

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU 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 ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.**

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

WHEREAS, by that one certain Deed of Trust and Assignment of Rents and Security Agreement and Fixture Filing dated and executed on March 17, 2022, filed of record in and under Instrument Number 2022018609 in the Official Public Records of Galveston County, Texas, as the same may have been heretofore amended, which is hereinafter referred to as the "**Deed of Trust**", JMK5 ARENA, LLC, a Texas limited liability company, as Trustor, which is hereinafter referred to as the "**Trustor**", conveyed to David Pratt, as Trustee, who is hereinafter referred to as the "**Trustee**", for the benefit of GREENE GROUP, INC., which is hereinafter referred to as the "**Lender**", that certain real property together with all improvements thereon and appurtenances thereto located in Galveston County, Texas, being more commonly known as I-45 & FM 1764, La Marque, Texas 77568, and being more particularly described as follows, which such land, improvements and appurtenances is hereinafter referred to as the "**Property**":

The land, improvements, and appurtenances which are described on **Exhibit "A" and Exhibit "B"**, both of which are attached to this Notice of Substitute Trustee's Sale and incorporated into this Notice of Substitute Trustee's Sale by reference for all purposes as if they were fully set forth herein, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; and all easements, rights of way, and appurtenances; all water and water rights; and all other rights, royalties, and profits relating to the real property, including without limitation such rights as Trustor may have in all minerals, oil, gas, geothermal and similar matters, as more particularly described in the **Deed of Trust**;

to secure the payment of the indebtedness and all of the duties, obligations, covenants, and responsibilities of the **Trustor** described in and under that one certain Promissory Note dated March 17, 2022, as the same may have been heretofore amended, which is hereinafter referred to as the "**Note**", in the original principal amount of \$15,375,000.00, executed on March 17, 2022 by the **Trustor**, and payable to the **Lender**, and to secure the payment and the performance of all advances and all duties, obligations, covenants, and responsibilities that the **Trustor**, or any successor in interest to the **Trustor**, agreed to in and under the **Note** and the **Deed of Trust**, and may agree to pay and/or to perform under said **Note** and said **Deed of Trust**, whether as principal, surety, or guarantor, to or for the benefit of the **Lender**, however evidenced, and in the

performance of all of the duties, obligations, covenants, and responsibilities set out in the **Deed of Trust**, all as in said **Deed of Trust** provided, all of which are hereinafter collectively referred to as the "**Secured Obligations**";

WHEREAS, the undersigned Michael L. Wilson, as Substitute Trustee, who is hereinafter referred to as the "**Substitute Trustee**", has been duly appointed as the **Substitute Trustee** in the place and stead of the said **Trustee** under the **Deed of Trust**, which Resignation of Trustee was executed by the **Trustee** on March 7, 2024 and filed of record on March 8, 2024 in and under Instrument No. 2024010629 in the Official Public Records of Galveston County, Texas, said appointment of Michael L. Wilson as **Substitute Trustee** having been made in the Appointment of Substitute Trustee as of March 7, 2024, executed by the **Lender** as the payee and holder of said **Note** and as the Beneficiary of said **Deed of Trust** and filed of record on March 8, 2024 in and under Instrument No. 2024010630 in the Official Public Records of Galveston County, Texas, pursuant to the Texas Property Code Section 51.0075 to succeed to all title, powers, and duties of the original **Trustee**;

WHEREAS, the **Substitute Trustee**'s address is Michael L. Wilson, 1100 Rosenberg, Galveston, Texas 77550.

