

**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.**

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

THE STATE OF TEXAS

§

COUNTY OF COOKE

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§

Date: November 10, 2023

Borrower: WHEELER AID PROPCO LLC, a Delaware limited liability company

Borrower's Address: c/o INTERMEDIATE AID CO., LLC  
330 N. Wabash, Suite 3700  
Chicago, IL 60611

Attention: General Counsel

Holder: Fannie Mae, a corporation duly organized under the Federal National Mortgage Association Charter Act, as amended, 12 U.S.C. Section 1716 et seq. and duly organized and existing under the laws of the United States

Holder's Address: Granite Park VII  
5600 Granite Parkway  
Plano, Texas 75024

Mortgage Servicer: KEYBANK NATIONAL ASSOCIATION, a National Banking Association

Mortgage Servicer's Address: c/o KeyBank Real Estate Capital – Servicing Dept.  
11501 Outlook Street, Suite #300  
Overland Park, Kansas 66211  
Mailcode: KS-01-11-0501

Attn: Servicing Manager  
Gina\_Sullivan@keybank.com

FILED FOR RECORD

23 NOV 14 PM 12:04

PAM HARRISON  
COUNTY CLERK, COOKE CO. TX



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BY MZ DEPUTY

Substitute Trustees: Keith M. Aurzada, Michael P. Cooley, Brian C. Mitchell, Jay L. Krystinik, Clark A. Donat, Bradley J. Purcell, Lindsey L. Robin, Clifford M. Dunman, Mary Mancuso, Francesca Ortolani, Shelley Ortolani, Michele Hreha, Daniela Mondragon, Rachael C. Seidl, and each of them acting alone

Substitute Trustees' Address: c/o Reed Smith LLP  
2850 N. Harwood Street, Suite 1500  
Dallas, Texas 75201  
(469) 680-4200

c/o Agency Sales and Posting, LLC  
3220 El Camino Real 2<sup>nd</sup> Floor  
Irvine, CA 92602  
(714) 730-8365

Deed of Trust: Multifamily Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing

Date: as of December 19, 2014

Grantor: WHEELER AID PROPCO LLC, a Delaware limited liability company

Lender: KEYBANK NATIONAL ASSOCIATION, a National Banking Association

Trustee: Peter Graf, Esquire

Secures: (1) The loan in the original principal amount of \$334,394,000 evidenced by that certain Multifamily Note dated as of December 19, 2014, executed by Grantor and others and made payable to the order of Lender (as amended, restated, replaced, supplemented, or otherwise modified from time to time, the "Note"), which is currently held by Holder; and (2) the loan in the original principal amount of \$80,236,000 evidenced by that certain Multifamily Note dated as of October 31, 2016, executed by Grantor and others and made payable to the order of Lender (as amended, restated, replaced, supplemented, or otherwise modified from time to time, the "Second Note") which is currently held by Holder (the Note and Second Note are referred to collectively as the "Notes")

**Recording:** Recorded December 29, 2014, in the Real Property Records of Cooke County, Texas (the "Records"), as Document Number 2014-54117, as assigned to Holder pursuant to that certain Assignment of Multifamily Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing, dated as of December 19, 2014, recorded December 29, 2014, in the Records, as Document Number 2014-54118

**Property:** All real property, improvements and personal property described as collateral in the Deed of Trust; the legal description of the real property is also, for the sake of convenience only, described on Exhibit A attached hereto and made a part hereof for all purposes; however, the description of the real property, improvements and personal property in the Deed of Trust will control to the extent of any conflict or any deficiency in such description contained in this Notice of Substitute Trustee's Sale, it being the intent that the "Property", for all purposes hereof, means all property, real, personal, tangible and intangible, which constitutes collateral under, and described in, the Deed of Trust.

**Foreclosure Sale**

**Date of Sale:** Tuesday, December 5, 2023

**Time of Sale:** The sale of the Property will take place between the hours of 10:00 a.m. and 4:00 p.m. local time; the earliest time at which the sale will take place is 10:00 a.m., and the sale will begin within three hours thereafter.

**Place of Sale:** On the East steps of the historic Cooke County Courthouse located at 101 South Dixon Street, Gainesville, TX 76240, or as otherwise designated by the Cooke County Commissioners Court as the area where foreclosure sales are to take place

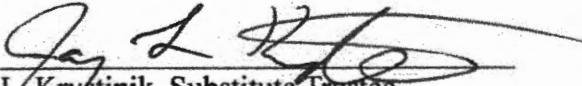
Holder has appointed Keith M. Aurzada, Michael P. Cooley, Brian C. Mitchell, Jay L. Krystinik, Clark A. Donat, Bradley J. Purcell, Lindsey L. Robin, Clifford M. Dunman, Mary Mancuso, Francesca Ortolani, Shelley Ortolani, Michele Hreha, Daniela Mondragon, and Rachael C. Seidl, and each of them acting alone, as Substitute Trustees under the Deed of Trust upon the contingency and in the manner outlined by the Deed of Trust and in accordance with Chapter 51 of the Texas Property Code. Default has occurred pursuant to the provisions of the Deed of Trust. The indebtedness evidenced by the Notes is now wholly due. Holder has instructed Substitute Trustees, and each of them acting alone, to sell the Property toward the satisfaction of the Notes.

