

FILED

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

2025 JUN -9 AM 11:24

KNOW ALL MEN BY THESE PRESENTS:

WARREN
COUNTY CLERK
DALLAS COUNTY
BY *W* DEPUTY

WHEREAS, CASTILLO CUSTOM HOMES, LLC, a Texas limited liability company ("Borrower"), executed that certain Deed of Trust (the "Security Instrument"), dated April 29, 2024, recorded as Instrument No. 202400087088, Real Property Records, Dallas County, Texas (the "Records"), to ADAM STERN, Trustee (the "Trustee") for the benefit of HILLSTAR REAL ESTATE, LLC, a Texas limited liability company ("Lender"), covering certain real property and improvements on the land ("Land") located in Dallas County, Texas, having at address of 5214 Matagorda Bay Court, Rowlett, TX 75089 and more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Property") to secure that certain Promissory Note ("Note") dated of even date with the Security Instrument in the stated principal amount of \$245,907.00, as renewed, extended and modified (the Note, together with all other indebtedness, liabilities, and obligations described in the Note, Security Instrument and all other documents evidencing, securing, governing or otherwise pertaining to the loan evidenced by the Note hereinafter referred to as the "Indebtedness"); and

WHEREAS, pursuant to and in accordance with the terms and conditions of the Security Instrument, Lender hereby appointed BRAD GASWIRTH, an individual with an address of 4851 LBJ Freeway, Suite 301, Dallas, Texas 75244, PATRICIA L. STEIN, an individual with an address of 4851 LBJ Freeway, Suite 301, Dallas, Texas 75244, GRANT BANNEN, an individual with an address of 4851 LBJ Freeway, Suite 301, Dallas, Texas 75244, ANA URIBE, an individual with an address of 4851 LBJ Freeway, Suite 301, Dallas, Texas 75244, MEREDITH MILTON, an individual with an address of 4851 LBJ Freeway, Suite 301, Dallas, Texas 75244, ADI SOTO, an individual with an address of 4851 LBJ Freeway, Suite 301, Dallas, Texas 75244, DANAE COUCH, an individual with an address of 4851 LBJ Freeway, Suite 301, Dallas, Texas 75244, and DANIEL MCCABE, an individual with an address of 4851 LBJ Freeway, Suite 301, Dallas, Texas 75244, each of whom may act alone or together (each a "Substitute Trustee") to succeed to all of the rights, titles, powers, and estates granted and delegated in the Security Instrument to the Original Trustee and any previously appointed substitute trustee; and

WHEREAS, Lender has made demand upon Borrower to pay to Lender the Indebtedness now due, but such Indebtedness has not been paid; and

WHEREAS, Lender, as the owner of the Note and Indebtedness, has instructed the Substitute Trustee(s), acting singly or together, to post, file and mail appropriate notice and to sell the Property, in parcels or in whole, to satisfy, in whole or in part, the unpaid Indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, July 1, 2025, no earlier than 10:00 a.m., or no later than three hours after that time, one of the Substitute Trustees will commence the sale of the Property, in parcels or as a whole, at public auction to the highest bidder for cash; except that the Lender's bid may be by credit against the indebtedness secured by the Security Instrument. Such sale will be held at the place designated by the commissioner's court of Dallas County, Texas, more specifically, the area outside on the North Side of the George Allen Courts Building located at 600 Commerce Street and facing Commerce Street below the overhang;

SUBJECT, HOWEVER, to all liens, exceptions to title, easements, restrictions, and encumbrances affecting any of the Property or title thereto which are equal or prior to the lien and security interest created by the Security Instrument.

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

The Security Instrument 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 if described in the Security Instrument in accordance with Lender's rights and remedies under the Security Instrument and Section 9.604(a) of the Texas Business and Commerce Code.

If Lender passes on the foreclosure sale, notice of the date of any rescheduled foreclosure sale will be posted and refiled in accordance with the posting and filing requirements of the Security Instrument and the Texas Property Code.

