

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

FILED

2017 JUL 10 AM 11:46

JOHN E. WARREN  
COUNTY CLERK  
DALLAS COUNTY

DEED OF TRUST      Date: **January 11, 2016**

Grantor:              **EJAZ Investment Group, Inc.**

Mortgagee/Lender:      Bank of DeSoto, N.A.  
                                 PO Box 7777  
                                 DeSoto, Texas 75123

Recorded in:              **Office of the County Clerk Dallas County, Texas**  
                                 **Record Number 201600010600**

Property/ County:        801 & 725 N Walton Walker Blvd, Irving, TX 75061/Dallas County, Texas

Legal Description:        Tract 1  
                                 LOT 2, BLOCK 1, HANNON HYDRAULICS ADDITION, an addition to the City  
                                 of Irving, Dallas County, Texas, according to the plat thereof recorded in Volume 2005167,  
                                 Page 8, Map Records of Dallas County, Texas.

Tract 2  
                                 BEING LOT 2, BLOCK A of YEAGER ADDITION REVISED, an Addition to the City of  
                                 Irving, Dallas County, Texas, according to the plat recorded in Volume 98220, Page 80, Map  
                                 Records of Dallas County, Texas.

Date of Sale:              **August 1, 2017**

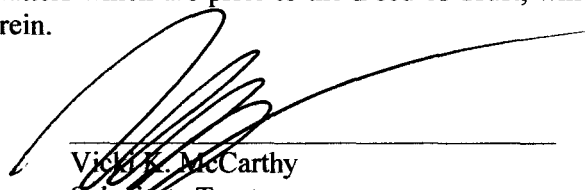
Earliest Time Sale will Begin: 10:00 A.M.

Place of Sale of Property:      The area outside on the North Side of the George Allen Courts Building  
                                 facing Commerce Street below the overhang or as designated by the County  
                                 Commissioners.

The Substitute Trustee will sell the property by public auction to the highest bidder or Bidders for cash at the place and date specified. The Sale will begin at the earliest time stated above or within three (3) hours after that time.

The property is being sold subject to all matters which are prior to the Deed of Trust, which affect title thereto, and which are superior interest therein.

Dated: June 27, 2017



Vicki K. McCarthy  
Substitute Trustee  
c/o Law Office of Vicki K. McCarthy  
114 South 5<sup>th</sup> Street  
Midlothian, TX 76065  
Office (972) 296-9971  
Fax (972) 709-3181  
vmccar1106@aol.com

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

**DALLAS County**

**Deed of Trust Dated:** March 30, 2007

**Amount:** \$104,405.00

**Grantor(s):** ALFREDO G CASTILLEJA

**Original Mortgagee:** BANCO POPULAR NORTH AMERICA

**Current Mortgagee:** AJX MORTGAGE TRUST II, A DELAWARE TRUST, WILMINGTON SAVINGS FUND SOCIETY, FSB, TRUSTEE

**Mortgagee Servicer and Address:** c/o GREGORY FUNDING LLC, P O BOX 25430, PORTLAND, OR 97298

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

**Recording Information:** Document No. 20070120670

**Legal Description:** BEING LOT 3, IN BLOCK D, OF BURNING OAK ESTATES, AN ADDITION TO THE CITY OF IRVING, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 352, PAGE 1248, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

**Date of Sale:** August 1, 2017 between the hours of 10:00 AM and 1:00 PM.

**Earliest Time Sale Will Begin:** 10:00 AM

**Place of Sale:** The foreclosure sale will be conducted at public venue in the area designated by the DALLAS County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

SHELLEY ORTOLANI OR MICHELE HREHA, ROBERT ORTOLANI, MARY MANCUSO OR JOHN PHILLIP MARQUEZ have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

**NOTICE IS FURTHER GIVEN** that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER**

*KRB*

KRISTEN BATES, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2017-003335

*Shelley Ortolani*

SHELLEY ORTOLANI OR MICHELE HREHA, ROBERT ORTOLANI,  
MARY MANCUSO OR JOHN PHILLIP MARQUEZ  
c/o Tejas Trustee Services  
4100 Midway Rd Ste 1040  
Carrollton, TX 75007

DALLAS COUNTY  
JOHN F. WARREN  
COUNTY CLERK

FILED  
AUG 10 AM 11:40

## NOTICE OF TRUSTEE'S SALE

**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. Sender is: Codilis & Stawiariski, PC, 650 North Sam Houston Parkway East, Suite 450, Houston, Texas 77060**

**Date of Security Instrument:** February 27, 2014

**Grantor(s):** Zankhana Shah joined herein pro forma by her spouse, Pankaj Thakkar; and Rajeshr. Patel, a married man

**Original Trustee:** Allan B. Polunsky

**Original Mortgagee:** Mortgage Electronic Registration Systems Inc., as nominee for Iberiabank Mortgage Company its successors and assigns

**Recording Information:** Clerk's File No. 201400053689, in the Official Public Records of DALLAS County, Texas.

**Current Mortgagee:** Specialized Loan Servicing LLC

**Mortgage Servicer:** Specialized Loan Servicing LLC, whose address is C/O 8742 Lucent Blvd. Suite 300 Highlands Ranch, CO 80129 Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property.

