

NOTICE OF TRUSTEE'S SALE

Pursuant to Deed of Trust dated July 27, 2022, executed by BI HOLDINGS, LLC ("Mortgagor") Mortgagor conveyed to CHARLES T. DOYLE, PATRICK F. DOYLE, DENNIS R. BETTISON, JEFF ADAMS, JANA L. HARTNETT, ALBERT G. REDMOND, PETER J. SAPIO, JR. or THEA CLARK, as Trustee(s) all of their right, title, and interest in and to those certain parcels of real property situated in Austin County, Texas and described as:

24.858 acres of land, more or less, in the James Tylee Survey, Abstract 304, Austin County, Texas, same being the aggregate of that certain called 0.378 acre parcel as described by instrument recorded in File No. 176231, Official Records of Austin County, Texas same being more particularly described by instrument recorded in Volume 370, Page 411, Deed Records of Austin County, Texas; that certain called 5.233 acre parcel as described by instrument recorded in File No. 176231, Official Records of Austin County, Texas, same being more particularly described by instrument recorded in Volume 458, Page 317, Deed Records of Austin County, Texas; and that certain called 19.181 acre parcel as described by instrument recorded in File No. 176231, Official Records of Austin County, Texas, same being more particularly described by instrument recorded in Volume 355, Page 629, Deed Records of Austin County, Texas; and being more fully described on Exhibit "A" attached hereto.

22.174 acres of land, more or less, in the James Tylee Heirs Survey, Abstract 304, Austin County, Texas, same being out of the residue of that certain called 34.074 acre parcel as described by Deed recorded in File No. 062259, Official Records of Austin County, Texas; and being more fully described on Exhibit "B" attached hereto.

to secure the payment of that one certain Promissory Note ("Note") dated July 27, 2022, in the original principal amount of \$2,466,769.45, executed by BI HOLDINGS, LLC and BROWN INTERESTS, LLC d/b/a THE VINE, payable to the order of TEXAS FIRST BANK ("Beneficiary") and any and all other indebtedness secured by the Deed of Trust.

FILED

2024-0018

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Andrea Cardenas
COUNTY CLERK
AUSTIN COUNTY, CLERK

The Deed of Trust were filed of record under Austin County, Texas under File No. 224383; all in the Official Real Property Public Records of Austin County, Texas; and

The Deed of Trust is in default and the entire unpaid balance of the Note is due and payable, and Beneficiary intends to enforce the power of sale set forth in the above-referenced Deed of Trust; and

The Beneficiary has directed the Trustee to enforce the power of sale under the Deed of Trust for the purpose of collecting the indebtedness secured under it, after the giving of at least 21 consecutive days notice and recording the Notice in the Austin County Clerk's Office giving the time, place, and terms of said sale, and description of the property to be sold, pursuant to the Deed of Trust and the laws of the State of Texas;

Therefore, I, THEA CLARK, Trustee, hereby give notice, after due publication as required by the Deed of Trust and/or security instruments and the Texas Property Code, that I will, after due posting, publication, and filing of this Notice, and after having given written notice of at least 21 consecutive days by certified mail, return receipt requested, as well as regular mail, to each debtor obligated to pay the Note and indebtedness secured by the Deed of Trust, at the last known address of each such debtor, according to the records of Beneficiary, as required by the Deed of Trust and the laws of the State of Texas, sell the Property at public auction to the highest bidder or bidders for cash, beginning at 1:00 p.m. on the first Tuesday in **September**, being **September 3, 2024**, in the Lobby of The Austin County Courthouse, located at 1 East Main, Bellville, Texas 77418, or as designated by the County Commissioners Court.

Pursuant to Section 51.002 of the Texas Property Code, the foreclosure sale will begin no earlier than 10:00 a.m. and no later than three hours after that time.

The sale conducted pursuant to this Notice will be made subject to any valid and existing liens and any other title encumbrances affecting title to the property described above or any part of the property that are proved superior to the liens and other rights of Beneficiary under the security instrument or other recorded instruments.