WHEREAS, default has occurred under the terms and provisions of the **Secured Obligations** secured by the **Deed of Trust**, and the indebtedness and the duties, obligations, covenants, and responsibilities evidenced therein are now wholly due, therefore, the **Lender**, as the owner and holder of the indebtedness described in said **Note** and as the Beneficiary of the performance of the duties, obligations, covenants, and responsibilities set out in said **Deed of Trust**, has requested the **Substitute Trustee** to sell the **Property** to satisfy the payment of the indebtedness described in said **Note** and the performance of the duties, obligations, covenants, and responsibilities set out in said **Deed of Trust**; and

WHEREAS, the **Deed of Trust** may encumber both real property and personal property, and formal notice is now given of the **Lender**'s election to proceed against and sell the real property described in the **Deed of Trust**, consistent with the **Lender**'s rights and remedies under the **Deed of Trust** and Section 9.604 of the Texas Business and Commerce Code.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, December 3, 2024**, between **10:00 a.m. and 1:00 p.m. Central Daylight Time** (the earliest time at which the sale will begin will be 10:00 a.m. or within three hours after that time), because of default in the payment of the indebtedness described in said **Note** and in the performance of all of the duties, obligations, covenants, and responsibilities set out in said **Deed of Trust**, the undersigned **Substitute Trustee** will sell by public auction, at the area designated by the Galveston County Commissioners' Court, to wit: **the area outside the west entrance of the County Courthouse of Galveston County, Texas, 722 Moody Avenue (21<sup>st</sup> Street), Galveston, Texas 77550**, or, if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court as the location where foreclosure sales are to take place pursuant to Section 51.002 of the Texas Property Code, to the highest bidder for cash, to satisfy the indebtedness described in said **Note** and all of the duties, obligations, covenants, and responsibilities set out in said **Deed of Trust**, all of which indebtedness and duties, obligations, covenants, and responsibilities are secured by a deed of trust lien in said **Deed of Trust** in favor

of the **Lender** as the payee and holder of said **Note** and as the Beneficiary of said **Deed of Trust**, all of the above-described **Property** lying and being situated in the County of Galveston, State of Texas.

The purchaser is hereby notified that the purchaser should seek the advice of an attorney or other qualified person before participating, and before purchasing the **Property**, in this Substitute Trustee's Sale as to the relevance of statutes and facts to the value of the **Property** the purchaser wishes to purchase, or contract to purchase, at this **Substitute Trustee's** Sale.

The **Property** shall be **ACCEPTED SUBJECT TO** any and all restrictions, covenants, conditions, agreements, assessments, maintenance charges, liens, leases, easements, previously conveyed or reserved mineral interests, to the extent that any of the aforementioned relating to the **Property** are still in effect and are shown of record.

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

THE SALE OF THE ABOVE-DESCRIBED **PROPERTY** SHALL BE SUBJECT TO ALL MATTERS OF RECORD AND TO ALL MATTERS WHICH A CURRENT SURVEY OF THE SUBJECT **PROPERTY** WOULD SHOW. THE SALE OF SUCH **PROPERTY** SHALL FURTHER BE "AS IS", "WHERE IS", AND WITH ALL FAULTS AND SHALL BE WITHOUT ANY EXPRESS OR IMPLIED WARRANTY OR REPRESENTATION OF ANY KIND BY THE **SUBSTITUTE TRUSTEE**, BY THE **LENDER** WHICH IS THE OWNER AND HOLDER OF THE INDEBTEDNESS DESCRIBED IN SAID **NOTE** AND WHICH IS THE BENEFICIARY OF THE PERFORMANCE OF ALL OF THE DUTIES, OBLIGATIONS, COVENANTS, AND RESPONSIBILITIES SET OUT IN SAID **DEED OF TRUST**, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER THE **LENDER** AS THE OWNER AND HOLDER OF THE INDEBTEDNESS DESCRIBED IN SAID **NOTE**, THE **LENDER** AS THE BENEFICIARY OF ALL OF THE DUTIES, OBLIGATIONS, COVENANTS, AND

RESPONSIBILITIES SET OUT IN SAID DEED OF TRUST, NOR THE SUBSTITUTE TRUSTEE MAKES ANY REPRESENTATION OF WARRANTY WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS, OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS, OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE ABOVE-DESCRIBED PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY THE PURCHASER AT THIS FORECLOSURE SALE.

