

NOTICE OF FORECLOSURE SALE

State of Texas §
 §
County of Dallas §

Notice is hereby given of a public non-judicial foreclosure sale.

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

LOT 18, BLOCK 8 OF FLOWER HILL NO. 6, AN ADDITION TO THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 85101, PAGE 2480, MAP RECORDS, DALLAS COUNTY, TEXAS.

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

Date: **August 1, 2017**
Time: The sale shall begin no earlier than **12:00 PM** or no later than three hours thereafter.
Place: **Dallas County Courthouse in Dallas, Texas**, at the following location: the area designated by the Commissioners Court of **Dallas, Dallas County, Texas**, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

The deed of trust permits the Mortgagee of Record 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.

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.

3. 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 Mortgagee of Record 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.

1004238-2

JOHN F. WARREN
DALLAS COUNTY CLERK
JUL 10 PM 12:29
FILED

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

4. Type of Sale. The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by **Glenn Eugene Griswold**.

5. Obligations Secured. The Deed of Trust is dated **December 31, 2001**, and is recorded in the office of the County Clerk of **Dallas County, Texas**, in/under **Document No 1670741, Official Public Records of Dallas County, Texas**. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to the promissory note in the original principal amount of **\$104,000.00**, executed by **Glenn Eugene Griswold**, and payable to the order of **C.P.N Mortgage, L.L.C. dba Metro 1st Mortgage**.

Original Mortgagee: C.P.N Mortgage, L.L.C. dba Metro 1st Mortgage .

Current Mortgagee of Record: Ditech Financial LLC whose address is 7360 S. Kyrene Road, TEMPE, AZ 85283.

6. 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 public sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

7. **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.**

Sent by: Jeffrey B. Lewis
Robertson Anschutz Veters
1500 CityWest Blvd., Suite 700
Houston, TX 77042

DATED July 10, 2017.



David Garvin, Jack Beckman, Kelly Goddard, Gene Alyea or Bernice Young, Shelley Ortolani or Mary Mancuso or Robert Ortolani or Michele Hreha, Substitute Trustee
c/o Robertson Anschutz Veters
1500 CityWest Blvd., Suite 700
Houston, TX 77042
Phone: 713-244-1360

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 OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

1004238-2

CAUSE NO. DC-17-04471

IN RE: ORDER FOR FORECLOSURE
CONCERNING
3511 JASMINE LN
ROWLETT, TX 75089

UNDER TEX.R.CIV.P.736

PETITIONER:

DITECH FINANCIAL LLC

RESPONDENT(S):

GLENN EUGENE GRISWOLD

IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

191ST JUDICIAL DISTRICT

HOME EQUITY FORECLOSURE ORDER

1. On this day, the Court considered Petitioners' Motion for a Default Order granting its application for an expedited foreclosure order under Rule 736. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.
2. The name and last known addresses of each Respondent subject to this order is Glenn Eugene Griswold 3511 Jasmine Ln, Rowlett, TX 75089. Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten (10) days.
3. The property that is the subject of this foreclosure proceeding is commonly known as 3511 Jasmine Ln, Rowlett, TX 75089 with the following legal description:


LOT 18, BLOCK 8 OF FLOWER HILL NO. 6, AN
ADDITION TO THE CITY OF ROWLETT, DALLAS
COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT
THEREOF RECORDED IN VOLUME 85101, PAGE 2480,
MAP RECORDS, DALLAS COUNTY, TEXAS.
4. The lien to be foreclosed is indexed or recorded at Document No 1670741 and recorded in the real property records of Dallas County, Texas.
5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this Order.

6. Based on the affidavit of the Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Act, 50 U.S.C. App. § 501 et seq.
7. Therefore, the Court grants Petitioner's Motion for a Default Order under the Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the loan agreement sought to be foreclosed.
8. This Order is not subject to a motion for rehearing, new trial, bill of review or appeal. Any challenge to this Order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.8.

SIGNED THIS 14 day of June, 2017.


JUDGE PRESIDING

APPROVED AS TO FORM:

By: 
Timothy J. Swanson
Texas Bar No. 24063665
Jeffrey B. Lewis
Texas Bar No. 12290000
litigation@ravdocs.com
1500 CityWest Blvd., Suite 700
Houston, TX 77042
Tel. 713-244-1360
Fax (713) 888-2703
Attorneys for Petitioner

NOTICE OF [SUBSTITUTE] 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.

1. Date, Time, and Place of Sale.

Date: August 01, 2017

Time: The sale will begin at 10:00AM or not later than three hours after that time.

