

Notice of Foreclosure Sale

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.

October 17, 2017

Deed of Trust ("Deed of Trust"):

Dated: July 26, 2002

Grantor: Ramiro Quintero Garcia and Laura Elena Quintero

Trustee: Bryan Dunklin, Attny

Lender: Adam D. Peavy

Recorded in: Instrument No. 20030218407, dated July 26, 2002 and filed on February 5, 2003 in the real property records of Dallas County, Texas

Legal Description: BEING LOT 12, BLOCK A/2636, OF SPRING AVE ADDITION AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 505, MAP RECORDS OF DALLAS COUNTY, TEXAS.

Secures: Real Estate Lien and Promissory Note ("Note") in the original principal amount of \$37,803.35 executed by Tomasa Martinez and Isidro Martinez (jointly herein called "Borrower") and payable to the order of Lender Adam D. Peavy.

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the Legal Description, and all rights and appurtenances thereto.

Substitute Trustee: Bret Allen and Candace Murphy Sissac

Substitute Trustee's Address: 1105 E. Main Street Ste 205, Allen TX 75002

Foreclosure Sale:

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

2017 OCT 17 PM 4:04

FILED

Date: **Tuesday, November 7, 2017**

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 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: At the area designated by the County Commissioners Court pursuant to Section 51.002 of the Texas Property Code in **DALLAS COUNTY, TEXAS** to the highest bidder for cash. The sale will be conducted in the area of the Courthouse; specifically, the steps on the East side of the Courthouse or any other area designated by the County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, of said county, pursuant to Section §51.002 of the Texas Property Code as amended.

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 Lender or its assignee'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, Lender or its assignee, 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 or its assignee'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 or its assignee'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 or its assignee 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.

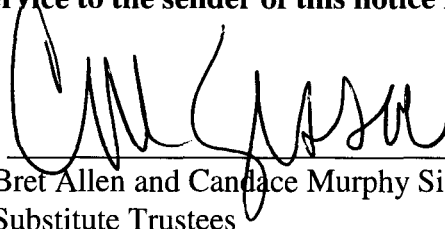
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 or its assignee. 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.



A handwritten signature in black ink, appearing to read "Bret Allen and Candace Murphy Sissac", is written over a horizontal line. The signature is cursive and somewhat stylized.

Bret Allen and Candace Murphy Sissac
Substitute Trustees