Signed on August 2nd, 2024.

DOYLE LAW FIRM, PLLC
6710 Stewart Road, Suite 300
Galveston, Texas 77551
Telephone: 409/744-9783
Fax: 409/744-9786

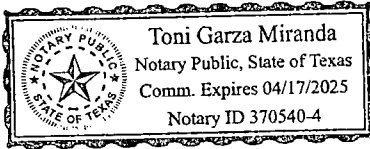
By: 
THEA CLARK, Trustee

THE STATE OF TEXAS

§
§
§

COUNTY OF GALVESTON

This instrument was acknowledged before me on the 2nd day of August, 2024, by **THEA CLARK**, Trustee, and in the capacity therein stated.



Toni Garza Miranda
Notary Public in and for the State of Texas

Exhibit A

**METES AND BOUNDS
DESCRIPTION
OF
24.858 ACRES
IN THE
JAMES TYLEE SURVEY, ABSTRACT 304
AUSTIN COUNTY, TEXAS**

BEING all that certain tract or parcel of land containing 24.858 acres of land, more or less, in the James Tylee Survey, Abstract 304, Austin County, Texas, same being the aggregate of that certain called 0.378 acre parcel as described by instrument recorded in Clerk's File No. 176231 of the Official Records of Austin County, Texas, same being more particularly described by instrument recorded in Volume 370, Page 411 of the Deed Records of Austin County, Texas, that certain called 5.233 acre parcel as described by instrument recorded in Clerk's File No. 176231 of the Official Records of Austin County, Texas, same being more particularly described by instrument recorded in Volume 458, Page 317 of the Deed Records of Austin County, Texas, and that certain called 19.181 acre parcel as described by instrument recorded in Clerk's File No. 176231 of the Official Records of Austin County, Texas, same being more particularly described by instrument recorded in Volume 355, Page 629 of the Deed Records of Austin County, Texas, said 24.858 acre tract being more particularly described by metes and bounds, as follows, to wit:

BEGINNING at a 5/8 inch iron rod found for corner, same being the **POINT OF BEGINNING** and a southerly interior corner of the tract herein described, same being in the southeasterly line of said called 5.233 acre parcel, same being the most westerly corner of said called 19.181 acre parcel, and same being the most northerly corner of that certain called 22.174 acre parcel as described by instrument recorded in Clerk's File No. 160826 of the Official Records of Austin County, Texas;

THENCE, with said common line, South 44 degrees 08 minutes 32 seconds West, a distance of 256.67 feet (called South 44 degrees 08 minutes 32 seconds West, 256.67 feet) (Basis of Bearings) to a 1/2 inch iron rod found for corner, same being in the northwesterly line of said called 22.174 acre parcel, same being the most southerly corner of the residue of said called 5.233 acre parcel, same being a southeasterly exterior corner in the southeasterly right-of-way of Bernard Road (right-of-way varies), and same being the most westerly southwest corner of the tract herein described;

THENCE, with said southeasterly right-of-way line of Bernard Road and said common line, North 02 degrees 46 minutes 19 seconds East, a distance of 948.96 feet (called North 03 degrees 03 minutes 28 seconds East, 949.00 feet) to a Spike in Tree found for corner, same being a northeasterly exterior corner in said easterly right-of-way line of Bernard Road, same being the most northerly corner of said called 5.233 acre parcel, same being in the southwesterly line of said called 0.378 acre parcel, and same being a northwesterly interior corner of the tract herein described;

THENCE, with said northeasterly right-of-way line of Bernard Road and said common line, North 46 degrees 41 minutes 40 seconds West, a distance of 49.83 feet (called North 44 degrees 46 minutes 00 seconds West, 50.07 feet) to a 3/8 inch iron rod found for corner, same being the most westerly northwest corner of said called 0.378 acre parcel, same being a northwesterly exterior corner of that certain called 18.36 acre parcel as described by instrument recorded in Clerk's File No. 094845 of the Official Records of Austin County, Texas, and same being the most northerly northwest corner of the tract herein described;