Place: THE AREA OUTSIDE ON THE NORTHSIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated January 06, 2006 and recorded in Document CLERK'S FILE NO. 20060013286 real property records of DALLAS County, Texas, with ROY GRAY AND LAKENYA GRAY, grantor(s) and AAMES FUNDING CORPORATION DBA AAMES HOME LOAN, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by ROY GRAY AND LAKENYA GRAY, securing the payment of the indebtednesses in the original principal amount of \$96,800.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-AM1 is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. AMERICA'S SERVICING COMPANY, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o AMERICA'S SERVICING COMPANY
3476 STATEVIEW BLVD
FORT MILL, SC 29715

MICHAEL D. VESTAL, ROBERT FORSTER, JEFF FLEMING OR LAUREN CHRISTOFFEL
Substitute Trustee
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on _____ I filed at the office of the DALLAS County Clerk and caused to be posted at the DALLAS County courthouse this notice of sale.

Declarant's Name:
Date: _____

FILED
2017 JUL 10 AM 10:33
JOHN P. WARREN
COUNTY CLERK
DALLAS COUNTY



NOS0000005886965

0000005886965

DALLAS

EXHIBIT "A"

BEING LOT 4, IN BLOCK C, OF LAKEVIEW MEADOWS ESTATES, SECTION FOUR, AN ADDITION TO THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 83049, PAGE 1178, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.



NOS0000005886965

NOTICE OF [SUBSTITUTE] 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.

1. **Date, Time, and Place of Sale.**

Date: August 01, 2017

Time: The sale will begin at 10:00AM or not later than three hours after that time.

Place: THE AREA OUTSIDE ON THE NORTHSIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated January 05, 2009 and recorded in Document CLERK'S FILE NO. 200900014715; AS AFFECTED BY LOAN MODIFICATION AGREEMENTS CLERK'S FILE NO. 201500294654 AND CLERK'S FILE NO. 201600304077 real property records of DALLAS County, Texas, with BRADEN BELL, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by BRADEN BELL, securing the payment of the indebtednesses in the original principal amount of \$226,778.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WELLS FARGO BANK, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. WELLS FARGO BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o WELLS FARGO BANK, N.A.
3476 STATEVIEW BLVD
FORT MILL, SC 29715

MICHAEL D. VESTAL, ROBERT FORSTER, JEFF FLEMING OR LAUREN CHRISTOFFEL

Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on _____ I filed at the office of the DALLAS County Clerk and caused to be posted at the DALLAS County courthouse this notice of sale.

Declarants Name:

Date:

2017 JUL 10 AM 10:34
JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY
FILED



NOS00000006879407

EXHIBIT "A"

BEING LOT 6, BLOCK A OF SPRINGFIELD ESTATES PHASE B, AN ADDITION TO THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 94053, PAGE 3451, PLAT RECORDS, DALLAS COUNTY, TEXAS.



NOS0000006879407

NOTICE OF [SUBSTITUTE] 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.

1. Date, Time, and Place of Sale.

Date: August 01, 2017

Time: The sale will begin at 10:00AM or not later than three hours after that time.

Place THE AREA OUTSIDE ON THE NORTHSIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated March 02, 2007 and recorded in Document CLERK'S FILE NO. 20070110085 real property records of DALLAS County, Texas, with DONALD WEIR AND BONNIE WEIR, grantor(s) and JPMORGAN CHASE BANK, N.A., mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by DONALD WEIR AND BONNIE WEIR, securing the payment of the indebtednesses in the original principal amount of \$92,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. JPMORGAN CHASE BANK, N.A., FORMERLY KNOWN AS JPMORGAN CHASE BANK is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. JPMORGAN CHASE BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o JPMORGAN CHASE BANK, N.A.
8333 RIDGEPOINT DRIVE
IRVING, TX 75063

MICHAEL D. VESTAL, ROBERT FORSTER, JEFF FLEMING OR LAUREN CHRISTOFFEL
Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Active Duty Notifications: Special Loans Unit /CHASE Home Lending Attn: SCRA/2210 Enterprise Drive /Florence, TX 75001 /Fax 843 413 5433/scra.military.orders@chase.com

FILED
2017 JUL 10 AM 10:36
JOHN E. WARREN
COUNTY CLERK
DALLAS COUNTY



5800 MIMOSA LANE
ROWLETT, TX 75089

20120177600237
Date of Sale: 08/01/2017

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas. I declare under penalty of perjury that on _____ I filed at the office of the DALLAS County Clerk and caused to be posted at the DALLAS County courthouse this notice of sale.