**Date of Sale:** 08/01/2017 **Earliest Time Sale Will Begin:** 1:00 PM

**The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above, or within three (3) hours after that time.**

**If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagee, the Mortgagee's attorney.**

**Legal Description:**

**LOT 1, IN BLOCK M, OF RIVERSIDE VILLAGE, PHASE 1, AN ADDITION TO THE CITY OF IRVING, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN/UNDER CLERK'S FILE NO. 201000161763, PLAT RECORDS, DALLAS COUNTY, TEXAS.**

**Place of Sale of Property:** The foreclosure sale will be conducted in the area designated by the DALLAS County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

**For Information:**

Codilis & Stawiariski, P.C.  
650 N. Sam Houston Parkway East  
Suite 450  
Houston, TX 77060

(281) 995-5200

DALLAS COUNTY CLERK  
JOHN E. WARREN

2017 JUL 11 PM 2:08

FILED

*Shelley Ortolani*

Shelley Ortolani as Substitute Trustee, Mary Mancuso as Successor Substitute Trustee, Brett Baugh as Successor Substitute Trustee, Kenny Shirey as Successor Substitute Trustee, Rick Montgomery as Successor Substitute Trustee, Craig Muirhead as Successor Substitute Trustee, Clay Golden as Successor Substitute Trustee, Robert Aguilar as Successor Substitute Trustee, Brent Graves as Successor Substitute Trustee, John Beazley as Successor Substitute Trustee, Wendy Lambert as Successor Substitute Trustee, Troy Robinett as Successor Substitute Trustee, Robert Ortolani as Successor Substitute Trustee, Michele Hreha as Successor Substitute Trustee, Aaron Parker as Successor Substitute Trustee, Mark Buleziuk as Successor Substitute Trustee, Matt Hansen as Successor Substitute Trustee, David Stockman as Successor Substitute Trustee, Brenda Wiggs as Successor Substitute Trustee, Denise Boerner as Successor Substitute Trustee, Guy Wiggs as Successor Substitute Trustee, Donna Stockman as Successor Substitute Trustee, Tim Lewis as Successor Substitute Trustee, Frederick Britton as Successor Substitute Trustee, Terry Waters as Successor Substitute Trustee, Michelle Schwartz as Successor Substitute Trustee, or Thomas Delaney as Successor Substitute Trustee or Lisa Cockrell as Successor Substitute Trustee



4626939

## NOTICE OF TRUSTEE'S SALE

WHEREAS, On the 16<sup>TH</sup> day of June, 2015, BETTER WAY ACQUISITIONS executed a Deed of Trust conveying to **DARRIN W. STANTON**, a Trustee, the Real Estate hereinafter described, to secure N 2 DEEP, INC., in the payment of a debt therein described, said Deed of Trust being recorded in Instrument No. 201500161432 of the Deed of Trust records of Dallas County, Texas; and

WHEREAS, Default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder of said debt has requested the undersigned to sell said property to satisfy said indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN That on Tuesday, the 1<sup>st</sup> day of AUGUST, 2017, between one o'clock p.m. and four o'clock p.m., I will sell said Real Estate at the steps of the George Allen Courthouse, 600 Commerce, in Dallas County, Texas, which is the place designated by the Dallas County Commissioner's Court, to the highest bidder for cash.

Said Real Estate is described as follows: In the County of Dallas, State of Texas:

SEE ATTACHED EXHIBIT 'A'. ALSO KNOWN AS 3102 CORONADO STREET,  
IRVING, TX.

WITNESS MY HAND, the 11 day of JULY, 2017.

  
DARRIN W. STANTON, TRUSTEE

JUDITH E. WARREN  
COUNTY CLERK  
DALLAS COUNTY

RECORDED  
JUL 11 AM 11:57

FILED

**EXHIBIT "A"**

**BEING** a part of Lots 15 and 16, Block 5, of the Second Installment of University Hills, and addition to the City of Irving, Dallas County, Texas, according to the Map thereof recorded in Volume 381, Page 1247, of the Map Records of Dallas County, Texas, and being a part of a tract of land described in a Deed to USA Stevens, of record in Volume 2002010, Page 9392, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a point for corner in the Northeast right-of-way line of Coronado Street (50' right-of-way) at the most southern corner of said Lot 15, from which a 5/8" iron rod found for reference bears North 43 degrees 33 minutes 51 seconds East, a distance of 1.02 feet, said point also being in a curve to the right having a radius of 217.74 feet, a central angle of 30 degrees 08 minutes 59 seconds, and a chord which bears North 31 degrees 42 minutes 43 seconds West, a distance of 114.58 feet;