4 Continued
4 Page 1 of 2

19 N. Miller

Belville, Texas 77418



1-979-865-8111 1-800-427-8783

T.B.P.L.S. Firm Reg./Lic. No. 10076700

2024-0018

- Page 2 of 2
- Metes and Bounds Description of 24.858 acres in the
- James Tylee Survey, Abstract 304, Austin County, Texas

THENCE, departing said northeasterly right-of-way line of Bernard Road and with said common line, North 38 degrees 52 minutes 12 seconds East, a distance of 28.46 feet (called North 89 degrees 35 minutes 00 seconds East, 28.72 feet) to a 3/8 inch iron rod found for corner, same being a northwesterly interior corner of said called 18.36 acre parcel, same being the most northerly northeast corner of said called 0.378 acre parcel, and same being the most northerly corner of the tract herein described;

THENCE, with said common line, South 47 degrees 25 minutes 22 seconds East, a distance of 758.31 feet (called South 45 degrees 37 minutes 49 seconds East, 758.10 feet) to a 1/2 inch iron rod found for corner, same being the most southerly corner of said called 18.36 acre parcel, same being the most easterly southeast corner of said called 0.378 acre parcel, same being in the northwesterly line of said called 19.181 acre parcel, and same being a northerly interior corner of the tract herein described;

THENCE, with said common line, North 41 degrees 57 minutes 44 seconds East, a distance of 210.73 feet (called North 43 degrees 57 minutes 12 seconds East) to a 1/2 inch iron rod found for corner, same being in a southeasterly line of said called 18.36 acre parcel, same being the most westerly corner of that certain called 19.181 acre parcel as described by instrument recorded in Volumes 355, Page 629 of the Deed Records of Austin County, Texas, and more particularly described by instrument recorded in Volume 660, Page 9 of the Official Records of Austin County, Texas, and same being a northerly exterior corner of the tract herein described;

THENCE, with said common line, South 42 degrees 19 minutes 07 seconds East, a distance of 901.28 feet (called South 40 degrees 31 minutes 36 seconds East, 901.02 feet) to a 5/8 inch iron rod found for corner, same being the most southerly corner of said called 19.181 acre parcel, same being the most westerly corner of that certain called 20.516 acre parcel as described by instrument recorded in Clerk's File No. 170909 of the Official Records of Austin County, Texas, same being a northeasterly interior corner of said Parent Tract called 19.181 acre parcel, and same being a northeasterly interior corner of the tract herein described;

THENCE, with said common line, South 47 degrees 16 minutes 23 seconds East, a distance of 310.16 feet (called South 45 degrees 32 minutes 00 seconds East, 310.64 feet) to a 1/2 inch iron rod found for corner, same being the most southerly corner of said called 20.516 acre parcel, same being in the northwesterly line of that certain called 42.82 acre parcel as described by instrument recorded in Probate No. 8062 of the Probate Records of Austin County, Texas, same being the most easterly southeast corner of said Parent Tract called 19.181 acre parcel, and same being the most easterly southeast corner of the tract herein described;

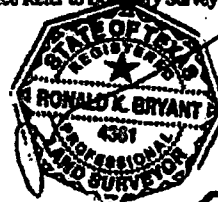
THENCE, with said common line, South 42 degrees 41 minutes 09 seconds West, a distance of 605.63 feet (called South 44 degrees 28 minutes 00 seconds West, a distance of 599.76 feet) to a 1/2 inch iron rod found for corner, same being in the northwesterly line of said called 42.82 acre parcel, same being the most easterly southeast corner of the aforementioned called 22.174 acre parcel, and same being the most southerly corner of said Parent Tract called 19.181 acre parcel, and same being the most southerly corner of the tract herein described;