Dated: November 8, 2024.

*Michael L. Wilson, Substitute Trustee*  
Michael L. Wilson, Substitute Trustee

THE STATE OF TEXAS                   §  
  §  
COUNTY OF GALVESTON           §

This instrument was acknowledged before me on the 8th day of November, 2024, by Michael L. Wilson, Substitute Trustee.

*Denise Marsh*  
Notary Public in and for THE STATE OF TEXAS

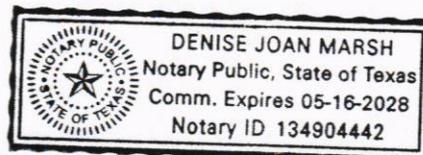


EXHIBIT A

LEGAL DESCRIPTION

A TRACT OR PARCEL CONTAINING 88.293 ACRES OR 3,846,054 SQUARE FEET OF LAND SITUATED IN THE WILLIAM K. WILSON SURVEY, ABSTRACT NO. 208, GALVESTON COUNTY, TEXAS, BEING OUT OF THE REMAINDER OF A CALLED 24.15 ACRE TRACT, CONVEYED TO GULF GREYHOUND PARTNERS, LTD., AS RECORDED UNDER GALVESTON COUNTY CLERK'S FILE (G.C.C.F.) NO. 9118189, OUT OF THE REMAINDER OF A CALLED 66.17 ACRE TRACT, CONVEYED TO GULF GREYHOUND PARTNERS, LTD., AS RECORDED UNDER G.C.C.F. NO. 9118188 AND OUT OF THE REMAINDER OF A CALLED 20.00 ACRE TRACT, CONVEYED TO GULF GREYHOUND PARTNERS, LTD., AS RECORDED UNDER G.C.C.F. NO. 9119877, WITH SAID 88.293 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

BEGINNING AT A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET AT THE WEST END OF A CUTBACK FOUND AT THE INTERSECTION OF THE SOUTHEAST RIGHT-OF-WAY (R.O.W.) LINE OF F.M. 1764 (200' R.O.W.) AND THE SOUTHWEST R.O.W. LINE OF F.M. 2004 (120' R.O.W.), BEING THE NORTHEAST CORNER OF A CALLED 1.043 ACRE TRACT, CONVEYED TO THE STATE OF TEXAS, AS RECORDED UNDER G.C.C.F. NO. 9140043, FOR A NORTH CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A BRASS DISK FOUND BEARS FOR REFERENCE SOUTH 51 DEG. 16 MIN. WEST, 1.26 FEET;

THENCE, SOUTH 88 DEG. 01 MIN. 22 SEC. EAST, ALONG SAID CUTBACK, A DISTANCE OF 84.21 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET AT THE EAST END OF SAID CUTBACK AND FOR AN ANGLE POINT, FROM WHICH A BRASS DISK FOUND BEARS FOR REFERENCE SOUTH 06 DEG. 38 MIN. EAST, 0.94 FEET;

THENCE, SOUTH 42 DEG. 40 MIN. 22 SEC. EAST, ALONG THE SOUTHWEST R.O.W. LINE OF SAID F.M. 2004, A DISTANCE OF 1,293.60 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR AN ANGLE POINT;

THENCE, SOUTH 22 DEG. 27 MIN. 22 SEC. EAST, CONTINUING ALONG THE SOUTHWEST R.O.W. LINE OF SAID F.M. 2004, A DISTANCE OF 187.68 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR AN ANGLE POINT, FROM WHICH A CONCRETE MONUMENT FOUND BEARS FOR REFERENCE NORTH 02 DEG. 27 MIN. EAST, 9.18 FEET;

