

STATE OF TEXAS

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COUNTY OF DALLAS

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FILED

JUL 04 2017 9:01 AM

NOTICE OF FORECLOSURE SALE

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

Notice is hereby given of a public foreclosure sale.

1. **Property to be Sold:** The property to be sold is certain real property located in Dallas County, Texas and more fully described as:

2200 East Trinity Mills Road, Unit 405, Carrollton, Texas 75006; a/k/a

Unit 405, Building D/4 of Trinity Meadows Condominiums, a Condominium in the City of Carrollton, Dallas County, Texas, together with an undivided interest in the common elements according to the Declaration recorded in Volume 84016, Page 2145, Condominium Records of Dallas County, Texas, and any supplements and/or amendments thereto;

2. **Owner(s):** Andrew Marty M. Ona & Nerissa M. Ona

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

Date: Tuesday, July 4, 2017

Time: Between the hours of 10:00 a.m. and 1:00 p.m. The sale shall commence at no earlier time than 10:00 a.m.

Place: At the County Courthouse in Dallas County, 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.

4. **Terms of Sale:** The sale will be conducted as a public auction to the highest bidder for cash. Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day of the sale for the property being sold. The Property will be sold "as is", "where is" and "with all faults" of whatever nature or kind. NO warranty or representation of any kind is made regarding the property.

The sale will be made expressly subject to the provisions of the Declaration, any and all prior matters of records affecting the Property and any rights of redemption granted by law. **Prospective bidders are strongly urged to examine the applicable property records and the law.**

5. **Type of Sale:** The sale is a foreclosure sale to foreclose the Lien of Trinity Meadows Condominiums Owners Association, Inc. for the failure of the above-referenced owner(s) to pay assessments and related charges against the Property as reflected in the Notice of Lien filed in the County Clerk's Office.

6. **Obligation Secured:** The Lien as reflected in the Notice of Lien secures the failure to pay assessments and related charges to the Association in the amount of \$2,842.68, as of May 22, 2017.

7. **Default and Request to Act:** Default has occurred by the failure to pay assessments to the Association, and the Association has requested me as agent on behalf of the Association to conduct this sale. Notice is given that before the sale the Association may appoint another person as agent or trustee to conduct the sale.

Dated: May 22, 2017



**Jack Manning, Casey Meyers, and Lance
Erickson, Attorneys & Substitute Trustees**

MANNING & MEYERS
Attorneys at Law
4340 N. Central Expressway, Suite 200
Dallas, Texas 75206
(214) 823-6600 – Telephone
(214) 821-3800 – Facsimile

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED ABOVE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE ABOVE NAMED ASSOCIATION.

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Notice is hereby given that on Tuesday, the 4th day of July, 2017; the undersigned will conduct a Substitute Trustee's Sale under the terms of the Deed of Trust described below. Such interests in the following described property as are secured by the Deed of Trust herein described will be sold at public auction to the highest bidder for cash. The sale will be conducted with the understanding that the trustee is acting in a representative capacity, and not individually, and that the trustee shall have no personal liability by reason of any matter arising out of such sale. The earliest time the sale will begin is 10:00 o'clock, A.M., but the sale may begin not later than three (3) hours after that time. The sale will take place at the county courthouse of Dallas County, Texas, at the area designated by the Commissioner's Court of such county where such sales are to take place. If no such area has been so designated, the area in which the sale will take place are the steps of the building now known as the George Allen Courts Building, 600 Commerce St., Dallas, Texas 75202.

Date of Deed of Trust: February 2, 2014

Executed by: Jose F. Platero and Alexi A. Amaya Hernandez

Original Trustee named in Deed of Trust: Enrique Bernal

Original amount of Secured Indebtedness: \$121,000.00

Original Beneficiary named in Deed of Trust: Plenitud Enterprise, LLC

Property described in Deed of Trust:

Being a part of Lot 10, of JACKSON ARMS ADDITION, an addition to the City of Carrollton, Dallas County, Texas, according to the map thereof recorded in Volume 78138, Page 2040, records of Dallas County, Texas, and being more particularly described by metes and bounds described as "Exhibit A" attached and incorporated herein. **More commonly known as 2239 Jackson Circle, Carrollton, Texas 75006**

Said Deed of Trust is recorded as Instrument No. 201400100343 in the Deed of Trust Records Dallas County, Texas.