**THENCE** in a northwesterly direction along the Northeast right-of-way line of said Coronado Street, an arc distance of 114.58 feet to a 3/8 inch iron rod found for corner at the most western corner of said Stevens Tract, from which a 1/2 inch iron rod found for reference bears North 37 degrees 36 minutes 25 seconds East, a distance of 1.04 feet;

**THENCE** North 67 degrees 56 minutes 34 seconds East along the North line of said Stevens Tract, a distance of 146.22 feet to a fence post found for corner at the Northeast corner thereof and being in the East line of said Lot 16

**THENCE** South 16 degrees 43 minutes 31 seconds East along the East line of said Lots 16 and 15, a distance of 56.59 feet to a fence post found for corner at the most eastern corner of said Lot 15;

**THENCE** South 43 degrees 33 minutes 51 seconds West along the Southeast line of said Lot 15, a distance of 134.00 feet to the PLACE OF BEGINNING and containing 0.276 acres of land, more or less.

**NOTICE OF SALE BY SUBSTITUTE TRUSTEE**

FILED

2007 JUL 11 AM 10:21

STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS       §

KNOW ALL PERSONS BY THESE PRESENTS  
  COUNTY CLERK  
  DALLAS COUNTY

THAT Loan to Irving 2007 LLC and Bacael 2007 LLC, each a Delaware limited liability company (collectively, "Borrower"), became indebted to Wachovia Bank, National Association ("Lender"), as evidenced by that certain Promissory Note (the "Note"), dated May 21, 2007, in the original principal sum of FORTY-ONE MILLION and No/100 DOLLARS (\$41,000,000.00), executed and delivered by Borrower to the order of Lender, as payee, bearing interest and being due and payable as therein provided; and said Note and all liens, security interests and assignments securing same having been assigned to U.S. Bank National Association, as Trustee, successor-in-interest to Bank of America, N.A., as Trustee, successor to Wells Fargo Bank, N.A., as Trustee, for the registered holders of COBALT CMBS Commercial Mortgage Trust 2007-C3, Commercial Mortgage Pass-Through Certificates, Series 2007-C3 (the "Trust"); and

WHEREAS, the indebtedness evidenced by the Note (the "Indebtedness") is secured by, among other items, certain liens, security interest and assignments, evidenced by, among other things that certain Deed of Trust, Security Agreement, Assignment of Rents and Fixture Filing (the "Deed of Trust") dated of even date with the Note, naming Rebecca S. Conrad as Trustee for the benefit of Lender, said Deed of Trust being filed for record and recorded under Document Number 20070188941 of the Official Public Records of Real Property of Dallas County, Texas, covering the property described in Exhibit A hereto, along with any and all appurtenances, improvements, fixtures and personal property of any kind located thereon or pertaining thereto, including without

limitation any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other utility facilities to the extent same pertain to or benefit all or any portion of said real property, including without limitation all reservations or commitments or letters covering any such use in the future, whether now owned or hereafter acquired, and any leases and rents relating thereto, which are described therein (all of which is hereinafter referred to as the “Premises”); and

WHEREAS, the Note and the Deed of Trust and all other documents securing the Note are now held by the Trust (hereinafter referred to as “Beneficiary”), having an address of c/o CWCAPITAL ASSET MANAGEMENT LLC, 7501 Wisconsin Avenue, Suite 500 West, Bethesda, Maryland 20814; and

WHEREAS, CWCAPITAL ASSET MANAGEMENT LLC, is acting on behalf of Beneficiary solely in its capacity as special servicer (“Special Servicer”); and

WHEREAS, to the extent the Deed of Trust or any other security agreement held by Beneficiary covers both real and personal property, including without limitation any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other utility facilities to the extent same pertain to or benefit all or any portion of the real property described on Exhibit A hereto, including without limitation all reservations of or commitments or letters covering any such use in the future, any of said personal property which is part of the Premises or which is otherwise covered by a lien or security interest in favor of Beneficiary will be hereinafter included in the definition of Premises as used herein and sold at public sale, hereinafter described, pursuant to Section 9.604 of the Texas Uniform Commercial Code; and

WHEREAS, there may be certain leases, rental agreements, easements and/or other matters (collectively, the “Other Matter”) covering and/or affecting the Premises currently in existence; and

WHEREAS, the liens securing the payment of the Indebtedness may be senior and superior to one or more of the Other Matters and junior and inferior to other of the Other Matters; and