THENCE, SOUTH 02 DEG. 15 MIN. 52 SEC. EAST, CONTINUING ALONG THE SOUTHWEST R.O.W. LINE OF SAID F.M. 2004, A DISTANCE OF 1,922.31 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 87 DEG. 15 MIN. 38 SEC. WEST, OVER AND ACROSS SAID 20.0 ACRE TRACT, A DISTANCE OF 829.85 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR A SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 02 DEG. 44 MIN. 22 SEC. WEST, CONTINUING OVER AND ACROSS SAID 20.0 ACRE TRACT A DISTANCE OF 170.00 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR AN INTERIOR CORNER;

THENCE, SOUTH 87 DEG. 15 MIN. 38 SEC. WEST, CONTINUING OVER AND ACROSS SAID 20.0 ACRE TRACT A DISTANCE OF 596.31 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 02 DEG. 44 MIN. 22 SEC. WEST, OVER AND ACROSS SAID 20.0 ACRE TRACT AND SAID 66.17 ACRE TRACT, A DISTANCE OF 1,083.70 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR A COMMON LINE OF SAID 66.17 ACRE TRACT AND A TRACT OF LAND CONVEYED TO YODE, INVESTMENTS, LLC, AS RECORDED UNDER G.C.C.F. NO. 2015015559 AND FOR AN ANGLE POINT;

THENCE, NORTH 32 DEG. 57 MIN. 24 SEC. EAST, ALONG THE COMMON LINE OF SAID YODE, INVESTMENTS, LLC, AND SAID 66.17 ACRE TRACT, A DISTANCE OF 451.16 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE SOUTH CORNER OF SAID 24.15 ACRE TRACT AND FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 45 DEG. 41 MIN. 26 SEC. WEST, ALONG THE SOUTHWEST LINE OF SAID 24.15 ACRE TRACT, A DISTANCE OF 984.42 FEET, TO A 1-1/2 INCH IRON PIPE FOUND ON THE SOUTHEAST R.O.W. LINE OF SAID F.M. 1764, FOR THE NORTH CORNER OF A CALLED 2.500 ACRE TRACT, CONVEYED TO BRIYA HOSPITALITY LLC, AS RECORDED UNDER G.C.C.F. NO. 2019007028 AND FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 46 DEG. 17 MIN. 38 SEC. EAST, ALONG THE SOUTHEAST R.O.W. LINE OF SAID F.M. 1764, A DISTANCE OF 1,154.84 FEET, TO THE PLACE OF BEGINNING AND CONTAINING 88.293 ACRES OR 3,846,054 SQUARE FEET OF LAND.

Less and Except

**TRACT I:**

A TRACT OR PARCEL CONTAINING 6.991 ACRES OR 304,517 SQUARE FEET OF LAND SITUATED IN THE WILLIAM K. WILSON LEAGUE, ABSTRACT NO. 208, GALVESTON COUNTY, TEXAS, BEING OUT OF A CALLED 88.293 ACRES TRACT DESCRIBED IN DEED TO JMK5 AREA LLC., RECORDED UNDER GALVESTON COUNTY CLERK'S FILE (G.C.C.F.) NO. 2022018608, WITH SAID 6.991 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUND AS FOLLOWS, WITH ALL BEARINGS BASE ON THE TEXAS PLANE COORDINATES SYSTEM, SOUTH CENTRAL ZONE (NAD 83);

**COMMENCING**, AT A 1-1/2 INCH IRON PIPE FOUND ON THE SOUTHEAST RIGHT-OF-WAY (R.O.W.) OF FARM TO MARKET (F.M.) 1764, (200 FEET R.O.W.), MARKING THE MOST NORTHERLY CORNER OF A CALLED 2.5000 ACRE TRACT, DESCRIBED IN DEED TO BRIYA HOSPITALITY LLC, RECORDED UNDER G.C.C.F. NO. 2019007028, AND THE MOST WESTERLY CORNER OF SAID 88.293 ACRE TRACT;

**THENCE**, NORTH 46 DEG. 17 MIN. 38 SEC. EAST, WITH THE SOUTHEAST R.O.W. LINE OF SAID F.M. 1764, A DISTANCE OF 98.46 FEET TO A CUT "X" IN CONCRETE SET FOR THE MOST WESTERLY CORNER AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;