Declarants Name: _____
Date: _____

EXHIBIT "A"

BEING LOT 33, BLOCK 3 OF KENWOOD ADDITION NO.3, AN ADDITION TO THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 74155, PAGE 2063, MAP RECORDS, DALLAS COUNTY, TEXAS

JPMORGAN CHASE BANK, N.A.,
FORMERLY KNOWN AS
JPMORGAN CHASE BANK,
Plaintiff,

IN THE DISTRICT COURT

v.

DONALD DEAN WEIR, SR.,
DONALD D. WEIR, II, LOUIS
WEIR, PAUL RICHARD WEIR, AND
THE UNKNOWN HEIRS AT LAW
OF BONNIE JEAN WEIR,
DECEASED,
Defendants.

OF DALLAS COUNTY, TEXAS

In Re: 5800 MIMOSA LANE,
ROWLETT, TEXAS 75089

14th JUDICIAL DISTRICT

FINAL JUDGMENT

After considering plaintiff, JPMorgan Chase Bank, N.A., formerly known as JPMorgan Chase Bank's, its successors or assigns, motion for final judgment, pleadings, and evidence on file the Court GRANTS the motion and finds:

1. Citation properly served on defendants according to law and remained on file with the Clerk of this Court for the time prescribed by law.
2. Defendant, Nanette Chance was served with process and defendant has not filed an answer or any pleading constituting an answer and have not entered an appearance in this lawsuit. The last known address for defendant, Nanette Chance is as follows: 3823 W. 500 N., Fairland, IN 46126.
3. Defendant, Yvette Shykes was served with process and defendant has not filed an answer or any pleading constituting an answer and have not entered an appearance in this lawsuit. The last known address for defendant, Yvette Shykes is as follows: 2910 Toler Road, Rowlett, Texas 75089.

4. Defendant, Gisele Weir Bissey was served with process and defendant has not filed an answer or any pleading constituting an answer and have not entered an appearance in this lawsuit. The last known address for defendant, Gisele Weir Bissey is as follows: 4672 FM 68, Wolfe City, Texas 75496.

5. None of the defendants who were personally served are in active military service.

6. Erik Hudak was appointed as attorney ad litem according to TEX. R. CIV. P. 244 for defendants, Louis A. Weir, the unknown heirs-at-law of Donald Dean Weir, Sr., deceased, and the unknown heirs-at-law of Bonnie Jean Weir, deceased served citation by publication.

7. The Loan Agreement between Donald Dean Weir, Sr., Bonnie Jean Weir and the plaintiff is in default and that plaintiff is the beneficiary of that agreement on the property made the basis of this lawsuit.

8. Plaintiff is entitled to the relief sought in plaintiff's original petition. Therefore it is:

ORDERED that:

All of Donald Dean Weir and Bonnie Jean Weir's ("Decedents") heirs-at-law have been made defendants to this suit and were immediately vested with all of Decedents' right, title and interest in the real property and improvements commonly known as 5800 Mimosa Lane, Rowlett, Texas 75089 ("Property") and legally described as:

BEING LOT 33, BLOCK 3 OF KENWOOD ADDITION NO.3, AN ADDITION TO THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 7415, PAGE 263, MAP RECORDS, DALLAS COUNTY, TEXAS

FURTHER ORDERED plaintiff has a valid lien on the Property by way of a Texas Home Equity Security Instrument dated March 2, 2007 and filed under Document Number 20070110085 of the Official Public Records of Dallas County, Texas.

FURTHER ORDERED that this Judgment serves as an Order authorizing plaintiff to foreclose its lien created under TEX. CONST. art. XVI, § 50(a)(6) in compliance with the Loan Agreement and TEX. PROB CODE § 51.002.

FURTHER ORDERED that a copy of this Judgment shall be sent to defendants with the notice of the date, time, and place of the foreclosure sale.

FURTHER ORDERED that plaintiff may communicate with the defendants and all third parties reasonably necessary to conduct the foreclosure sale.

FURTHER ORDERED that if defendants are represented by counsel, the notice of foreclosure sale also be mailed to counsel by certified mail.

FURTHER ORDERED that one of the effects of the non-judicial foreclosure shall be that defendants are divested and the purchaser of the Property at the non-judicial foreclosure sale is vested with all right, title and interest to the Property.

FURTHER ORDERED that no personal liability or deficiency for the Loan Agreement debt shall be asserted against the defendants or the putative estate of Decedent.