WHEREAS, with respect to the liens securing the payment of the Indebtedness, which are senior to the Other Matters, if any, Beneficiary may subordinate its liens securing the Indebtedness to any one or more of the Other Matters and may not so subordinate such liens to other of the Other Matters; and

WHEREAS, in the event Beneficiary chooses to subordinate its liens securing the Indebtedness to any Other Matters, such decisions will be announced at the foreclosure sale; and

WHEREAS, default has been made in the payment of the Note and Indebtedness, and the Note is now unpaid, delinquent and in default; and

WHEREAS, Beneficiary has given all required notices to Borrower and any and all other necessary parties with regard to the defaulted Indebtedness; and

WHEREAS, pursuant to the authority granted in the Deed of Trust, Beneficiary has appointed the undersigned as “Substitute Trustee” under the Deed of Trust pursuant to duly authorized and executed appointment document; and

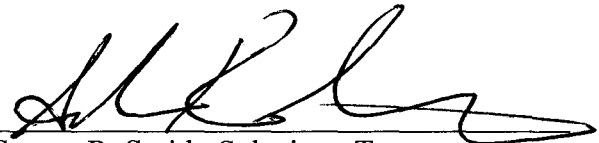
WHEREAS, Beneficiary has requested the undersigned to enforce the liens of the Deed of Trust by sale of the Premises in the manner set forth under the terms of the Deed of Trust and pursuant to the laws of the State of Texas; and



WHEREAS, the undersigned, Substitute Trustee, acting upon the request of said Beneficiary, by these presents is hereby posting, filing and giving notice of the foreclosure of the Deed of Trust and the lien thereof in accordance with applicable Texas law and the terms and provisions of the Deed of Trust; and

NOW, THEREFORE, I or my authorized agent, the undersigned, Substitute Trustee as aforesaid, do hereby give notice that after due publication of this notice as required by law and the Deed of Trust, I or my authorized agent will sell the Premises at public venue to the highest bidder or bidders, for cash, which sale will begin no earlier than 10:00 a.m. and no later than 1:00 p.m., on the first Tuesday in August next, the same being August 1, 2017 at the George Allen Courts Building in Dallas County, Texas, located at 600 Commerce Street, Dallas, Texas, in the area where foreclosure sales are to take place as designated by the commissioner's court of said county, said designation having been recorded in the real property records of said county; further, provided, however, if such a designation by said commissioner's court shall have been made and recorded as aforesaid after the date hereof and prior to the time of the sale, then I will sell the Premises as aforesaid at such area so designated by the commissioner's court of said county.

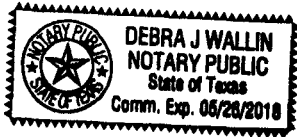
EXECUTED effective as of this 10<sup>th</sup> day of July, 2017.

  
Steven R. Smith, Substitute Trustee

THE STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS           §

BEFORE ME, the undersigned authority, on this day personally appeared Steven R. Smith, Substitute Trustee, 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 and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 10<sup>th</sup> day of July, 2017.



Debra J Wallin  
Notary Public, State of Texas  
Printed Name: Debra J. Wallin  
My Commission Expires: May 26, 2018

RETURN TO:  
Steven R. Smith  
Perkins Coie, LLP  
500 N. Akard Street, Suite 3300  
Dallas, Texas 75201

