

Mailing Affidavit

STATE OF TEXAS)

COUNTY OF HARRIS)

1

Brittany J. Scott appeared in person before me today and stated under oath:

"My name is Brittany J. Scott. I am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

"I did deposit a signed original of the attached letter with the United States Post Office at 3:00 on October 9, 2009. The letter was mailed in a postpaid envelope properly addressed to the addressee shown on the attached letter. Also attached are true and correct copies of (1) the sender's copy of the official U.S. Postal Service form of certified mail receipt (the 'white copy') for the addressee shown bearing the date mailed, (2) the official U.S. Postal Service return receipt (the 'green card') as completed before mailing, and (3) the front cover of the mailed envelope of the correspondence sent by certified mail."

Brittany J. Scott

Brittany J. Scott
Affiant

SUBSCRIBED AND SWORN TO before me on October 9th, 2009 by Brittany J. Scott.

[Signature]

Notary Public, State of Texas



VP2

LAW OFFICE OF MARK D. WILSON
A PROFESSIONAL CORPORATION

MARK D. WILSON
BOARD CERTIFIED
COMMERCIAL REAL ESTATE LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

✓ 17171 PARK ROW, SUITE 370
HOUSTON, TEXAS 77084-4935
TELEPHONE (281) 646-9600
FAX (281) 646-9601
E-MAIL mark@markdwilsonlaw.com

October 9, 2009

C&G Investment Holdings, L.P.
P.O. Box 702
Alvin, Texas 77512

Certified Mail Return Receipt Requested
7006 2150 0001 7544 0060
and by Regular Mail

Re: Notice of foreclosure sale on November 3, 2009, by Mark D. Wilson, Substitute Trustee of property described in deed of trust dated October 6, 2008, executed by C&G Investment Holdings, L.P. and recorded October 9, 2008, in document number 2008049055 of the real property records of Brazoria County, Texas, securing the obligations therein described (the "Indebtedness") originally payable to Entrust Retirement Services, Inc. FBO Javad Khosravi, IRA Account #11141-11 and now owned by Entrust Retirement Services, Inc. FBO Javad Khosravi, IRA Account #11141-11

Dear C&G Investment Holdings, L.P.:

This letter and the enclosed copy of the Notice of Foreclosure Sale are being sent to you as an obligor on the Indebtedness evidenced by the promissory note dated October 6, 2008, in the original principal amount of \$200,000.00, executed by C&G Investment Holdings, L.P. and payable to the order of Entrust Retirement Services, Inc. FBO Javad Khosravi, IRA Account #11141-11 described in the enclosed notice. Default has occurred in the payment of the Indebtedness secured by the deed of trust. I have been employed by Entrust Retirement Services, Inc. FBO Javad Khosravi, IRA Account #11141-11 (the "Noteholder"), to represent it in collecting the Indebtedness and enforcing the referenced deed of trust.

I have been appointed the Substitute Trustee to conduct the foreclosure sale of the property encumbered by the deed of trust.

I am enclosing a copy of the Notice of Foreclosure Sale, which is being posted on the public notice board of the Brazoria County Courthouse and in accordance with the provisions of the deed of trust. You are informed that the public auction of the property described in the Notice of Foreclosure Sale is scheduled for Tuesday, November 3, 2009, between the hours of 10:00 a.m. and 4:00 p.m. at the Brazoria County Courthouse. The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be held at the location described in the Notice of Foreclosure Sale.

As of this date, \$200,000.00 in principal, plus all unpaid accrued interest thereon, is due and owing to the Noteholder. Interest will continue to accrue on the matured unpaid principal in accordance with the terms of the Indebtedness until this debt is paid. Additionally, the note evidencing the Indebtedness and deed of trust provide for reimbursement to the Noteholder of its reasonable attorney's fees and expenses incurred in collecting this debt. You may contact me at 17171 Park Row, Suite 370, Houston, Texas 77084, (281) 646-9600 to obtain a complete

C&G Investment Holdings, L.P.
October 9, 2009
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statement of the balance owed on your debt to the Noteholder and to arrange payment of this debt.


Demand is hereby made that you pay the Noteholder the Indebtedness now owed that is secured by the deed of trust.