The Deed of Trust may encumber both real and personal property. Notice is hereby given of Holder's election to proceed against and sell all the real property and any personal property

described in the Deed of Trust in accordance with the Holder's rights and remedies under the Deed of Trust and Section 9.604 of the Texas Business and Commerce Code.

Notice is hereby given that on the Date of Sale, at the Time of Sale, Substitute Trustees, or any of them acting alone, will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash, "AS IS" and further subject to any valid leases of the Property, which leases shall not terminate as a result of the sale. THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION OR QUIET ENJOYMENT OR THE LIKE FOR THE PERSONAL PROPERTY INCLUDED IN THE SALE. Holder may bid by credit against the indebtedness secured by the Deed of Trust. The Substitute Trustee(s) conducting the Foreclosure Sale may, at their option, postpone the sale for a reasonable time to permit the highest bidder (if other than Holder) to produce cash to pay the purchase price bid, and the sale may be resumed if the bidder fails to produce cash to pay the purchase price within such time period, provided in any event the sale shall be concluded no later than 4:00 P.M. local time.

IN WITNESS WHEREOF this Notice of Substitute Trustee's Sale has been executed on this the 10th day of November 2023.

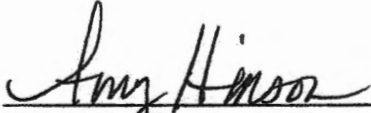
  
Jay L. Krystinik, Substitute Trustee

STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on this 10th day of November 2023, by Jay L. Krystinik, as Substitute Trustee.



My Commission Expires:  
9/30/2025

  
Notary Public, State of Texas

Amy Hinson  
Printed Name of Notary

After filing return to:

Jay L. Krystinik  
Reed Smith LLP  
2850 N. Harwood Street, Suite 1500  
Dallas, Texas 75201



## EXHIBIT A

### Wheeler Place

#### Tract 1:

All the certain tract or parcel of land situated in the S.D. Brown Survey Abstract 94, City of Gainesville, Cooke County, Texas, being part of a 120.07 acre tract conveyed to Jesse Cason by deed recorded in Volume 887, Page 730 of the Cooke County Official Public Records, and being the same 2.00 acre tract conveyed by Meditrust of Texas to T and F Properties, LP by deed recorded in Volume 1054, Page 546 of said Public Records, and being more particularly described as follows:

Beginning at a found steel pin at the Northeast corner of said 2.00 acre tract, common to the Northwest corner of a 4.37 acre tract conveyed by Richard Klement, et al to Clement Street Assembly of God Church by deed recorded in Volume 691, Page 775 of the Cooke County Deed Records on the South line of F. M. Road 678 as described in a deed from F. B. Bodovsky, et ux to the State of Texas recorded in Volume 319, Page 559 of said Deed Records;

Thence South 00 degrees 31 minutes 00 seconds West, a distance of 377.55 feet to a found steel pin at the Northeast corner of a 0.22 acre tract conveyed by Jesse S. Cason to Assisted Living Concepts, Inc. by deed recorded in Volume 1026, Page 353 of said Public Records;

Thence North 89 degrees 29 minutes 00 seconds West, passing the Northwest corner of said 0.22 acre tract, and continuing a total of 238.69 feet to a found steel pin at the Southwest corner of said 2.00 acre tract;

Thence North 00 degrees 31 minutes 00 seconds East, a distance of 352.46 feet to a found steel pin at the Northwest corner of said 2.00 acre tract on said South line of said F.M. Road 678;

Thence North 84 degrees 31 minutes 00 seconds East with said South line of said F.M. Road 678, a distance of 240.00 feet to the Point of Beginning and containing 2.00 acres of land.

#### Tract 2:

All that certain tract or parcel of land situated in the S. D. Brown Survey Abstract 94, City of Gainesville, Cooke County, Texas, being a part of a 120.07 acre tract conveyed to Jesse Cason by deed recorded in Volume 887, Page 730 of the Cooke County Official Public Records and being the same 0.22 acre tract conveyed by Jesse S. Cason to Assisted Living Concepts, Inc. by deed recorded in Volume 1026, Page 353 of said Public Records, and being more particularly described as follows:

Beginning at a found steel pin on an East line of said 120.07 acre tract, common to the West line of a 4.37 acre tract conveyed by Richard Klement, et al to the Clement Street Assembly of God Church by deed recorded in Volume 691, Page 775 of the Cooke County Deed Records at the Southeast

corner of a 2.00 acre tract conveyed by Meditrust of Texas to T and F Properties, L.P. by deed recorded in Volume 1054, Page 546 of said Public Records;

Thence South 00 degrees 31 minutes 00 seconds West with the West line of said Assembly of God Church tract, a distance of 80.00 feet to a found steel pin;

Thence North 89 degrees 29 minutes 00 seconds West, a distance of 118.69 feet to a found steel pin;

Thence North 00 degrees 31 minutes 00 seconds East, a distance of 80.00 feet to a found steel pin on the South line of said 2.00 acre tract;

Thence South 89 degrees 29 minutes 00 seconds East, a distance of 118.69 feet to the Point of Beginning and containing 0.22 acres of land.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.