THENCE, with said common line, North 51 degrees 06 minutes 07 seconds West, a distance of 342.09 feet (called North 51 degrees 06 minutes 07 seconds West, 342.05 feet) to a 5/8 inch iron rod found for corner, same being a northeasterly interior corner of said called 22.174 acre parcel, same being a southwesterly exterior corner of said Parent Tract called 19.181 acre parcel, and same being a southwesterly exterior corner of the tract herein described;

THENCE, with said common line, North 47 degrees 07 minutes 21 seconds West, a distance of 977.61 feet (called North 47 degrees 07 minutes 55 seconds West, 977.69 feet) to the POINT OF BEGINNING of the tract herein described and containing 24.858 acres of land, more or less. For Reference Refer to Boundary Survey Plat, Prepared by A-Survey, Inc., May 21, 2018.

PROJECT NO. 18159A
MAY 21, 2018

COMPILED BY:



19 N. Miller Bellville, Texas 77418

1-979-865-9111 1-800-427-8783

T.B.P.L.S. Firm Reg./Lic. No. 10076700

2024-0018

Exhibit B

METES AND BOUNDS

DESCRIPTION

OF

22.174 ACRES

IN THE

JAMES TYLER HEIRS SURVEY, ABSTRACT 304

AUSTIN COUNTY, TEXAS

PARCEL NO. 1

BEING all that certain tract or parcel of land containing 22.174 acres of land, more or less, in the James Tyler Heirs Survey, Abstract 304, Austin County, Texas, same being out of the residue of that certain called 34.074 acre parcel as described by deed recorded in Clerk's File No. 062259 of the Official Records of Austin County, Texas, said 22.174 acre tract being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a 1/2 inch iron rod found for corner, same being the POINT OF BEGINNING and most southerly exterior corner of the tract herein described, same being a southerly exterior corner of the residue of said called 34.074 acre parcel, same being the most westerly southwest corner of that certain Third Tract called 100.00 acre parcel as described by deed recorded in Volume 355, Page 644 of the Deed Records of Austin County, Texas, same being in the northeasterly margin of Bernard Road (margin varies);

THENCE, with said northeasterly margin of Bernard Road, North 36 degrees 34 minutes 59 seconds West, a distance of 192.98 feet to an old fence angle post found for corner, same being in the northeasterly margin of said Bernard Road, and same being a southwesterly exterior corner of the tract herein described;

THENCE, continuing with said northeasterly margin of said Bernard Road, North 29 degrees 32 minutes 15 seconds West, a distance of 173.43 feet to a 1/2 inch iron rod set for corner, and same being a southwesterly exterior corner of the tract herein described;

THENCE, departing said northeasterly margin of said Bernard Road, North 62 degrees 09 minutes 38 seconds East, a distance of 488.62 feet to a 1/2 inch iron rod set for corner, and same being a southwesterly interior corner of the tract herein described;

THENCE, North 25 degrees 10 minutes 25 seconds West, a distance of 300.44 feet to a 1/2 inch iron rod set for corner, and same being a southwesterly interior corner of the tract herein described;

THENCE, North 82 degrees 36 minutes 50 seconds West, a distance of 302.90 feet to a 1/2 inch iron rod set for corner, and same being a southwesterly interior corner of the tract herein described;

THENCE, South 68 degrees 29 minutes 14 seconds West, a distance of 252.44 feet to a 1/2 inch iron rod set for corner, same being in the northeasterly margin of said Bernard Road, and same being a southwesterly exterior corner of the tract herein described;

THENCE, with said northeasterly margin of Bernard Road, North 24 degrees 37 minutes 22 seconds West, a distance of 26.59 feet to a fence angle post found for corner, and same being a southwesterly exterior corner of the tract herein described;

THENCE, continuing with said northeasterly margin of said Bernard Road, North 19 degrees 42 minutes 31 seconds West, a distance of 441.10 feet to a fence angle post found for corner, and same being a southwesterly exterior corner of the tract herein described;

