

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DALLAS County

Deed of Trust Dated: May 30, 2006

Amount: \$168,150.00

Grantor(s): ANA CLAUDIA RAMIREZ and RODOLFO RAMIREZ

Original Mortgagee: BANCO POPULAR NORTH AMERICA, A BANKING CORPORATION WHICH IS ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF NEW YORK

Current Mortgagee: Bayview Loan Servicing, LLC a Delaware Limited Liability Company

Mortgagee Address: Bayview Loan Servicing, LLC a Delaware Limited Liability Company, 4425 Ponce de Leon Blvd., Suite 500, Coral Gables, FL 33134

Recording Information: Document No. 200600204136

Legal Description: LOT 12, BLOCK G, OF MILL VALLEY PHASE ONE, AN ADDITION TO THE CITY OF CARROLLTON, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 79157, PAGE 338, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

Date of Sale: June 6, 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.

BRETT BAUGH OR 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, SHELLEY ORTOLANI, 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.

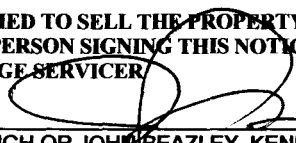
NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever,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



KRISTEN BATES, ATTORNEY AT LAW
HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, Suite 2800
Houston, Texas 77002
Reference: 2016-015612



BRETT BAUGH OR 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, SHELLEY ORTOLANI, MICHELE HREHA, ROBERT ORTOLANI, MARY MANCUSO OR JOHN PHILLIP MARQUEZ
c/o AUCTION.COM, LLC
1 Mauchly
Irvine, California 92618

11:56 AM 5 - JUN 10 2017

FILED

JUDITH F. WARREN
COUNTY CLERK
DALLAS COUNTY

JUN 15 AM 11:25

FILED

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:

BEING LOT 18, IN BLOCK C, OF RIDGE CREST ADDITION NO. 4, AN ADDITION TO THE CITY OF CARROLLTON, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 71176, PAGE 2586, OF THE MAP RECORDS OF 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: **June 6, 2017**
Time: The sale shall begin no earlier than **11:00 AM** 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 refiling 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.

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 **Eva R. Hopper**.
5. Obligations Secured. The Deed of Trust is dated **May 25, 2007**, and is recorded in the office of the County Clerk of **Dallas County, Texas**, in/under **Document No 20070198146, 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 **\$100,000.00**, executed by **Eva R. Hopper**, and payable to the order of **Realty Mortgage Corporation**.

Original Mortgagee: Realty Mortgage Corporation.

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 Vettors
1500 CityWest Blvd., Suite 700
Houston, TX 77042

DATED May 15, 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 Vettors
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.

1004130-3

CAUSE NO. DC-17-02874

IN RE: ORDER FOR FORECLOSURE
CONCERNING
2409 MEADOW CREEK DR
CARROLLTON, TX 75006

UNDER TEX.R.CIV.P.736

PETITIONER:

DITECH FINANCIAL LLC

RESPONDENT(S):

EVA R. HOPPER

IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

116TH 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 Eva R. Hopper 2409 Meadow Creek Dr, Carrollton, TX 75006, 4208 Arbor Lane, Carrollton, TX 75010. 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 2409 Meadow Creek Dr, Carrollton, TX 75006 with the following legal description:

BEING LOT 18, IN BLOCK C, OF RIDGE CREST
ADDITION NO. 4, AN ADDITION TO THE CITY OF
CARROLLTON, DALLAS COUNTY, TEXAS, ACCORDING
TO THE MAP THEREOF RECORDED IN VOLUME 71176,
PAGE 2586, OF THE MAP RECORDS OF DALLAS
COUNTY, TEXAS.
4. The lien to be foreclosed is indexed or recorded at Document No 20070198146 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 28th day of April



JUDGE PRESIDING

APPROVED AS TO FORM:

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

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEES

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.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

DATE: MAY 12, 2017

NOTE: Note described as follows:

Date: JUNE 25, 2014
Maker: HICKORY CREEK RETAIL, LP
Payee: ORIGIN BANK F/K/A COMMUNITY TRUST BANK
Original Principal
Amount: \$1,186,500.00

DEED OF TRUST: Deed of Trust described as follows:

Date: JUNE 25, 2014
Grantor: HICKORY CREEK RETAIL, LP
Trustee: MICHAEL ZANGOEI
Beneficiary: ORIGIN BANK F/K/A COMMUNITY TRUST BANK
Recorded: Document No. 201400159412, Real Property Records, DALLAS County, Texas

FILED
JUN 15 AM 11:26
JOHN T. WARREN
COUNTY CLERK
DALLAS COUNTY

LENDER: ORIGIN BANK F/K/A COMMUNITY TRUST BANK

BORROWER: HICKORY CREEK RETAIL, LP

PROPERTY: The property described as follows:

