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NOTICE OF SUBSTITUTE TRUSTEE'S SALE

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

THE STATE OF TEXAS §
COUNTY OF DALLAS §

Borrower: Lamar D. Barnes (herein "Borrower")

Noteholder: American Southwest Mortgage Corp. (herein "Noteholder")

Note: Note dated September 21, 2015, executed by Borrower, in the original principal amount of \$240,562.00, payable to the order of Noteholder (herein the "Note")

Deed of Trust: Deed of Trust dated September 21, 2015, executed by Borrower, to Allan B. Polunsky, Trustee, for the benefit of Noteholder, electronically recorded under file number 201500256094 of the Official Public Records of Dallas County, Texas, (herein the "Deed of Trust")

Bankruptcy Proceeding: On August 1, 2017, Lamar D. Barnes filed a Chapter 13 Bankruptcy Case in the United States Bankruptcy Court, Northern District of Texas, under Case No. 17-32966. On September 6, 2017, an Order Dismissing Case was signed by the Judge of said Court, and on September 9, 2017, the Order Dismissing Case was entered. A copy of the Order Dismissing Case is attached hereto.

Property: Being Lot 2, Block 3 of Lake Bend Estates Phase One, an Addition to the City of Rowlett, Dallas County, Texas, according to the Plat thereof recorded in Volume 86135, Page 3544, Map Records, Dallas County, Texas

Substitute Trustee: William Riley Nix and David M. Kennedy (herein the "Substitute Trustee")

Substitute Trustee's Mailing Address:
717 North Crockett
Sherman, Grayson County, Texas 75090

WHEREAS, pursuant to the Deed of Trust, Borrower conveyed to Allan B. Polunsky, Trustee for the benefit of Noteholder, the Property as herein described together with the improvements, personal property, fixtures, appurtenances, and other rights, titles, and interests more particularly described in the Deed of Trust (hereinafter collectively referred to as the "Property"), to secure the payment of, among other things, the Note;

WHEREAS, the undersigned has been appointed Substitute Trustee (herein so called) in the place of the original Trustee pursuant to the terms of the Deed of Trust;

WHEREAS, an event of default has occurred under the terms of the Note and the Deed of Trust, and pursuant to its rights under the Note and the Deed of Trust, Noteholder accelerated the maturity of the Note, causing the entire unpaid principal balance of and all accrued and unpaid interest thereon to become due and payable, and written notice of default and Noteholder's intent to accelerate, and written notice of acceleration have been given to Borrower;

WHEREAS, the Note has remained unpaid from the date that it was accelerated and declared due and payable; and

WHEREAS, Noteholder has requested William Riley Nix and David M. Kennedy, as Substitute Trustee, or either one of them acting alone, to sell the Property in the manner provided for in the Deed of Trust (the "Foreclosure Sale"), to satisfy the indebtedness secured by the lien of the Deed of Trust (the "Indebtedness").

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that the Property will be sold at the Foreclosure Sale pursuant to the Texas Property Code, as follows:

1. The Foreclosure Sale will be on **Tuesday, November 7, 2017**;
2. The earliest time at which the Foreclosure Sale will occur is **10:00 a.m.** and will begin at that time or not later than three hours after that time;
3. The Foreclosure Sale will take place on the north side of the **George Allen Courts Building** facing Commerce Street below the overhang, 600 Commerce Street, Dallas, Texas, that being the area designated by the Dallas County Commissioner's Court for such sales; and
4. The Property will be sold to the highest bidder for cash, except that Noteholder's bid may be by credit against the Indebtedness.

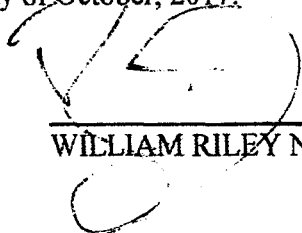
The sale noticed herein shall include the interest of the Borrower in any fixtures and personal property covered by the Deed of Trust and any other documents executed in connection with or as security for the Note. Noteholder having directed the undersigned to sell, and the undersigned hereby

noticing the sale of, any such fixtures and personalty pursuant to rights granted to the Noteholder under the Texas Business and Commerce Code.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. EXCEPT AS EXPRESSLY PROVIDED HEREIN, THE SUBSTITUTE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU 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.