~~You will be able to prevent this foreclosure~~ by paying the Noteholder before the foreclosure sale the total amount now owed that is secured by the referenced deed of trust, plus the additional interest that accrues to the date of payment and all attorney's fees incurred by the Noteholder in collecting this Indebtedness. Payment must be made in cash or by cashier's check received by Noteholder or by me before conducting the foreclosure sale. Partial payments will be applied on the Indebtedness but will not prevent the foreclosure sale. If you mail payment and it is received after the sale, it will have been sent too late. To the extent permitted under the terms of the note and applicable law, the obligors on the note will be liable for any deficiency remaining after application of the net foreclosure sale proceeds to the Indebtedness. You may contact the undersigned about the balance owed on the Indebtedness.

You are notified that the undersigned is attempting to collect this debt and any information obtained from you will be used for such purpose.

If you have any questions, please contact me.

Sincerely yours,



Mark D. Wilson
Attorney for Entrust Retirement Services, Inc. FBO
Javad Khosravi, IRA Account #11141-11
State Bar No.: 21704501
17171 Park Row, Suite 370
Houston, Texas 77084
(281) 646-9600
(281) 646-9601

c: Entrust Retirement Services, Inc. FBO Javad Khosravi, IRA Account #11141-11

Notice of Foreclosure Sale

1. ***Property to Be Sold.*** The property to be sold is described as follows:

The East 30 feet of Lot 10 and all of Lots 11 and 12, in Block 5, of Easton's Addition to the City of Alvin, an addition in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 32, Page 26, of the Deed Records of Brazoria County, Texas. Also known as 1100 West Sealy, Alvin, Texas 77511

2. ***Instrument to be Foreclosed.*** The instrument to be foreclosed is the deed of trust recorded in document number ~~2008049055~~ of the real property records of Brazoria County, Texas.

3. ***Date, Time, and Place of Sale.*** The sale is scheduled to be held at the following date, time, and place:

Date: November 3, 2009

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter.
The sale will be completed by no later than 4:00 p.m.

Place: Brazoria County Courthouse in Angleton, Texas, at the following location:
Corridor outside Room 108 of the Courthouse

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

4. ***Terms of Sale.*** The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the 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 deed of trust. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the deed of trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the deed of trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust and security agreement executed by C&G Investment Holdings, L.P.

The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note in the original principal amount of \$200,000.00, executed by C&G Investment Holdings, L.P., and payable to the order of Entrust Retirement Services, Inc. FBO Javad Khosravi, IRA Account #11141-11. Entrust Retirement Services, Inc. FBO Javad Khosravi, IRA Account #11141-11 is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Entrust Retirement Services, Inc. FBO Javad Khosravi, IRA Account #11141-11 at 17171 Park Row, Suite 100, Houston, Texas 77084.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

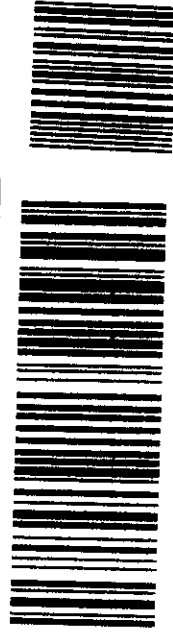
Dated: October 9, 2009.



Mark D. Wilson
17171 Park Row, Suite 370
Houston, Texas 77084
Telephone (281) 646-9600
Telecopier (281) 646-9601

LAW OFFICE OF MARK D. WILSON
A PROFESSIONAL CORPORATION
17171 PARK ROW, SUITE 370A
HOUSTON, TEXAS 77084-4996

CERTIFIED MAIL



7006 2150 0001 7544 0060 77512

U.S. POSTAGE
PAID
HOUSTON, TX
77084
OCT 09, '09
AMOUNT

\$5.54
00032007-12

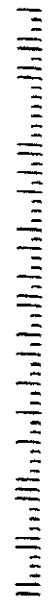
C&G Investment Holdings, L.P.
P.O. Box 702
Alvin, Texas 77512

**RETURN RECEIPT
REQUESTED**

NIXIE 773 5E 1 40 11/02/09
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 77084499501 *1433-11842-09-43

77312470604996



POSTAGE WILL BE PAID BY ADDRESSEE

SENDER'S USE ONLY - THIS SECTION		POSTAGE WILL BE PAID BY ADDRESSEE	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: CAG Investment Holdings, LP P.O. Box 702 AUSTIN TX 78712		B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery	
2. Article Number 7006 2150 0001 7544 0060		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, February 2004		Domestic Return Receipt	
		102696-02-11-1540	

Doc# 2009050084
 # Pages 7
 11/05/2009 4:13PM
 Official Public Records of
 BRAZORIA COUNTY
 JOYCE HUGHAN
 COUNTY CLERK
 Fees \$40.00

Joyce Hughan