## EXHIBIT A

### PROPERTY DESCRIPTION

#### Tract 1

Lot 2, of Las Colinas Sector X First Installment Revised, an addition to the City of Irving, Dallas County, Texas, according to the map or plat thereof recorded in Volume 98103, Page 60, Map Records, Dallas County, Texas, and being more particularly described as follows: BEING the description of a tract of land situated in the Anton Kuhn Survey Abstract No. 729 in the City of Irving, Dallas County, Texas and being a part of a 30.91 acre tract of land conveyed to Zales Corporation by deed recorded in Volume 80243, Page 2774 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows: COMMENCING at a point for the angle point of the most easterly intersection of the north right of way of Walnut Hill Lane (110 feet wide at tangent) and the east right of way line of MacArthur Boulevard (100 feet wide at tangent); THENCE along the north right of way line of Walnut Hill Lane as follows: N 89° 39' 20" E, 163.08 feet to a point; S 84° 52' 06" E, 87.02 feet to a point; N 05° 07' 54" E, 11.00 feet to a point; S 84° 52' 06" E, 9.51 feet to a point; N 89° 59' 20" E a distance of 98.78 feet to a found 5/8" rebar for the True Point of Beginning of the property being described; THENCE N 00° 04' 27" E leaving the north right of way line of Walnut Hill Lane a distance of 92.02 feet to a found chiseled "X"; THENCE a distance of 96.44 feet along the arc of a curve to the right whose radius is 344.50 feet, whose central angle is 16° 02' 22", and whose long chord bears N 08° 05' 37" E a distance of 91.13 feet to a found chiseled "X"; THENCE N 73° 53' 11" W a distance of 32.00 feet to a found 5/8" rebar; THENCE a distance of 340.93 feet along the arc of a curve to the right whose radius is 376.50 feet, whose central angle is 51° 52' 59" and whose long chord bears N 43° 03' 19" E a distance of 329.40 feet to a found 5/8" rebar; THENCE S 22° 00' 12" E a distance of 10.00 feet to a found 5/8" rebar; THENCE a distance of 16.30 feet along the arc of a curve to the right whose radius is 366.50 feet, whose central angle is 02° 32' 52" and whose long chord bears N 69° 16' 14" E a distance of 16.30 feet to a found chiseled "X"; THENCE N 00° 07' 44" E a distance of 90.04 feet to a found 5/8" rebar; THENCE N 89° 46' 23" W a distance of 59.31 feet to a found 5/8" rebar; THENCE N 00° 13' 37" E a distance of 181.10 feet to a found 5/8" rebar; THENCE a distance of 59.68 feet along the arc of a curve to the right whose radius is 57.02 feet, whose central angle is 59° 57' 50" and whose long chord bears N 29° 41' 26" W a distance of 56.99 feet to found 5/8" rebar; THENCE N 00° 17' 27" E a distance of 158.67 feet to a found chiseled "X"; THENCE N 65° 41' 15" E a distance of 40.61 feet to a found 60d nail; THENCE a distance of 523.87 feet along the arc of a curve to the right whose radius is 876.50 feet, whose central angle is 34° 14' 41" and whose long chord bears N 82° 48' 34" E a distance of 516.11 feet to a found 5/8" rebar; THENCE S 80° 04' 05" E a distance of 66.60 feet to a found chiseled "X"; THENCE S 00° 23' 45" W a distance of 12.00 feet to a found chiseled "X"; THENCE S 80° 01' 01" E a distance of 36.18 feet to a found chiseled "X"; THENCE S 00° 10' 45" W a distance of 167.74 feet to a found 5/8" rebar; THENCE a distance of 60.57 feet

along the arc of a curve to the right whose radius is 60.17 feet, whose central angle is 57° 40' 20" and whose long chord bears S 29° 00' 55" W a distance of 58.04 feet to a found 5/8" rebar; THENCE S 00° 03' 41" W a distance of 381.26 feet to a found 5/8" rebar; THENCE S 89° 56' 19" E a distance of 10.37 feet to a found 5/8" rebar; THENCE S 00° 03' 41" W a distance of 85.82 feet to a found 5/8" rebar; THENCE a distance of 29.27 feet along the arc of a curve to the right whose radius is 55.79 feet, whose central angle is 30° 03' 23" and whose long chord bears S 15° 13' 53" E a distance of 28.93 feet to a found 5/8" rebar; THENCE S 00° 12' 11" E a distance of 255.72 feet to a found chiseled "X" in the north right of way line of Walnut Hill Lane; THENCE N 89° 55' 33" W along the north right of way line of Walnut Hill Lane a distance of 204.80 feet to a found 5/8" rebar; THENCE S 00° 04' 27" W along the north right of way line of Walnut Hill Lane a distance of 11.00 feet to a found chiseled "X"; THENCE N 89° 55' 33" W along the north right of way line of Walnut Hill Lane a distance of 405.00 feet to a found 5/8" rebar; THENCE N 00° 04' 27" E along the north right of way line of Walnut Hill Lane a distance of 11.00 feet to a found 5/8" rebar; THENCE N 89° 55' 33" W along the north right of way line of Walnut Hill Lane a distance of 150.00 feet to a found chiseled "X"; THENCE S 89° 59' 20" W along the north right of way line of Walnut Hill Lane a distance of 16.83 feet to the True Point of Beginning of the property being described and containing 663,032 square feet or 15.2211 acres of land more or less.

Together with an undivided 32% fee simple interest and attendant Easements for Private Roadway and Utility uses in Lot 6 of Las Colinas Sector X, First Installment, Revised, as recorded in Volume 98018, Page 5, Map Records of Dallas County, Texas

#### Tract 2 (Access Easement)

Being that certain land out of Lot 1 of Las Colinas, Sector X, First Installment Revised, an addition to the City of Irving, Texas recorded in Volume 85068, Page 2623, Map Records, Dallas County, Texas, described as the same land shown as a certain Private Access and Utility Easement running east across the northern portion of Lot 1, connecting MacArthur Boulevard and State Highway 114, and being the width (approximately 50 feet) and location as the Private Access and Utility Easement shown on the above described plat.