**THENCE**, NORTH 46 DEG. 17 MIN. 38 SEC. EAST, CONTINUING WITH THE SOUTHEAST R.O.W. LINE OF SAID F.M. 1764, A DISTANCE OF 1,056.37 FEET TO A POINT MARKING THE WESTERLY END OF A CUT-BACK CORNER OF THE INTERSECTION OF THE SOUTHEAST R.O.W. LINE OF SAID F.M. 1764 AND THE SOUTHWEST R.O.W. LINE OF F.M. 2004 (120 FEET WIDE), AND BEING A NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND BRASS DISK BEARS FOR REFERENCE SOUTH 51 DEG. 16 MIN. WEST - 1.26 FEET;

**THENCE**, SOUTH 88 DEG. 01 MIN. 22 SEC. EAST, WITH SAID CUT-BACK CORNER, A DISTANCE OF 84.21 FEET TO A POINT MARKING THE EASTERLY END OF SAID CUT-BACK CORNER, AND A NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND BRASS DISK BEARS FOR REFERENCE SOUTH 06 DEG. 38 MIN. EAST - 0.94 FEET;

**THENCE**, SOUTH 42 DEG. 40 MIN. 22 SEC. EAST, WITH THE SOUTHWEST R.O.W. LINE OF SAID F.M. 2004, A DISTANCE OF 214.78 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE MOST EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, SOUTH 46 DEG. 17 MIN. 38 SEC. WEST, OVER AND ACROSS SAID 88.293 ACRE TRACT, A DISTANCE OF 1,111.50 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE MOST SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, NORTH 43 DEG. 40 MIN. 17 SEC. WEST, CONTINUING OVER AND ACROSS SAID 88.293 ACRE TRACT, A DISTANCE OF 275.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 6.991 ACRES OR 304,517 SQUARE FEET OF LAND, AS SHOWN ON JOB. NO. 56352-7AC-R2. PREPARED BY WINDROSE LAND SERVICES.

And Less and Except

**TRACT II:**

BEING A TRACT OR PARCEL CONTAINING 40.004 ACRES (1742.574 SQUARE FEET) OF LAND SITUATED IN THE WILLIAM K. WILSON LEAGUE, ABSTRACT NUMBER 208, GALVESTON COUNTY, TEXAS; BEING OUT OF A CALLED 88.293 ACRE TRACT OF LAND CONVEYED TO JMK5 ARENA, LLC AS DESCRIBED IN DEED RECORDED UNDER GALVESTON COUNTY CLERK'S FILE (G.C.C.F.) NUMBER 2022018608; SAID 40.004 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS (BEARINGS ARE GRID AND ORIENTED TO THE TEXAS STATE PLAN COORDINATION SYSTEM, SOUTH CENTRAL ZONE NUMBER 4204, US SURVEY FEET, NAD 83(NA2011); DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID USING A COMBINED SCALE FACTOR OF 0.999863);

BEGINNING AT A 5/8-INCH IRON ROD WITH CAP STAMPED "WINDROSE SURVEYING" FOUND ON THE WESTERLY R.O.W. LINE OF F.M. 2004 (120 FEET WIDE) AND FOR THE SOUTHEAST CORNER OF SAID 88.293 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 87°15'38" WEST, DEPARTING SAID WESTERLY R.O.W. LINE AND ALONG A COMMON LINE OF A CALLED 20.9884 ACRE TRACT OF LAND CONVEYED TO THE CITY OF LA MARQUE AS DESCRIBED BY DEED RECORDED UNDER G.C.C.F. NUMBER 9142983 AND THE HEREIN DESCRIBED TRACT, A DISTANCE OF 829.85 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "BOUNDARY ONE-RPLS 5480" SET MARKING THE MOST SOUTHERLY CORNER OF SAID 88.293 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 02°44'22" WEST, CONTINUING ALONG A COMMON LINE OF SAID 20.9884 ACRE TRACT AND THE HEREIN DESCRIBED TRACT, AT 170.00 FEET PASSING A 5/8-INCH IRON ROD WITH CAP STAMPED "BOUNDARY ONE-RPLS 5489" SET MARKING AN INTERIOR COMMON CORNER OF SAID 20.9884 ACRE TRACT AND SAID 88.293 ACRE TRACT, CONTINUING OVER AND ACROSS SAID 88.293 ACRE TRACT FOR A TOTAL DISTANCE OF 200.00 FEET TO AN ANGLE POINT;

