the south line of Spring Cypress Road (being 80 feet wide), and the west line of Sleepy Hollow Lane (being 60 feet wide);

THENCE S 34°28'21" E 161.01 feet along the west line of said Sleep Hollow Lane to a 1/2 inch iron rod found for the north corner of a 0.4831 acre tract of land described in deed to Mohamad R & Marcela J Kamalipour as recorded under Harris County Clerk's File Number 20080278493 of the Official Public Records of Real Property of Harris County, Texas;

THENCE S 55°36'21" W 164.40 feet along the common line between the herein described tract and said 0.4831 acre tract to a 5/8 inch iron rod with "ATKINSON 5897" cap set in the east line of Holzwarth Road (width varies);

THENCE N 34°28'21" W 161.01 feet along the east line of said Holzwarth Road to a 1/2 inch iron rod found in the south line of said Spring Cypress road;

THENCE N 55°36'21" E 164.40 feet along the south line of said Spring Cypress Road to the PLACE OF BEGINNING; together with all buildings and other improvements thereon and hereafter placed thereon, and all fixtures, materials, equipment, apparatus, furniture, furnishings and other property, real and personal, now or hereafter installed or used on the above-described property or the improvements thereon, including, but not limited to, all heating, lighting, refrigeration, plumbing, ventilating, incinerating, water bearing, cooking and air-conditioning equipment, fixtures and appurtenances, window screens, window shades, Venetian blinds, awnings, drapes, rugs, and other floor coverings and shrubbery and other chattels and personal property used or furnished in connection with the operation, use and enjoyment of the above - described property and the improvements thereon, and all renewals, replacements and substitutions thereof and additions thereto, all of which said property and fixtures shall be deemed to be a part of and affixed to the above-described real property; all rents, revenues, income and profits arising from any part of the above -

described property and the use thereof, including all rents, revenues, bonus money, royalties, rights and benefits accruing to Grantor under all present and future oil, gas and mineral leases on any part of the above-described property; all rights, title and interest of Grantors in and to any utility capacities and wastewater reservations relating to any part of the above-described property; all rights, title and interest of Grantor in and to any and all Wastewater Capacity Reservations of any kind or character, if any, covering the Land or Improvements, issued or which may be issued by any governmental agencies having jurisdictions thereof and all other rights relating to sewage treatment capacity, water capacity and utilities servicing the Land or Improvements (said rights described in this subparagraph being collectively sometimes called "Utilities Rights") and all rights, title and interest of Grantor in and to any permits, licenses, franchises, certificates, and other rights and privileges obtained in connection with said real property; and all the estate, right, title and interest of every nature whatsoever of the Grantors in and to all of the foregoing and every pail and parcel thereof.

Tract 2

BEING 0.4831 acres of land, being known as Lots 4, 5, and the northerly 20.67 feet of Lot 6, Block 1 of Spring Dell an unrecorded Subdivision, being the same tract of land as described in deed to Mohamad R & Marcela J Kamalipour as recorded under Harris County Clerk's File Number 20080278493 of the Official Public Records of Real Property of Harris County, Texas, being in the A. Scales Survey, Abstract 687, Harris County, Texas, and being more particularly described by metes and bounds as follows: BEGINNING at a 1/2 inch iron rod found in the southwest line of Sleepy Hollow Lane (60 foot right-of-way) marking the east corner of a 0.6077 acre tract of land described in deed as Tracts 1, 2, and 3 to Mohamad R & Marcela J Kamalipour as recorded under Harris County Clerk's File Number V489695 of the Official Public Records of Real Property of Harris County, Texas, also being the east corner of Lot 3, Block 1 of said Spring Dell Subdivision;

THENCE S 34°28'21" E 128.01 feet along the west line of said Sleep Hollow Lane to a 1/2 inch iron pipe found for the east corner of the herein described tract, and the north corner of a tract of land described in deed to Luther K. & Alice M. Barton as recorded under Harris County Clerk's File Number S237913 of the Official Public Records of Real Property of Harris County, Texas;

THENCE S 55°36'21" W 164.40 feet along the common line between the herein described tract and said Luther K. & Alice M. Barton tract to a 1/2 inch iron rod found in the east line of Holzwarth Road (width varies);

THENCE N 34°28'21" W 128.01 feet along the east line of said Holzwarth Road to a 5/8 inch iron rod with "ATKINSON 5897" cap set for the west corner of the herein described tract, and the south corner of Lot 1, Block 1 of said Spring Dell Subdivision, being the west corner of said 0.6077 acre tract of land;

THENCE N 55°36'21" E 164.40 feet along the common line between the herein described tract and the south line of said 0.6077 acre tract of land to the PLACE OF BEGINNING , together with all buildings and other improvements thereon and hereafter placed thereon, and all fixtures, materials, equipment, apparatus, furniture, furnishings and other property, real and personal , now or hereafter installed or used on the above-described property or the improvements thereon, including, but not limited to, all heating, lighting, refrigeration, plumbing, ventilating, incinerating, water bearing, cooking and air-conditioning equipment, fixtures and appurtenances, window screens, window shades, Venetian blinds, awnings, drapes, rugs, and other floor coverings and shrubbery and other chattels and personal property used or furnished in connection with the operation, use and enjoyment of the above - described property and the improvements thereon, and all renewals, replacements and substitutions thereof and additions thereto, all of which said property and fixtures shall be deemed to be a part of and affixed to the above-described real property; all rents, revenues, income and profits arising from any part of the above -described property and the use thereof, including all rents, revenues, bonus money, royalties, rights and benefits accruing to Grantor under all present and future oil, gas and mineral leases on any part of the above - described property; all rights, title and interest of Grantors in and to any utility capacities and wastewater reservations relating to any part of the above-described property; all rights, title and interest of Grantor in and to any and all Wastewater Capacity Reservations of any kind or character, if any, covering the Land or Improvements, issued or which may be issued by any governmental agencies having jurisdictions thereof and all other rights relating to sewage treatment capacity, water capacity and utilities servicing the Land or Improvements (said rights described in this subparagraph being collectively sometimes called "Utilities Rights") and all rights, title and interest of Grantor in and to any permits, licenses, franchises, certificates, and other rights and privileges obtained in connection with said real property; and all the estate, right, title and interest of every nature whatsoever of the Grantors in and to all of the foregoing and every part and parcel thereof.