

Notice of Foreclosure Sale

May 11, 2018

Deed of Trust ("Deed of Trust"):

Dated: October 27, 1994

Grantor: David N. Donnell

Trustee: Ann C. Berryman

Lender: Northern Trust Bank of Texas N.A.

Filed under: Instrument No. 9421000934 of the Official Public Records of the County Clerk of Dallas County, Texas

Secures: Promissory Note (the "Note") dated October 27, 1994 in the principal amount of \$496,000.00 executed by David N. Donnell, as maker, and payable to the order of Northern Trust Bank of Texas N.A., as holder

Property: The real property, improvements, leases, rents, and personal property described in and mortgaged in the Deed of Trust, which real property has a common address of 4605 Livingston, Dallas, Texas 75209, and being more specifically described as: BEING THE EAST 45 FEET OF LOT 18 AND THE WEST 25 FEET OF LOT 19 IN BLOCK 154 OF HIGHLAND PARK WEST, NINTH INSTALLMENT, AN ADDITION TO THE CITY OF HIGHLAND PARK, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 5, PAGE 220 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS
together with all rights, appurtenances, and improvements thereon and all other property, if any, set forth in the Deed of Trust.

Substitute Trustee: Shelley Ortolani or Michele Hreha or Robert Ortolani or Mary Mancuso or Francesca Ortolani

Address: Tejas Trustee Services
14800 Landmark Blvd, Suite 850
Addison, Texas 75254

BY _____
JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY
DEPUTY

2018 MAY 14 PM 12:14

FILED

DO NOT STOP READING HERE.

Foreclosure Sale:

- Date:** Tuesday, June 5, 2018
- Time:** The sale of the Property will be held between the hours of 10:00 A.M. and 1:00 P.M. local time; **the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three hours thereafter**
- Place:** **North side of the George Allen Courts Building facing Commerce Street or as designated by the County Commissioner's Office**
- Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Northern Trust Bank of Texas N.A. n/k/a The Northern Trust Company's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Northern Trust Bank of Texas, N.A. n/k/a The Northern Trust Company ("Lender"), the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender's/Beneficiary's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Lender passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by

Lender. 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 **“AS IS,” without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

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.



Robert L. Horn
Attorney for The Northern Trust Company
Texas Bar No.: 24046107
rhorn@grsm.com
1900 West Loop South, Suite 1000
Houston, Texas 77027
Direct: (713) 490-4851
Facsimile: (713) 961-3938

FILED

NOTICE OF SUBSTITUTE TRUSTEES' SALE

2018 MAY 14 AM 11:13

Date: May 14, 2018

Deed of Trust:

Date: February 11, 2004
Grantor: Scott J. Brei and Mary Catherine Brei
Grantor's County: Dallas County, Texas
Beneficiary: Ben Brinck
Original Trustee: Thomas J. Colven, III
Substitute Trustee: Darrell W. Cook, Catherine A. Keith or Douglas L. Bynum
Recording Information: recorded on March 24, 2004 in the Real Property Records of Dallas County, Texas in Volume 2004058, Page 7335 of the Real Property Records of Dallas County, Texas.

**JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY**

BY _____ DEPUTY

Property: Lot 8, Block 148 of Highland Park West, 4th Installment, an Addition to the City of Highland Park, Dallas County, Texas, according to the plat thereof recorded in Volume 3, Page 349, of the Map Records of Dallas County, Texas, and more commonly known as 4509 Mockingbird Lane, Dallas, Texas.

Note:

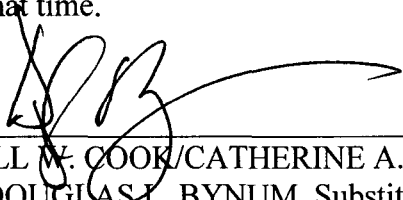
Date: February 11, 2004
Amount: \$75,000.00
Debtor: Scott J. Brei and Mary Catherine Brei
Holder: Ben Brinck

Date of Sale of Property (first Tuesday of month): June 5, 2018

Earliest Time of Day at which Sale will occur: 10:00 a.m.

Place of Sale of Property (including county): At the place designated for foreclosure sales by Dallas County in the City of Dallas, Dallas County, Texas.

Because of default in performance of the obligations of the Deed of Trust, the Substitute Trustee will sell the property "as is" by public auction to the highest bidder for cash at the place and date specified to satisfy the debt secured by the Deed of Trust. The sale will begin at the earliest time stated above or within three hours after that time.



DARRELL W. COOK/CATHERINE A.
COOK/DOUGLAS L. BYNUM, Substitute
Trustees