THENCE, CONTINUING OVER AND ACROSS SAID 88.293 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES

SOUTH 87°15'38" WEST, 292.19 FEET TO AN ANGLE POINT;

NORTH 02°45'03" WEST, 1,384.78 FEET TO AN ANGLE POINT AND FOR THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

NORTH 87°18'16" EAST, 465.87 FEET TO AN ANGLE POINT;

NORTH 02°41'44" WEST, 19.00 FEET TO AN ANGLE POINT;

NORTH 87° 18'16" EAST, 669.72 FEET TO THE AFORESAID WESTERLY R.O.W. LINE OF F.M. 2004 AND FOR THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02°15'52" EAST, ALONG SAID WESTERLY R.O.W. LINE, A DISTANCE OF 1,602.96 FEET TO THE POINT OF BEGINNING AND CONTAINING 40.004 ACRES 91,742,574 SQUARE FEET) OF LAND. THIS DESCRIPTION IS BASED ON A STANDARD LAND SURVEY PREPARED BY BOUNDARY ONE, LLC, DATED JULY 27, 2022. PROJECT NUMBER 6767-2204-76A.

AND LESS and EXCEPT

**TRACT III:**

A TRACT OR PARCEL CONTAINING 16.95 ACRES OR 738,546 SQUARE FEET OF LAND SITUATED IN THE WILLIAM K. WILSON LEAGUE, ABSTRACT NO. 208, GALVESTON COUNTY, TEXAS, BEING OUT OF A RESIDUE OF A CALLED 88.293 ACRES DESCRIBED IN DEED TO JMK5 ARENA, LLC., RECORDED UNDER GALVESTON COUNTY CLERK'S FILE (G.C.C.F.) NO. 2022018608, WITH SAID 16.95 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (4204):

BEGINNING AT A CAPPED 5/8 IRON ROD STAMPED "WINDROSE" FOUND ON THE SOUTHWEST RIGHT-OF-WAY (R.O.W.) LINE OF F.M. 2004 (120 FEET R.O.W.) AND MARKING THE EAST CORNER OF UNRESTRICTED RESERVE "A", BLOCK 1 OF MS GULF GREYHOUND, A MAP OR PLAT THEREOF RECORDED UNDER PLAT NO. 2023050385, GALVESTON COUNTY MAP RECORDS (G.C.M.R.) AND THE POINT OF BEGINNING, SAME BEING THE NORTH OF THE HEREIN DESCRIBED TRACT:

THENCE, SOUTH 42 DEG. 40 MIN. 22 SEC. EAST, WITH THE SOUTHWEST R.O.W. LINE OF SAID F.M. 2004, A DISTANCE OF 720.83 FEET A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE EAST CORNER OF THE HEREIN DESCRIBED TRACT:

THENCE, OVER AND ACROSS SAID 88.293 ACRES, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 46 DEG. 17 MIN. 38 SEC. WEST, A DISTANCE OF 998.86 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

WITH SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 23 DEG. 09 MIN. 17 SEC., AN ARC LENGTH OF 101.03 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 55 DEG. 18 MIN. 24 SEC. WEST. - 100.35 FEET TO A CUT X SET FOR A POINT OF TANGENCY;

NORTH 43 DEG. 43 MIN. 45 SEC. WEST, A DISTANCE OF 622.42 FEET TO A CUR "X" FOUND MARKING THE SOUTH CORNER OF SAID UNRESTRICTED RESERVE "A" FOR THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 46 DEG. 17 MIN. 38 SEC. EAST, WITH THE SOUTHERLY LINE OF SAID UNRESTRICTED RESERVE "A", A DISTANCE OF 1,032.29 FEET TO THE POINT OF BEGINNING AND CONTAINING 16.95 ACRES OR 738,546 SQUARE FEET OF LAND.