The foreclosure sale will be made expressly subject to any title matters set forth in the Security Instrument, 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 Security Instrument. For the avoidance of doubt, to the extent that any of the Property has been released from the lien of the Security Instrument, by written instrument signed by Lender or its predecessor and filed for record in the Real Property Records of Dallas County, Texas, this notice is not intended to and does not cover such property, and such property will not be part of the Property conveyed to the purchaser hereunder. Prospective bidders are strongly encouraged to examine the applicable property records to determine the nature and extent of such matters, if any.

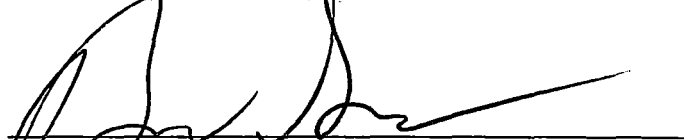
Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold "AS IS", without any expressed or implied warranties, except as to the warranties, if any, provided under the Security Instrument. Prospective bidders are advised to conduct an independent investigation of the nature and 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.

If such sales do not result in full satisfaction of all of the Indebtedness, the lien and security interest of the Security Instrument shall remain in full force and effect in respect of any of the Property not so sold and any and all other types of real and personal property covered by the Security Instrument and not described herein.

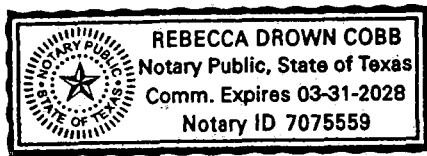
Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

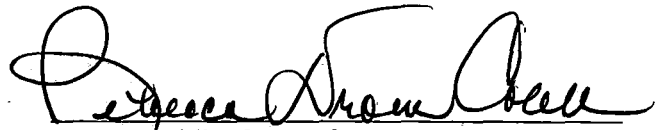
SUBSTITUTE TRUSTEE:


Name BRAD GASWIRTH

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was ACKNOWLEDGED before me on the 9th day of June, 2025 by BRAD GASWIRTH, in the capacity therein stated.




Notary Public, State of Texas

Rebecca Drown Cobb
Printed Name of Notary
My Commission Expires: 03/31/2028

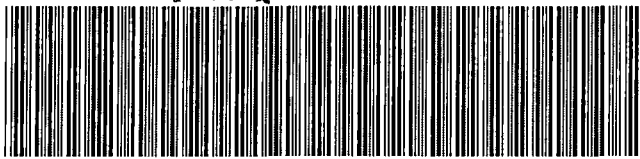
EXHIBIT A

All that parcel of parcels of real property located in Dallas County, State of Texas, and more particularly described as follows:

Lot 31 in Block B, of MARINER PARK, SECTION ONE, an Addition to the City of Rowlett, DALLAS County, Texas, according to the Map or Plat thereof recorded in Volume 98143, Page 2408, Plat Records, DALLAS County, Texas

ADDRESS:

5214 Matagorda Bay Court, Rowlett, TX 75089



VG-364-2025-202500118663

Dallas County
John F. Warren
Dallas County Clerk

Instrument Number: 202500118663

Real Property Recordings

Recorded On: June 09, 2025 11:19 AM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$37.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 202500118663
Receipt Number: 20250609000516
Recorded Date/Time: June 09, 2025 11:19 AM
User: Marija H
Station: Cc138

Record and Return To:

CANTEBURY, PC
4851 LBJ FWY STE 301
DALLAS TX 75244



STATE OF TEXAS
Dallas County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time
printed hereon, and was duly recorded in the Official Records of Dallas County, Texas

John F. Warren
Dallas County Clerk
Dallas County, TX

FILED

2025 JUN -5 PM 12:18

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY
BY _____ DEPUTY

NOTICE OF ASSESSMENT LIEN SALE

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

WHEREAS, the property herein described is subject to the Declaration of Covenants, Conditions and Restrictions for Bayside North filed on September 19, 2017 as Instrument No. 201700265364 in the Official Public Records of Dallas County, Texas (including any amendments thereof or supplements thereto is hereinafter referred to, collectively, as the "*Declaration*"). The Declaration provides for the payment of assessments secured by a lien on the Lot of the non-paying owner.