#### Tract 3 (Utility Easement)

Being that 1.142 acre tract of land, more or less out of Lot 3 of Las Colinas, Sector X, First Installment Revised, an addition to the City of Irving, Texas, as shown on the plat recorded in Volume 85068, Page 2623, Map Records, Dallas County, Texas, and being more particularly described on Exhibit "A" of Special Warranty Deed recorded in Volume 84065, Page 3783, Reap Property Records, Dallas County, Texas.

Tract 4 (Surface Drainage Easement)

Being a 0.0014 acre and a 0.179 acre tract of land, more or less, out of Lot 1 of Las Colinas, Sector X, First Installment Revised, an addition to the City of Irving, Texas, as shown on the plat recorded in Volume 85068, Page 2623, Map Records, Dallas County, Texas, and being more particularly described on Exhibit "A" of Easement Agreement recorded in Volume 98021, Page 3942, Real Property Records, Dallas County, Texas.

Tract 5 (Maintenance Easement)

Being a 0.626 acre tract of land, more or less, out of Lot 1 of Las Colinas, Sector X, First Installment Revised, an addition to the City of Irving, Texas, as shown on the plat recorded in Volume 85068, Page 2623, Map Records, Dallas County, Texas, and being more particularly described on Exhibit "A" of Easement Agreement recorded in Volume 98021, Page 3931, Real Property Records, Dallas County, Texas.

Tract 6 (Sign Easement)

Being a 0.004 acre tract of land, more or less, out of Lots 4 and 6 of the Final Plat of Lots 1, 4, 5 & 6, Las Colinas Sector "X" First Installment, Revised as recorded in Volume 98018, Page 5, Map Records, Dallas County, Texas, and being more particularly described on Exhibit "A" of Easement and Agreement executed by Zale Delaware, Inc., a Delaware corporation and Principal Mutual Life Insurance Company, an Iowa corporation, dated February 12, 1998, filed for record February 13, 1998, and recorded in Volume 98030, Page 00183, Real Property Records, Dallas County, Texas.

Tract 7 (Vehicular and/or Pedestrian Ingress and Egress, Access and Traffic)

Being a 2.720 acre tract of land, more or less and being Lot 6 of the Final Plat of Lots 1, 4, 5 & 6, Las Colinas Sector "X" First Installment, Revised as Recorded In Volume 98018, Page 5, Map Records, Dallas County, Texas, and being more particularly described on Exhibit "A" of Easement and Agreement executed by Zale Delaware, Inc., a Delaware corporation and CP/HERS Walnut Hill, LP., a Delaware limited Partnership dated April 30, 1998, filed for record April 30, 1998, and recorded in Volume 98087, Page 1, Real Property Records, Dallas County, Texas

Tract 8 (Private fire and water line)

Being a 0.023 acre tract of land, more or less and being a part of Lot 4 the Final Plat of Lots 1, 4, 5 & 6, Las Colinas Sector "X" First Installment, Revised as recorded in Volume 98018, Page 5, Map Records, Dallas County, Texas, and being more particularly described on Exhibit "A" of Easement and Agreement executed by Zale Delaware, Inc., a Delaware corporation and CP/HERS Walnut

Hill, L.P., a Delaware limited partnership, dated April 30, 1998, and recorded in Volume 98087, Page 29, Real Property Records, Dallas County, Texas.

Tract 9 (Communications Line easement)

Being a 0.072 acre tract of land more or less, and being part of Lot 5 of the Final Plat of Lots 1, 4, 5 & 6, Las Colinas Sector "X" First Installment, Revised as recorded in Volume 98018, Page 5, Map Records, Dallas County, Texas, and being more particularly described on Exhibit "A" of Easement and Agreement executed by Zale Delaware, Inc., a Delaware corporation and CP/HERS Walnut Hill, L.P., a Delaware limited partnership, dated April 30, 1998, and recorded in Volume 98087, Page 37, Real Property Records, Dallas County, Texas.

Tract 10 - Parcel A (Access Easement)

BEING a 0.143 acre tract of land more or less and being part of Lot 5 of the Final Plat of Lots 1, 4, 5 & 6, Las Colinas Sector "X" First Installment, Revised as recorded in Volume 98018, Page 5, Map Records, Dallas County, Texas, and being more particularly described on Exhibit "A" of Easement and Agreement Executed by and between CP/HERS Walnut Hill, L.P., Betsy Burton (as successor Trustee(s) to Donald Zale, Bruce A. Lipshy, and Richard Mitchell) as Trustee of Zale Employees' Child Care Association Plan and Trust and Armstrong Las Colinas, LP, dated May 31, 2006, filed June 15, 2006, recorded under Clerk's File No. 200600217422, Real Property Records, Dallas County, Texas. SAVE AND EXCEPT that portion contained in Tract 1 herein.

