

**FILED**

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**2018 SEP 27 AM 11:58**

**DALLAS County**  
**Deed of Trust Dated:** July 28, 2005  
**Amount:** \$1,000,000.00  
**Grantor(s):** MAHAMUD JINNAH and SAMINA JINNAH

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

**Original Mortgagee:** BSM FINANCIAL, L.P. DBA BROKERSOURCE  
**Current Mortgagee:** THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2005-13)

**Mortgagee Servicer and Address:** c/o BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY, 4425 Ponce de Leon Blvd., Suite 500, Coral Gables, FL 33146  
Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

**Recording Information:** Document No. 3473522

**Legal Description:** BEING LOT 8, IN BLOCK B, OF THE ENCLAVE AT TPC LOS COLINAS, PHASE 2, AN ADDITION TO THE CITY OF IRVING, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 99029, PAGE 67, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

**Date of Sale:** November 6, 2018 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.

JOHN BEAZLEY OR KENNY SHIREY, RICK MONTGOMERY, CRAIG MUIRHEAD, AARON PARKER, CLAY GOLDEN, BRENT GRAVES, WENDY LAMBERT, TERRY WATERS, MATT HANSEN, FREDERICK BRITTON, SHAWN SCHILLER, LOGAN THOMAS, SHELLEY ORTOLANI, GUY WIGGS, RUSSELL STOCKMAN, DAVID STOCKMAN, BRENDA WIGGS, DENISE BOERNER, DONNA STOCKMAN, TIM LEWIS, MICHELLE SCHWARTZ, MICHELE HREHA, FRANCESCA ORTOLANI, ROBERT ORTOLANI, MARY MANCUSO, KATHY ARRINGTON 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.

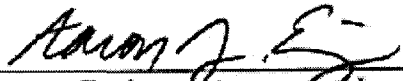
The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

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.

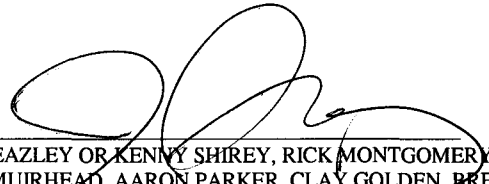
A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. Assert and protect your rights as a member 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 OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**



Aaron Espinoza, Attorney at Law

HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, SUITE 2800  
Houston, Texas 77002  
Reference: 2015-007508



JOHN BEAZLEY OR KENNY SHIREY, RICK MONTGOMERY,  
CRAIG MUIRHEAD, AARON PARKER, CLAY GOLDEN, BRENT  
GRAVES, WENDY LAMBERT, TERRY WATERS, MATT  
HANSEN, FREDERICK BRITTON, SHAWN SCHILLER, LOGAN  
THOMAS, SHELLEY ORTOLANI, GUY WIGGS, RUSSELL  
STOCKMAN, DAVID STOCKMAN, BRENDA WIGGS, DENISE  
BOERNER, DONNA STOCKMAN, TIM LEWIS, MICHELLE  
SCHWARTZ, MICHELE HREHA, FRANCESCA ORTOLANI,  
ROBERT ORTOLANI, MARY MANCUSO, KATHY ARRINGTON  
OR JOHN PHILLIP MARQUEZ  
c/o Auction.com, LLC  
1 Mauchly  
Irvine, California 92618

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS       §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated April 26, 2010, and recorded in Volume 2010, Page 00102735, of the Deed Records of Dallas County, Texas, HELMET STREET FAMILY TRUST, conveyed to JOZEF DAVID FOERCH , as Trustee, property situated in Dallas County, Texas, hereinafter described, (herein the "Property"), to secure the assumption of one certain Real Estate Lien Note (herein the "Note") therein described in the original principal amount of \$71,000.00; and

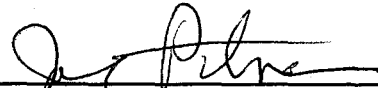
WHEREAS, the undersigned has been appointed as Substitute Trustee in the place and stead of JOZEF DAVID FOERCH, Trustee in the aforesaid Deed of Trust, said appointment being in the manner authorized by the Deed of Trust; and

WHEREAS, default has occurred under the terms of the Note secured by the Deed of Trust, and the indebtedness evidenced therein is now wholly due, the beneficiary of said Deed of Trust has requested the undersigned to sell the Property under the terms thereof.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN, that on the first Tuesday in November, 2018, the 6th of November, 2018, between the hours of 12:00 o'clock p.m. and 3:00 o'clock p.m., I will sell the property in the area outside on the North side of the George Allen Courts Bldg., 600 Commerce St., facing Commerce St., below the overhang, Dallas, Texas, to the highest bidder for cash. Said property is described as:

Lot 5, Block A, of Western Hills Addition No. 4, an addition to the City of Irving, Dallas County, Texas, according to the plat thereof recorded in Volume 49, Page 1, MRDCT.

WITNESS MY HAND this 5 day of October, 2018.

  
\_\_\_\_\_  
JOE PUTNAM  
Substitute Trustee

BY \_\_\_\_\_  
DEPUTY  
JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY

2018 OCT -5 AM 9:21

**FILED**