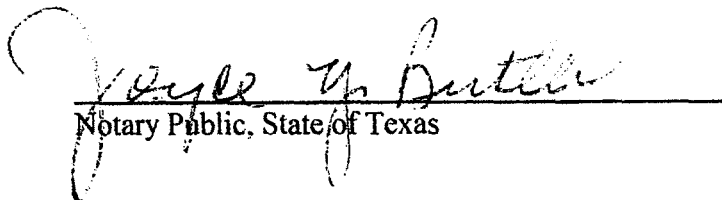
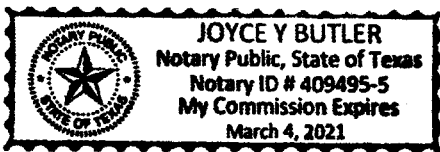
WITNESS MY HAND this 5th day of October, 2017.



WILLIAM RILEY NIX, Substitute Trustee

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

This instrument was acknowledged before me on the 5th day of October, 2017, by WILLIAM RILEY NIX, Substitute Trustee.



Notary Public, State of Texas



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed September 6, 2017

Hon. De Wayne Hale
United States Bankruptcy Judge

BTXN 060 (rev. 11/16)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

In Re:
Lamar D Barnes

Debtor(s)

§
§
§
§

Case No.: 17-32966-hdh13
Chapter No.: 13

ORDER DISMISSING CASE

The Debtor(s), having been given notice that this case would be dismissed upon the failure to timely file:

- Pay the required filing fee in installments as directed in the Order regarding the Application to Pay Filing Fee in Installments, or Order denying/revoking the Application for Waiver of the Chapter 7 Filing Fee.
- List of creditors required to be filed with the petition by N.D.TX L.B.R. 1007-1(a) **within 48 hours** from the issuance of the Notice of Deficiency
- Schedules A – J pursuant to Fed. R. Bankr. P. 1007(c) **within 14 days** of the filing of the Petition
- Statement of Financial Affairs pursuant to Fed. R. Bankr. P. 1007(c) **within 14 days** of the filing of the Petition
- Plan/Plan Summary pursuant to Fed. R. Bankr. P. 3015 **within 14 days** of the filing of the Petition
- Attorney Fee Disclosure **within 14 days** of the date of the filing of the Petition
- List of twenty largest unsecured creditors **within 48 hours** of the date of the filing of the Petition

page 2

- Social Security/Tax ID number **within 48 hours** from the issuance of the Notice of Deficiency
- Form 121 **within 48 hours** of the date of the Petition
- Summary of Assets and Liabilities (Official Form 106Sum/206Sum) **within 14 days** of the date of the filing of the Petition
- A complete original petition was not filed **within 3 days** from the issuance of the Notice of Deficiency
- Certificate of completion from an approved credit counseling course completed **within 180 days** of the date of the filing of the Petition
- Copies of employee income records **within 14 days** of the date of the filing of the Petition
- Statement of Current Monthly Income **within 14 days** of the date of the filing of the Petition
- Chapter 15 Service List **within 14 days** of the date of the filing of the Petition
- Cash Flow Statement **within 7 days** of the date of the filing of the Petition
- Balance Sheet **within 7 days** of the date of the filing of the Petition
- Statement of Operations **within 7 days** of the date of the filing of the Petition
- All required documents pursuant to 11 U.S.C. § 521 **within 45 days** of the filing of the Petition
- Other:

ORDERED that this case is **DISMISSED**; and it is further

ORDERED that this Order shall not be deemed a bar to refiling under 11 U.S.C. §109(g).

The above styled and numbered case will be closed 21 days after the entry of this order provided that it is a single debtor case or a joint debtor case and both debtors are dismissed.

End of Order