FURTHER ORDERED that after the non-judicial foreclosure is held, if the property remains occupied after this judgment becomes final and the plaintiff is the purchaser of the Property at the non-judicial foreclosure sale, a writ of possession shall issue against any occupant of the Property in accordance with TEX. R. CIV. P. 310.

IT IS FURTHER ORDERED that the Interlocutory Default Judgment against defendant, Paul Richard Weir, signed on June 22, 2015 is incorporated into this judgment.

IT IS FURTHER ORDERED that the Interlocutory Default Judgment against defendant, Donald D. Weir, II, signed on August 18, 2015 is incorporated into this judgment.

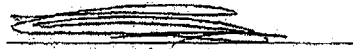
FURTHER ORDERED that as part of the costs of court, and payable by plaintiff Erik Hudak, the Attorney Ad Litem is granted the sum of \$ 1,350 and discharged as Ad Litem in this cause.

FURTHER ORDERED that all other costs of court are taxed against the party incurring same.

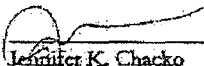
All relief not expressly granted is denied.

This judgment finally disposes of all parties and all claims and is appealable.


SIGNED this 31 day of March, 2017.


PRESIDING JUDGE

APPROVED AS TO FORM & SUBSTANCE: APPROVED AS TO FORM ONLY:


Jennifer K. Chacko
State Bar No.: 24082482
4004 Belt Line Road, Ste. 100
Addison, Texas 75001
(972) 341-5321
(972) 341-0734 (Facsimile)
JenniC@bdfgroup.com

ATTORNEY FOR PLAINTIFF


Erik Hudak
SBN: 24085388
3821 Peach Street
Enless, TX 76040
(817) 733-6644
(817) 502-9897 (fax)
erik@erikhudaklaw.com

ATTORNEY AD LITEM

FILED

NOTICE OF SUBSTITUTE TRUSTEE'S SALE 17 JUL 10 AM 11:38

Matter No.: 052171-TX

Date: June 27, 2017

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

County where Real Property is Located: Dallas

ORIGINAL MORTGAGOR: HEATHER M MARKS, AN UNMARRIED WOMAN

ORIGINAL MORTGAGEE: COLDWELL BANKER HOME LOANS

CURRENT MORTGAGEE: LAKEVIEW LOAN SERVICING, LLC

MORTGAGE SERVICER: LOANCARE

DEED OF TRUST DATED 3/30/2012, RECORDING INFORMATION: Recorded on 4/2/2012, as Instrument No. 201200092140,

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): LOT 8, BLOCK 3, OF SOUTHRIDGE ADDITION, AN ADDITION TO THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 44, PAGE 111, MAP RECORDS OF DALLAS COUNTY, TEXAS.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **8/1/2017**, the foreclosure sale will be conducted in **Dallas** County in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than **1:00 PM**, or not later than three (3) hours after that time, by one of the Substitute Trustees who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness superior to the Deed of Trust.

LOANCARE is acting as the Mortgage Servicer for LAKEVIEW LOAN SERVICING, LLC who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. LOANCARE, as Mortgage Servicer, is representing the Mortgagee, whose address is:

LAKEVIEW LOAN SERVICING, LLC
c/o LOANCARE
3637 SENTARA WAY
VIRGINIA BEACH, VA 23452-4262

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.



Matter No.: 052171-TX

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.



By: _____ Substitute Trustee
SHELLEY ORTOLANI, MARY MANCUSO, ROBERT
ORTOLANI, MICHELE HREHA, GUY WIGGS, RUSSELL
STOCKMAN, DAVID STOCKMAN, BRENDA WIGGS,
DENISE BOERNER, DONNA STOCKMAN, TIM LEWIS,
MICHELLE SCHWARTZ, PAUL A. HOEFKER OR ROBERT
L. NEGRIN

Return to:
ALDRIDGE PITE, LLP
4375 JUTLAND DR., SUITE 200
P.O. BOX 17935
SAN DIEGO, CA 92177-0935
FAX #: 619-590-1385
866-931-0036