THE PROPERTY LOCATED IN DALLAS COUNTY, TEXAS, AS DESCRIBED IN THE DEED OF TRUST AND IN EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, together with all buildings,

structures, fixtures and improvements thereon and any and all appurtenances and rights thereto, ***SAVE AND EXCEPT ANY AND ALL LOTS OR PORTIONS THEREOF THAT HAVE BEEN RELEASED OF RECORD BY THE HOLDER OF THE DEED OF TRUST.***

SUBSTITUTE TRUSTEE: DAVID GARVIN, JACK BECKMAN, KELLY GODDARD, BERNICE YOUNG

Substitute Trustee's Mailing Address:

3333 Lee Parkway, 8th Floor
Dallas, Texas 75219

DATE AND TIME OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

JUNE 6, 2017, the first Tuesday of the month, to commence at 11:00 AM, or within three (3) hours after that time.

PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:

In DALLAS County, Texas, County Courthouse, in the area designated by the Commissioners Court of such County, pursuant to Section 51.002 of the Texas Property Code (if no such place is designated, then the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

RECITALS

Default has occurred in the payment of the Note and/or in the performance of the obligations under the Deed of Trust that secures the Note. Because of this default, Lender, the owner and holder of the Note and the Deed of Trust lien under Texas Property Code Section 51.002, has requested that Substitute Trustee sell the Property according to the terms of the Deed of Trust and applicable law.

Formal notice is now given of Lender's election to proceed against and sell the real property described in the Deed of Trust, consistent with Lender's rights and remedies under the Deed of Trust and applicable law.

Therefore, notice is given that on the Date and Time of Substitute Trustee's Sale of Property and at the Place of Substitute Trustee's Sale of Property, I, as Substitute Trustee, or any other substitute trustee Lender may appoint, will sell the Property by public sale to the highest bidder for cash or acceptable certified funds, according to the Deed of Trust and applicable law. The sale and conveyance of the Property will be subject to all matters of record applicable to the Property that are superior to the Deed of Trust and to any permitted exceptions to title described in the Deed of Trust. Substitute Trustee has not made and will not make any covenants, representations, or warranties about the Property other than providing the successful bidder at the sale with a deed to the Property containing any warranties of title required by the Deed of Trust. The Property will be sold AS IS, WHERE IS, AND WITH ALL FAULTS.

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.

APPOINTMENT OF SUBSTITUTE TRUSTEE

DEED OF TRUST: Deed of Trust described as follows:

Date: JUNE 25, 2014
Grantor: HICKORY CREEK RETAIL, LP
Trustee: MICHAEL ZANGOEI
Beneficiary: ORIGIN BANK F/K/A COMMUNITY TRUST BANK
Recorded: Document No. 201400159412, Real Property Records, DALLAS County, Texas

PROPERTY: The property described as follows:

THE PROPERTY LOCATED IN DALLAS COUNTY, TEXAS, AS DESCRIBED IN THE DEED OF TRUST AND IN EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, together with all buildings, structures, fixtures and improvements thereon and any and all appurtenances and rights thereto, ***SAVE AND EXCEPT ANY AND ALL LOTS OR PORTIONS THEREOF THAT HAVE BEEN RELEASED OF RECORD BY THE HOLDER OF THE DEED OF TRUST.***

SUBSTITUTE TRUSTEE: DAVID GARVIN, JACK BECKMAN, KELLY GODDARD, BERNICE YOUNG

Substitute Trustee's Mailing Address:
c/o 3333 Lee Parkway, 8th Floor
Dallas, Texas 75219

Each Substitute Trustee is appointed **effective as of MAY 12, 2017**, pursuant to Texas Property Code § 51.0075 to succeed to all title, powers, and duties of the original or successor trustees under the Deed of Trust.

Appointment of Substitute Trustees:

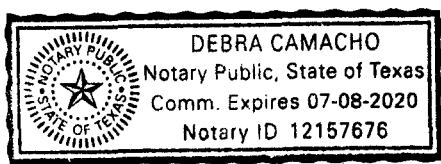
By:  _____

Name: Michael P. Menton, Attorney for
ORIGIN BANK F/K/A COMMUNITY
TRUST BANK

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day appeared Michael P. Menton, and after being by me duly sworn, stated that he executed the foregoing instrument for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on MAY 12, 2017.