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

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FILED

EXECUTED this 24 day of May 2017

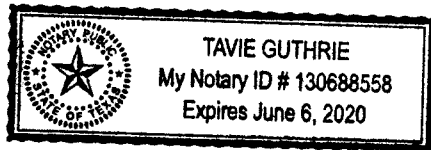
Tina Hill

Tina Hill
Substitute Trustee
1795 Northwest Highway
Garland, TX 75041
972-271-1700

ACKNOWLEDGMENT

THE STATE OF TEXAS §
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COUNTY OF DALLAS §

This instrument was acknowledged before me on the 24 day of May, 2017, by Tina Hill, known to me personally or by driver's license, in the capacity therein stated.



Tavie Guthrie
Notary Public in and for the State of Texas

AFTER RECORDING RETURN TO:
Horne & Associates, PC
1795 Northwest Highway
Garland, Texas 75041

PREPARED IN THE LAW OF:
Horne & Associates, PC
1795 Northwest Highway
Garland, Texas 75041

EXHIBIT A

Property Description

Being a part of Lot 10, of JACKSON ARMS ADDITION, an Addition to the City of Carrollton, Texas, according to the map thereof recorded in Volume 78138, Page 2040, records of DALLAS County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 60 d nail found in the North line of Jackson Circle (27 feet wide), at the common South corner of said Lot 10. and Lot 11 of said Addition, same point being the Southwest corner of that certain tract of land conveyed to Trang Thanh Nguyen and Gioi Van Nguyen by Deed recorded in Volume 2000250, Page 4300, Deed Records, Dallas County, Texas, from which an "x" found in concrete bears South 89 degrees 15 minutes 00 seconds East, 63.05 feet;

THENCE North 89 degrees 15 minutes 00 seconds West along said North line of Jackson Circle, a distance of 44.10 feet to a hack mark in concrete curb found at the Southeast corner of that certain tract of land conveyed to Sharon Elaine Allen and Mark O'Neal Allen by Deed recorded in Volume 92140, Page 985, Deed Records, Dallas County, Texas;

THENCE North 00 degrees 45 minutes 00 seconds East along the East line of said Allen tract, a distance of 112.60 feet to a 1/2 inch iron rod found at it's Northeast corner and being in the South line of a Texas Power and Light Company Right of Way;

THENCE North 89 degrees 03 minutes 00 seconds East along the common line of Lot 10 and said Texas Power and Light Company Right of Way, a distance of 44.12 feet to a 60 d nail set at the common North corner of Lots 10 and 11, same being the Northwest corner of said Nguyen tract;

THENCE South 00 degrees 45 minutes 00 seconds West along the common line of Lots 10 and 11 along the West line of said Nguyen tract, a distance of 113.91 feet to the PLACE OF BEGINNING; and

more commonly known as: 2239 Jackson Circle, Carrollton, Texas 75006.

**NOTICE OF TRUSTEE'S SALE
BY SUBSTITUTE TRUSTEE**

WHEREAS, MORTEZA SAKI and MOJGAN H. SAKI a/k/a MOJGAN HATEMINEJAD SAKI (collectively hereinafter referred to as "Grantor") executed and delivered a Deed of Trust Security Agreement – Financing Statement (Commercial) dated as of August 27, 2007 (the "Deed of Trust") conveying to M. V. McCarthy, Trustee, the real estate and other property therein described, to secure First National Bank, in the payment of certain indebtedness evidenced by the promissory note executed by MDC Midway/Belmead, LLC ("Borrower") as therein described (the "Note"), said Deed of Trust being filed for record in the Official Public Records of Dallas County, Texas on September 4, 2007, under Instrument Number 20070318338, as may be modified, renewed or extended from time to time. Grantor and Borrower are collectively referred to herein as "Debtor".