↳ Continued
↳ Page 1 of 2



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- ↓ Page 2 of 2
- ↓ Metes and Bounds Description of 22.174 Acres in the
- ↓ James Tyler Heira Survey, Abstract 304, Austin County, Texas
- ↓ Parcel No. 1

THENCE, continuing with said northeasterly margin of said Bernard Road, North 80 degrees 10 minutes 41 seconds East, a distance of 103.77 feet to a fence angle post found for corner, and same being a northwesterly exterior corner of the tract herein described;

THENCE, continuing with the southeasterly margin of said Bernard Road, North 41 degrees 37 minutes 33 seconds East, a distance of 303.95 feet to a 1/2 inch iron rod found for corner, same being a northwesterly exterior corner of the aforementioned residue of said called 34.074 acre parcel, same being the most southerly corner of that certain called 5.233 acre parcel as described by deed recorded in Volume 458, Page 317 of the Deed Records of Austin County, Texas, and same being a northwesterly exterior corner of the tract herein described;

THENCE, departing said northeasterly margin of said Bernard Road and with said common line, North 44 degrees 08 minutes 32 seconds East, a distance of 256.67 feet (called North 44 degrees 04 minutes 37 seconds East, 256.37 feet) to a 3/8 inch iron rod found for corner, same being a southeasterly exterior corner of said called 5.233 acre parcel, same being the most westerly northwest corner of that certain First Tract called 19.181 acre parcel as described by deed recorded in Volume 355, Page 628 of the Deed Records of Austin County, Texas, same being the most northerly corner of the residue of said called 34.074 acre parcel, and same being the most northerly corner of the tract herein described;

THENCE, with said common line, South 47 degrees 07 minutes 33 seconds East, a distance of 977.69 feet (called South 47 degrees 07 minutes 21 seconds East, 977.61 feet) to a 3/8 inch iron rod found for corner, same being a southwesterly exterior of said First Tract called 19.181 acre parcel, same being a northeasterly interior corner of the residue of said called 34.074 acre parcel, and same being a northeasterly interior corner of the tract herein described;

THENCE, continuing with said common line, South 51 degrees 06 minutes 07 seconds East, a distance of 342.05 feet (called South 51 degrees 06 minutes 07 seconds East, 342.09 feet) (Basis of Bearings) to a 1/2 inch iron rod found for corner, same being the most southerly corner of said First Tract called 19.181 acre parcel, same being in the northwesterly line of the aforementioned Third Tract called 100.00 acre parcel, same being the most easterly corner of the residue of said called 34.074 acre parcel, and same being the most easterly corner of the tract herein described;

THENCE, with said common line, South 42 degrees 58 minutes 00 seconds West, a distance of 1,132.73 feet (called South 43 degrees 00 minutes 00 seconds West, 1,133.24 feet) to the POINT OF BEGINNING of the tract herein described and containing 22.174 acres of land, more or less.
Please refer to Boundary Survey, Prepared by A-Survey, Inc., dated December 18, 2012.

PROJECT NO. 12184A - PARCEL NO. 1

DECEMBER 18, 2012

COMPILED BY:



19 N. Miller Bellville, Texas 77418

1-979-865-8111 1-800-427-8783

2024-0018

AFTER FILING RETURN TO:

DOYLE LAW FIRM, PLLC

6710 Stewart Road, Suite 300

Galveston, Texas 77551

(409) 744-9783 (office)

(409) 7444-9786 (Facsimile)

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2024-0018

FILED AND RECORDED

Instrument Number: 243513

Instrument Type: NOTICE

Filing and Recording Date: 08/12/2024 3:25 PM

Number of Pages: 9

GRANTOR DOYLE LAW FIRM PLLC

GRANTEE DOYLE LAW FIRM PLLC

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Austin County, Texas.



Andrea Cardenas

Andrea Cardenas, County Clerk
Austin County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the Clerk.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

2024-0018