Parcel B: (Security Easement)

BEING a 445 square foot tract of land more or less and being part of Lot 5 of the Final Plat of Lots 1, 4, 5 & 6, Las Colinas Sector "X" First Installment, Revised as recorded in Volume 98018, Page 5, Map Records, Dallas County, Texas, and being more particularly described on Exhibit "B" of Easement and Agreement Executed by and between CP/HERS Walnut Hill, L.P., Betsy Burton (as successor Trustee's) to Donald Zale, Bruce A. Lipshy, and Richard Mitchell) as Trustee of Zale Employees' Child Care Association Plan and Trust and Armstrong Las Colinas, LP, dated May 31, 2006, filed June 15, 2006, recorded under Clerk's File No. 200600217422, Real Property Records, Dallas County, Texas.

Parcel C: (Landscape Easement)

BEING part of Lot 5 of the Final Plat of Lots 1, 4, 5 & 6, Las Colinas Sector "X" First Installment, Revised as recorded in Volume 98018, Page 5, Map Records, Dallas County, Texas, and being areas depicted on Exhibit "C" of Easement and Agreement Executed by and between CP/HERS Walnut Hill, L.P., Betsy Burton (as successor Trustee(s) to Donald Zale, Bruce A. Lipshy, and Richard Mitchell)

as Trustee of Zale Employees' Child Care Association Plan and Trust and  
Armstrong Las Colleens, LP, dated May 31, 2006, filed June 15, 2006, recorded  
under Clerk's File No. 200600217422, Real Property Records, Dallas County,  
Texas.

FILED

2017 JUL 11 AM 8:35

JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

STATE OF TEXAS  
COUNTY OF DALLAS

**Property to Be Sold:** LOT 5, BLOCK A, OF WESTERN HILLS ADDITION, NO. 4, AN ADDITION TO THE CITY OF IRVING, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 49, PAGE 1, MAP RECORDS, DALLAS COUNTY, TEXAS.

**Instrument Being Foreclosed:** Deed of Trust dated August 6, 2010 recorded in Clerk's File No. 201000102735 of the Real Property Records of Dallas County, Texas. The Deed of Trust secured a Promissory Note of even date in the original principal amount of \$95,000.00 executed by Tiombe Jones-Osisanya for the benefit of Helmet Street Family Trust #2627, Kevin DeFrang, Trustee.

**Time and Place of Sale:**

**Date:** August 1, 2017

**Time:** The sale will begin no earlier than 11:00 a.m. or no later than three hours thereafter.

**Place:** THE SALE WILL BE HELD AT THE NORTH SIDE OF THE GEORGE ALLEN COURTS BULDING FACING COMMERCE STREET BELOW THE OVERHANG IN DALLAS, DALLAS COUNTY, TEXAS, OR AS DESIGNATED BY THE DALLAS COUNTY COMMISSIONERS..

This 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 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 refileing may be after the date originally scheduled



for this sale.

**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 hereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the 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 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 Section 51.009 of the Texas Property Code, the property will be sold in an “as is, where is” condition, without any express or implied warranties, except as to the warranties of title (if any) provided under this Deed of Trust. Prospective bidders are advised to conduct independent investigation of the nature and physical condition of the property.

Pursuant to Section 51.075 of the Texas Property Code, the substitute 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.

**Type of Sale:** The sale is a non-judicial deed of trust foreclosure sale being pursuant to the power of sale granted by the Deed of Trust lien. 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.

**Default and Request to Act.** Default has occurred under the Deed of Trust and the

beneficiary has requested me as trustee to conduct this sale. Notice is given that before the sale the beneficiary may appoint another substitute to conduct the sale.

Dated: July 10, 2017

SUBSTITUTE TRUSTEE

A handwritten signature in black ink, appearing to read 'MCS', is written over a horizontal line.

MARK C. SWINDLE, ATTORNEY AT LAW  
1506 W. PIONEER PARKWAY, SUITE 112  
ARLINGTON, TEXAS 76013  
(817) 461-5830

**NOTICE OF ASSESSMENT LIEN SALE**

**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.**

STATE OF TEXAS       §  
  §  
COUNTY OF DALLAS   §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on the 15<sup>th</sup> day of May, 2017, a Notice of Lien was filed of record at Document Number 201700135570, in the Official Public Records of Dallas County, Texas, covering the real property herein described, concerning default in payment of the indebtedness owing by **DARREN WEARY**, the present owner of said real property, to Pioneer Valley Condominium Homeowner's Association, Inc. (the "Association"); and

WHEREAS, the said **DARREN WEARY**, has continued to default in the payment of the indebtedness to the Association and the same is now wholly due, and the Association, acting by and through its duly authorized agent, intends to sell the herein described property to satisfy the present indebtedness of said owner to the Association.