WHEREAS, Bayside Commercial Property Owners Association, Inc. on August 28, 2023, October 10, 2023, May 10, 2024, April 4, 2025, and April 28, 2025, sent notice of default in payment of assessments to **AVALON BAYSIDE, LLC, a Texas limited liability company**, being the reputed owner or current owner of said real property; and

WHEREAS, the said **AVALON BAYSIDE, LLC, a Texas limited liability company**, has continued to default in the payment of their indebtedness to Bayside Commercial Property Owners Association, Inc. and the same is now wholly due, and Bayside Commercial Property Owners Association, Inc., acting by and through its duly authorized agent, intends to sell the herein described property to satisfy the present indebtedness of said owner to Bayside Commercial Property Owners Association, Inc.

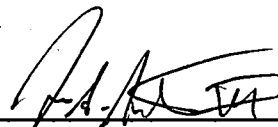
NOW, THEREFORE, notice is hereby given that on Tuesday, the 1st day of July, 2025, between 10:00 a.m. and 4:00 p.m., Bayside Commercial Property Owners Association, Inc. will sell the herein described real estate (including any improvements thereon) at public auction at the area outside on the north side of the George Allen Courts Building facing Commerce Street below the overhang, 600 Commerce Street, Dallas, Dallas County, Texas, or as designated by the Dallas County Commissioners for such sales, to the highest bidder for cash, subject to all unpaid ad valorem taxes, superior liens and encumbrances of record, and a statutory right of redemption. The earliest time at which said sale will begin will be 1:00 p.m., and the sale will take place not later than three (3) hours thereafter.

Said real estate is particularly described on Exhibit A attached hereto which is incorporated herein by reference for all purposes.

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.

SIGNED: June 5, 2025.

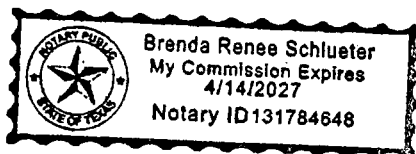
**BAYSIDE COMMERCIAL PROPERTY
OWNERS ASSOCIATION, INC.**

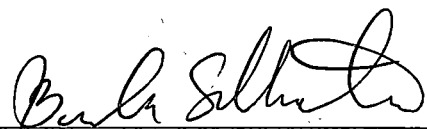
By: 
Judd A. Austin, III
Its: Duly Authorized Agent

STATE OF TEXAS §
 §
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BEFORE ME, the undersigned Notary Public on this day personally appeared Judd A. Austin, III, Duly Authorized Agent for Bayside Commercial Property Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

Given under my hand and affirmed seal of office, on June 5, 2025.




Notary Public, State of Texas

AFTER RECORDING, PLEASE RETURN TO:

**Judd A. Austin, Jr., Judd A. Austin, III, Vinay B. Patel,
Kristen Pierce, Parrish S. Nicholls, and Claudia Zissman-Monzon
Henry Oddo Austin & Fletcher, P.C.
1717 Main Street, Suite 4600
Dallas, Texas 75201**

EXHIBIT "A"

Being Lot 1R and Lot 2R of Block A, and Lot1R of Block B, of AVALON RETAIL DEVELOPMENT, a replat of BAYSIDE EAST, an Addition to the City of Rowlett, Dallas County, Texas, according to the replat thereof filed on September 27, 2024, and recorded as Instrument No. 2024-202400195216 in the Map or Plat Records of Dallas County, Texas; also described as Lot 1 of Block A, of BAYSIDE EAST, an addition to the City of Rowlett, according to the plat thereof recorded as Instrument No. 201700237050 of the Official Public Records of Dallas County, Texas, also being part of that tract of land described in Special Warranty Deed to Bayside Partners, LLC recorded in Instrument No. 201500126207 of the Official Public Records of Dallas County, Texas (the "Property").