Debra Camacho
Notary Public, State of Texas

Notice of Sale executed by:

David Garvin

Name: DAVID GARVIN

Substitute Trustee

EXHIBIT "A"
Legal Description

Being a portion of Lot 2, Block 3, Capital Tech Center, a Replat of part of Tract 1, Block 3 of Capital Center, Phase 1, an Addition to the City of Carrollton, Dallas County, Texas, according to the plat thereof recorded in Volume 85215, Page 4538, Map Records of Dallas County, Texas, same being a portion of that tract of land conveyed to Hickory Creek Retail, LP, a Texas limited partnership, by deed recorded in Instrument No. 201200319645, Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner, said corner being on the Northwest line of Capital Parkway (80 foot right-of-way) and the Southeast corner of that tract of land conveyed to Amvensys Telecom Holdings, LLC, a Texas limited liability company, by deed recorded in Instrument No. 201100035967, Official Public Records of Dallas County, Texas;

THENCE North 30 degrees 40 minutes 24 seconds West, along the Northeast line of said Amvensys Telecom Holdings, LLC tract, and continuing along the Northeast line of that tract of land conveyed to Property Reserve, Inc., by deed recorded in Volume 92090, Page 5805, Deed Records of Dallas County, Texas, a distance of 361.68 feet to a 1/2 inch iron rod found for corner;

THENCE North 03 degrees 12 minutes 44 seconds East, along the East line of said Property Reserve, Inc., tract a distance of 303.81 feet to an "X" found in concrete for corner, said corner being on the South line of that tract of land conveyed to CH Administration, Inc., by deed recorded in Volume 99227, Page 2005, Deed Records of Dallas County, Texas, and the Northeast corner of said Property Reserve, Inc., tract;

THENCE South 06 degrees 47 minutes 16 seconds East, along the South line of said CH Administration, Inc., tract, a distance of 162.13 feet to a TXDOT monument found for corner, said corner being on the West line of N. Interstate Highway 35E (variable width right-of-way), and in a nontangent curve to the left having a radius of 9270.68 feet, a delta of 00 degrees 02 minutes 45 seconds, and a chord bearing and distance of South 21 degrees 01 minute 40 seconds East, 7.42 feet;

THENCE along the West line of said N. Interstate Highway 35E and said curve to the left, an arc length of 7.42 feet to a point for corner, said corner being the beginning of a nontangent curve to the left having a radius of 2041.09 feet, a delta of 05 degrees 03 minutes 24 seconds, and a chord bearing and distance of South 23 degrees 41 minutes 43 seconds East, 180.08 feet, from which a found TXDOT monument bears North 22 degrees 10 minutes 15 seconds West, a distance of 3.91 feet for witness;

THENCE continuing along the West line of said N. Interstate Highway 35E and said curve to the left, an arc length of 180.14 feet to a point for corner;

THENCE South 26 degrees 13 minutes 25 seconds East, continuing along the West line of said N. Interstate Highway 35E, a distance of 195.00 feet to a point for corner, said corner being the beginning of a tangent curve to the left having a radius of 1983.00 feet, a delta of 01 degree 23 minutes 18 seconds, and a chord bearing and distance of South 25 degrees 31 minutes 47 seconds West, 48.05 feet;

THENCE continuing along the West line of said N. Interstate Highway 35E and said curve to the left, an arc length of 48.05 feet to an "X" found in concrete for corner, said corner;

THENCE South 24 degrees 50 minutes 08 seconds East, continuing along the West line of said N. Interstate Highway 35E, a distance of 58.83 feet to a TXDOT monument found for corner;

THENCE South 19 degrees 54 minutes 44 seconds West, continuing along the West line of said N. Interstate Highway 35E, a distance of 26.17 feet to a TXDOT monument found for corner, said corner being on the North line of said Capital Parkway;

THENCE South 64 degrees 15 minutes 38 seconds West, along the North line of said Capital Parkway, a distance of 11.23 feet to a point for corner, said corner being the beginning of a tangent curve to the left having a radius of 640.00 feet, a delta of 20 degrees 06 minutes 03 seconds, and a chord bearing and distance of South 54 degrees 12 minutes 36 seconds West, 223.38 feet, from which a 1/2 inch iron rod found bears North 59 degrees 59 minutes 57 seconds East, a distance of 0.91 feet for witness;

THENCE continuing along the North line of said Capital Parkway and said curve to the left, an arc length of 224.53 feet to the POINT OF BEGINNING and containing 139,952 square feet or 3.21 acres of land.

**Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
06/25/2014 03:25:38 PM
\$50.00
201400159412**



**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 PlainsCapital Bank, 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 6th day of June, 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.

2017 MAY 16 PM 3:58

FILED



WITNESS MY HAND this 16 day of May, 2017.

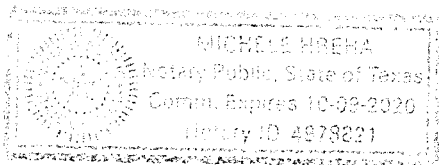
Shelley Ortolani

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 §
 §
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 16 day of May, 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 2085 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.