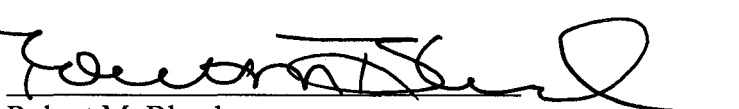
NOW, THEREFORE, notice is hereby given that on Tuesday, the 1<sup>st</sup> day of August, 2017, between 10:00 o'clock a.m. and 4:00 o'clock p.m., the Association will sell said real estate on the North side of the George Allen Courts Building facing Commerce Street below the overhang, 600 Commerce Street, Dallas, Dallas County, Texas, to the highest bidder for cash, subject to all superior liens and encumbrances of record. The earliest time at which said sale will begin will be 10:00 o'clock a.m., and the sale will take place not later than three (3) hours after that time.

Said real estate is described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.**

Witness my hand this 10<sup>th</sup> day of July, 2017.

**PIONEER VALLEY CONDOMINIUM HOMEOWNERS ASSOCIATION, INC.**

By:   
Robert M. Blend  
Duly Authorized Agent  
14131 Midway Road, Suite 1240  
Addison, Texas 75001

This notice was posted by me on the 10<sup>th</sup> day of July, 2017, on the posting board at the George Allen Courts Building, 600 Commerce Street, in Dallas, Texas.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
Print Name

FILED  
AUG 10 AM 9:32  
JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY

**EXHIBIT "A"**

Unit No. 113, Building A of PIONEER VALLEY CONDOMINIUM, a Condominium in the City of Irving, Texas, together with an undivided interest in the common elements according to the Declaration recorded in Volume 83090, Page 93, Real Property Records, Dallas County, Texas. Together with any and all supporting documents thereto, or more commonly known as 3865 Evergreen St. #113, Irving, TX 75061.

**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE**

FILED

2017 JUL 10 AM 11:41

JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY

**DEED OF TRUST INFORMATION:**

**Date:** 07/09/2007  
**Grantor(s):** JOSE ISAAC JUAREZ AND WIFE, ROXANNA ORTIZ  
**Original Mortgagee:** 1ST CAPITAL INVESTMENT COMPANY, LLC  
**Original Principal:** \$87,900.00  
**Recording Information:** Instrument 20070281363  
**Property County:** Dallas  
**Property:**

LOT 18, BLOCK 9, PLYMOUTH PARK NO. 5, AN ADDITION TO THE CITY OF IRVING, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 25, PAGE 161, MAP RECORDS, DALLAS COUNTY, TEXAS. SAVE AND EXCEPT THAT CERTAIN LOT, TRACT OF PARCEL OF LAND SITUATED IN DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY THE METES AND BOUNDS DESCRIPTION ATTACHED AS EXHIBIT "A" TO THE PARTIAL RELEASE OF LIEN EXECUTED BY JPMORGAN CHASE BANK, N.A. ON APRIL 5, 2010 AND RECORDED UNDER INSTRUMENT NUMBER 201000112705 ON MAY 5, 2010 IN THE REAL PROPERTY RECORDS OF DALLAS COUNTY, TEXAS.

**Reported Address:** 2817 YALE ST, IRVING, TX 75061

**MORTGAGE SERVICING INFORMATION:**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

**Current Mortgagee:** Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America  
**Mortgage Servicer:** Seterus, Inc.  
**Current Beneficiary:** Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America

**Mortgage Servicer Address:** 14523 SW Millikan Way, Suite 200, Beaverton, OR 97005

**SALE INFORMATION:**

**Date of Sale:** Tuesday, the 1st day of August, 2017  
**Time of Sale:** 10:00 AM or within three hours thereafter.  
**Place of Sale:** AT THE AREA OUTSIDE ON THE NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG in Dallas County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Dallas County Commissioner's Court.

**Substitute Trustee(s):** Brett Baugh, John Beazley, Kenny Shirey, Rick Montgomery, Craig Muirhead, Aaron Parker, Clay Golden, Robert Aguilar, Brent Graves, Wendy Lambert, Troy Robinett, Mark Buleziuk, Terry Waters, Matt Hansen, Frederick Britton, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act

**Substitute Trustee Address:** 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Brett Baugh, John Beazley, Kenny Shirey, Rick Montgomery, Craig Muirhead, Aaron Parker, Clay Golden, Robert Aguilar, Brent Graves, Wendy Lambert, Troy Robinett, Mark Buleziuk, Terry Waters, Matt Hansen, Frederick Britton, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Brett Baugh, John Beazley, Kenny Shirey, Rick Montgomery, Craig Muirhead, Aaron Parker, Clay Golden, Robert Aguilar, Brent Graves, Wendy Lambert, Troy Robinett, Mark Buleziuk, Terry Waters, Matt Hansen, Frederick Britton, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Very truly yours,

Buckley Madole, P.C.