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

FILED

JUN 10 PM 2:09

THE STATE OF TEXAS §
COUNTY OF DALLAS §

JOHN E. WARREN
COUNTY CLERK
DALLAS COUNTY

- Borrower: Lamar D. Barnes (herein "Borrower")
- Noteholder: American Southwest Mortgage Corp. (herein "Noteholder")
- Note: Note dated September 21, 2015, executed by Borrower, in the original principal amount of \$240,562.00, payable to the order of Noteholder (herein the "Note")
- Deed of Trust: Deed of Trust dated September 21, 2015, executed by Borrower, to Allan B. Polunsky, Trustee, for the benefit of Noteholder, electronically recorded under file number 201500256094 of the Official Public Records of Dallas County, Texas, (herein the "Deed of Trust")
- Property: Being Lot 2, Block 3 of Lake Bend Estates Phase One, an Addition to the City of Rowlett, Dallas County, Texas, according to the Plat thereof recorded in Volume 86135, Page 3544, Map Records, Dallas County, Texas
- Substitute Trustee: William Riley Nix and David M. Kennedy (herein the "Substitute Trustee")
- Substitute Trustee's Mailing Address:
717 North Crockett
Sherman, Grayson County, Texas 75090

WHEREAS, pursuant to the Deed of Trust, Borrower conveyed to Allan B. Polunsky, Trustee for the benefit of Noteholder, the Property as herein described together with the improvements, personal property, fixtures, appurtenances, and other rights, titles, and interests more particularly described in the Deed of Trust (hereinafter collectively referred to as the "Property"), to secure the payment of, among other things, the Note;

WHEREAS, the undersigned has been appointed Substitute Trustee (herein so called) in the place of the original Trustee pursuant to the terms of the Deed of Trust;

WHEREAS, an event of default has occurred under the terms of the Note and the Deed of Trust, and pursuant to its rights under the Note and the Deed of Trust, Noteholder accelerated the maturity of the Note, causing the entire unpaid principal balance of and all accrued and unpaid interest thereon to become due and payable, and written notice of default and Noteholder's intent to accelerate, and written notice of acceleration have been given to Borrower;

WHEREAS, the Note has remained unpaid from the date that it was accelerated and declared due and payable; and

WHEREAS, Noteholder has requested William Riley Nix and David M. Kennedy, as Substitute Trustee, or either one of them acting alone, to sell the Property in the manner provided for in the Deed of Trust (the "Foreclosure Sale"), to satisfy the indebtedness secured by the lien of the Deed of Trust (the "Indebtedness").

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that the Property will be sold at the Foreclosure Sale pursuant to the Texas Property Code, as follows:

1. The Foreclosure Sale will be on **Tuesday, August 1, 2017**;
2. The earliest time at which the Foreclosure Sale will occur is **10:00 a.m.** and will begin at that time or not later than three hours after that time;
3. The Foreclosure Sale will take place on the north side of the **George Allen Courts Building** facing Commerce Street below the overhang, 600 Commerce Street, Dallas, Texas, that being the area designated by the Dallas County Commissioner's Court for such sales; and
4. The Property will be sold to the highest bidder for cash, except that Noteholder's bid may be by credit against the Indebtedness.

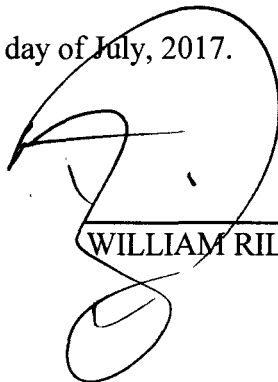
The sale noticed herein shall include the interest of the Borrower in any fixtures and personal property covered by the Deed of Trust and any other documents executed in connection with or as security for the Note, Noteholder having directed the undersigned to sell, and the undersigned hereby noticing the sale of, any such fixtures and personalty pursuant to rights granted to the Noteholder under the Texas Business and Commerce Code.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE

TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. EXCEPT AS EXPRESSLY PROVIDED HEREIN, THE SUBSTITUTE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES 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 PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

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 THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

WITNESS MY HAND this 7th day of July, 2017.

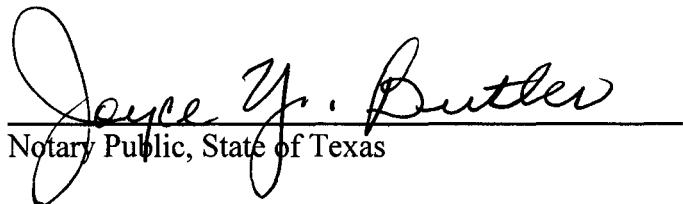
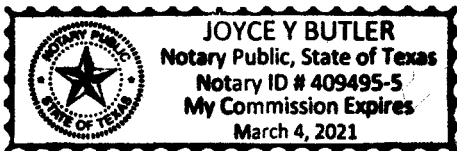


WILLIAM RILEY NIX, Substitute Trustee

THE STATE OF TEXAS §

COUNTY OF GRAYSON §

This instrument was acknowledged before me on the 7th day of July, 2017, by WILLIAM RILEY NIX, Substitute Trustee.



Notary Public, State of Texas