WHEREAS, M. V. McCarthy has been removed as Trustee and the undersigned has been appointed Substitute Trustee in accordance with the provisions of said Deed of Trust;

WHEREAS, by reason of the failure of Debtor to timely cure a default under the Deed of Trust, the indebtedness secured by the Deed of Trust has been accelerated and is now due and unpaid, and Valres Two-Arc, Inc., being the current owner and holder of said indebtedness, has requested the undersigned to sell the property covered by said Deed of Trust to satisfy said indebtedness; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN, that on Tuesday, the 4th day of July, 2017, between the hours of 1:00 p.m. and 4:00 p.m. I, the undersigned, will sell and convey all or part of the real estate being more particularly described on Exhibit A attached hereto and made a part hereof, at the area designated by the Commissioners Court as the location where foreclosure sales are to take place, such designation being the outside area on the north side of the George Allen Courts Building facing Commerce Street, below the overhang, or as designated by the County Commissioners in Dallas, Texas, at public auction to the highest bidder for cash. The George Allen Courts Building is located at 600 Commerce Street, Dallas, Texas 75202.

Notice is hereby further given that the sale hereinabove mentioned shall include both the real estate hereinabove referenced and all improvements, fixtures and personal property located or related thereto, all as more particularly described in said Deed of Trust to which reference is hereby made for all purposes.

The real estate and other property sold hereunder shall be sold "as is" and subject to all matters of record that are not extinguished through the foreclosure of the lien established under the above described Deed of Trust.



WITNESS MY HAND this 13 day of June, 2017.

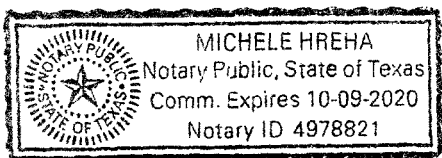
Shelley Ortolani

Shelley Ortolani, Mary Mancuso,
Tim Lewis, Russell Stockman,
Denise Boerner, Robert Ortolani,
Michele Hreha, David Stockman,
Brenda Wiggs, Guy Wiggs,
Donna Stockman or Lori McCarty,
Substitute Trustee
c/o ServiceLink Agency Sales and Posting
1320 Greenway Drive, Suite 300,
Irving, Texas 75038
Phone: 972-756-5166

STATE OF TEXAS §
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COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Shelley Ortolani, known to me to be the person whose name is subscribed to the foregoing instrument as Substitute Trustee, and acknowledged to me that he/she 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 13 day of June, 2017.



Michele Hreha
Notary Public, State of Texas

Michele Hreha
Typed or Printed Name of Notary

My Commission Expires:

10-9-2020

EXHIBIT "A"

Legal Description

TRACT 1: (Fee Simple)

BEING all of Lot 4, Block A of A REPLAT OF PART OF Lot 1, BLOCK A, UNITREK ADDITION AND ALL OF BELTWOOD NORTH, PHASE 5, an addition to the City of Carrollton, Dallas County, Texas, recorded in Volume 93157, Page 2065 of the Map Records of Dallas County, Texas, and said lot being more particularly described as follows:

COMMENCING at the south corner of a corner cut-off at the present intersection of the south R.O.W. line of Belmeade Drive (a 60' R.O.W.) with the west R.O.W. of Midway Road (a 100' R.O.W.), and said point being on a curve to the left having a central angle of 20 deg. 29' 09" and a radius of 1068.75' bearing S 69 deg. 21' 21" E; THENCE around said curve and along the west line of Midway Road, a distance of 382.13' to a point; THENCE S 00 deg. 09' 30" W, 155.29' along the west line of Midway Road to a cross found at the southeast corner of Lot 3R, Block A of Replat of Lot 2 and Lot 3, Block A, of a Replat of part of Lot 1, Block A, Unitrek Addition and all of Beltwood North, Phase 5, and Replat of Lot 6R, Block A, Amending Plat, Lot 1 and Lot 6, Block A, of a Replat of part of Lot 1, Block A, Unitrek Addition and all of Beltwood North, Phase 5, an addition to the City of Carrollton, Texas, recorded in Volume 95205, Page 3554 of the Map Records of Dallas County, Texas, and said point being the Point of Beginning;