**EXHIBIT B**

**RELEASED PROPERTY**

**EASEMENT ESTATE ONLY**

**(EASEMENT ESTATE)**

A TRACT OR PARCEL CONTAINING 1.310 ACRES OR 57,046 SQUARE FEET OF LAND SITUATED IN THE WILLIAM K. WILSON LEAGUE, ABSTRACT NO. 208, GALVESTON COUNTY, TEXAS, BEING OUT OF A CALLED 88.293 ACRES TRACT DESCRIBED IN DEED TO JMK5 AREA LLC., RECORDED UNDER GALVESTON COUNTY CLERK'S FILE (G.C.C.F.) NO. 2022018608, WITH SAID 1.310 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUND AS FOLLOWS, WITH ALL BEARINGS BASE ON THE TEXAS PLANE COORDINATES SYSTEM, SOUTH CENTRAL ZONE (NAD 83);

COMMENCING, AT A 1-1/2 INCH IRON PIPE FOUND ON THE SOUTHEAST RIGHT-OF-WAY (R.O.W.) OF FARM TO MARKET (F.M.) 1764, (200 FEET R.O.W.), MARKING THE MOST NORTHERLY CORNER OF A CALLED 2.5000 ACRE TRACT, DESCRIBED IN DEED TO BRIYA HOSPITALITY LLC, RECORDED UNDER G.C.C.F. NO. 2019007028, AND THE MOST WESTERLY CORNER OF SAID 88.293 ACRE TRACT;

THENCE, NORTH 46 DEG. 17 MIN. 38 SEC. EAST, WITH THE SOUTHEAST R.O.W. LINE OF SAID F.M. 1764, A DISTANCE OF 58.46 FEET TO A CUT "X" IN CONCRETE SET FOR THE MOST WESTERLY CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 46 DEG. 17 MIN. 38 SEC. EAST, CONTINUING WITH THE SOUTHEAST R.O.W. LINE OF SAID F.M. 1764, A DISTANCE OF 40.00 FEET TO A CUT "X" IN CONCRETE SET MARKING A NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 43 DEG. 40 MIN. 17 SEC. EAST, OVER AND ACROSS SAID 88.293 ACRE TRACT, A DISTANCE OF 275.00 FEET TO A CUT "X" IN CONCRETE SET FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 46 DEG. 17 MIN. 38 SEC. EAST, CONTINUING OVER AND ACROSS SAID 88.293 ACRE TRACT, A DISTANCE OF 1,111.50 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE SOUTHWEST R.O.W. LINE OF F.M. 2004 (120 FEET WIDE), MARKING THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 42 DEG. 40 MIN. 22 SEC. EAST, WITH SAID SOUTHWEST R.O.W. LINE OF SAID F.M. 2004, A DISTANCE OF 40.01 FEET TO A POINT MARKING THE MOST EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 46 DEG. 17 MIN. 38 SEC. WEST, OVER AND ACROSS SAID 88.293 ACRE TRACT, A DISTANCE OF 1,150.80 FEET TO A POINT MARKING THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 43 DEG. 40 MIN. 17 SEC. WEST, A DISTANCE OF 315.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.3096 ACRES OR 57,046 SQUARE FEET OF LAND.

**FILED**

Instrument Number: *FILED2024001319*

Filing Fee: 2.00

Number Of Pages: 12

Filing Date: 11/08/2024 9:41AM

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



*Dwight D. Sullivan*

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**Dwight D. Sullivan**, County Clerk  
Galveston County, Texas

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

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