THENCE S 00 deg. 09' 30" W, 162.00' along the west line of Midway Road to a cross found at the northeast corner of Lot 5 of said A Replat of part of Lot 1, Block A, Unitrek Addition and all of Beltwood North, Phase 5;

THENCE N 89 deg. 50' 30" W, 190.00' along the common line of said Lots 4 and 5 to a cross found for corner in the east line of Lot 6R1 of said Replat of Lot 2 and Lot 3, Block A, of a Replat of part of Lot 1, Block A, Unitrek Addition and all of Beltwood North, Phase 5, and Replat of Lot 6R, Block A, Amending Plat, Lot 1 and Lot 6, Block A, of a Replat of part of Lot 1, Block A, Unitrek Addition and all of Beltwood North, Phase 5;

THENCE N 00 deg. 09' 30" E, 162.00' along the common line of said Lots 4 and 6R1 to a 1/2" iron rod found in the south line of said Lot 3R;

THENCE S 89 deg. 50' 30" E, 190.00' along the common line of said Lots 4 and 3R to the point of beginning and containing 30,780.00 square feet or 0.7066 acres of land more or less.

TRACT 2:

Easement Estate created by virtue of that certain Perpetual Mutual Access Easement Agreement dated August 11, 1993, executed by and between Hammer & Associates, Inc d/b/a Hammer Properties as Trustee and Troy Smith, Inc., an Oklahoma corporation, recorded in Volume 93160, Page 4463, Deed Records; as affected by Amendment to Perpetual Mutual Access Easement Agreement recorded in Volume 95090,

EXHIBIT "A" Cont.

Legal Description

Page 4501, Deed Records, Dallas County, Texas. Said Easement Estate being over and across the following described property:

Lot 5, Block A, of A REPLAT OF PART OF LOT 1, BLOCK A, UNITREK ADDITION AND ALL OF BELTWOOD NORTH, PHASE 5, an Addition to the City of Carrollton, Dallas County, Texas, according to the map thereof recorded in Volume 93157, Page 2085, Map Records, Dallas County, Texas.

TRACT 3:

Easement Estate created by virtue of that certain Perpetual Mutual Access Easement Agreement dated September 12, 1995, executed by Hammer & Associates, Inc d/b/a Hammer Properties as Trustee, recorded in Volume 95179, Page 2442, Deed Records, Dallas County, Texas. Said Easement Estate being over and across the following described property:

LOT 3R, Block A, of REPLAT OF LOT 2 AND LOT 3, BLOCK A, OF A REPLAT OF PART OF LOT 1, BLOCK A, UNITREK ADDITION AND ALL OF BELTWOOD NORTH, PHASE 5, AND REPLAT OF LOT 6R, BLOCK A, AMENDING PLAT, LOT 1 AND LOT 6, BLOCK A, OF A REPLAT OF PART OF LOT 1, BLOCK A, UNITREK ADDITION AND ALL OF BELTWOOD NORTH, PHASE 5, an Addition to the City of Carrollton, Dallas County, Texas, according to the map thereof recorded in Volume 95205, Page 3554, Map Records, Dallas County, Texas.

TRACT 4:

Easement Estate created by virtue of that certain Perpetual Mutual Access Easement Agreement dated January 13, 1997, executed by Hammer & Associates, Inc d/b/a Hammer Properties as Trustee, recorded in Volume 97011, Page 4984, Deed Records, Dallas County, Texas. Said Easement Estate being over and across the following described property:

Lot 3R, Block A, of REPLAT OF LOT 2 AND LOT 3, BLOCK A, OF A REPLAT OF PART OF LOT 1, BLOCK A, UNITREK ADDITION AND ALL OF BELTWOOD NORTH, PHASE 5, AND REPLAT OF LOT 6R, BLOCK A, AMENDING PLAT, LOT 1 AND LOT 6, BLOCK A, OF A REPLAT OF PART OF LOT 1, BLOCK A, UNITREK ADDITION AND ALL OF BELTWOOD NORTH, PHASE 5, an Addition to the City of Carrollton, Dallas County, Texas, according to the map thereof recorded in Volume 95205, Page 3554, Map Records, Dallas County, Texas.