

FILED

**SUBSTITUTE TRUSTEE'S
NOTICE OF FORECLOSURE SALE**

2017 OCT 16 AM 11:33

THE STATE OF TEXAS
COUNTY OF DALLAS

§
§
§

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

WHEREAS, by a Deed of Trust (With Security Agreement and Assignment of Rents) (the "Deed of Trust") dated February 14 2017, **ADRIAN L. PETERSON** (the "Debtor") conveyed certain property situated in Dallas County, Texas, to **Barry D. Johnson**, Trustee, for the benefit of **EQUITY SECURED CAPITAL, L.P.** (the "Noteholder"), to secure the indebtedness evidenced by that certain Promissory Note (the "Note") in the original principal amount of **SEVEN HUNDRED THOUSAND AND NO/100 DOLLARS (\$700,000.00)**, which Note was executed by the Debtor to the Noteholder, and to secure any and all other indebtedness described in the Deed of Trust;

WHEREAS, the Deed of Trust encumbers certain real property (the "Property") located in Travis County, Texas, described as follows:

Lot 7, Block "A", STONEY CREEK PHASE 3-A, an addition to the Town of Sunnyvale, Dallas County, Texas, according to the map or plat thereof, recorded in Clerk's File No. 200600343830, Official Public Records, Dallas County, Texas,

together with any and all improvements located thereon, all equipment and appliances attached thereto or used in connection therewith, all heating, plumbing, refrigeration, lighting fixtures, and articles of personal property attached to or used in and about the improvements, and the rights, privileges and appurtenances thereto belonging;

WHEREAS, the Deed of Trust was recorded in the Official Public Records of Dallas County, Texas, in Document No. 201700046969;

WHEREAS, the undersigned has been appointed as Substitute Trustee in the place and stead of **Barry D. Johnson**, Trustee, in the manner authorized by the Deed of Trust; and

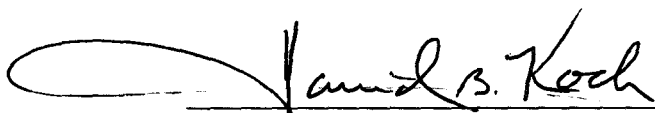
WHEREAS, default has occurred under the terms and provisions of the Deed of Trust, and the indebtedness evidenced by the Note and secured by the Deed of Trust is now wholly due, and the owner and holder of said indebtedness and the Note has requested the undersigned as Substitute Trustee enforce the power of sale of the Deed of Trust by selling the Property;

NOW, THEREFORE, I, David B. Koch, the undersigned, as the Substitute Trustee herein described, hereby give notice that I will accordingly sell the Property at public auction to the highest bidder for cash (or as a credit against the outstanding indebtedness due to the Noteholder if purchased by the Noteholder) at the courthouse of Dallas County, Texas, in the area designated by the commissioner's court of said county for foreclosure sales of real property as evidenced by a written instrument filed in the real property records of said county (or if no such area is so designated, then in the area where such sales are customarily held), beginning no earlier than 10:00 A.M., and in no

event beginning later than three (3) hours thereafter, on November 6, 2017, after due posting and filing of this notice and after written notice of such sale having been given by certified mail to the Debtor and any other debtor who, according to the records of the Noteholder, is obligated to pay the indebtedness described above.

PROVIDED, HOWEVER, the Property is being sold subject to all matters that are prior or superior to the Deed of Trust.

DATED this 16th day of October, 2017.



David B. Koch, Substitute Trustee

THE STATE OF TEXAS

§
§
§

COUNTY OF DALLAS

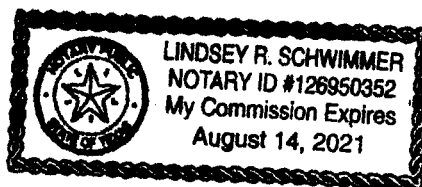
This instrument was acknowledged before me on the 16th day of October, 2017, by **David B. Koch**, in his capacity as **Substitute Trustee**.



Notary Public, State of Texas

Substitute Trustee's Address:

David B. Koch
Coats Rose, PC
14755 Preston Road, Suite 600
Dallas, Texas 75254



WRT:
Sub Trustee's Notice of Foreclosure Sale - 10/17

FILED

2017 OCT 16 AM 11:16

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

ATTENTION SERVICE MEMBERS: ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR 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.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, JOEL NWOKE AND GERTRUDE NWOKE, HUSBAND AND WIFE delivered that one certain Deed of Trust dated JANUARY 8, 2009, which is recorded in INSTRUMENT NO. 200900115506 of the real property records of DALLAS County, Texas, conveying to the Trustee(s) therein named the real property therein described, to secure the payment of a Promissory Note in the principal amount of \$597,600.00 payable to the order of BANK OF TEXAS, N.A., to which reference is hereby made for a description of the Promissory Note, the terms and covenants of the Deed of Trust, and the property therein conveyed; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Deed of Trust, has occurred and the outstanding indebtedness on same is now wholly due; and

WHEREAS, the undersigned has been appointed Substitute Trustee in place of the original Trustee, upon the contingency and the manner authorized by the Deed of Trust; and

WHEREAS, BOKF, N.A., a national banking association d/b/a BANK OF OKLAHOMA, as successor in interest by merger to BANK OF TEXAS, N.A., the Mortgagee, or the Mortgage Servicer, has instructed a Substitute Trustee(s) to sell real property described in the Deed of Trust in order to satisfy the indebtedness secured thereby.

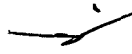
NOTICE IS HEREBY GIVEN that on Tuesday, NOVEMBER 7, 2017, beginning at 1:00 PM, or not later than three (3) hours after that time, a Substitute Trustee(s) will sell, to the highest bidder submitting cashier's check, certified check or money order, the following described real property:

BEING LOT 21, OF THE FALLS-PHASE ONE, AN ADDITION TO THE TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 2004034, PAGE 159 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

The sale will occur at that area designated by the Commissioners Court of DALLAS County, Texas, for such sales (OR AT THE AREA OUTSIDE ON THE NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG).

NOTICE IS FURTHER GIVEN that the address of BANK OF OKLAHOMA, N.A., the Mortgagee or Mortgage Servicer, is 7060 S. YALE, STE 200, TULSA, OKLAHOMA 74136. Pursuant to the Texas Property Code, the Mortgage Servicer is authorized to administer a foreclosure sale. The name and address of a substitute trustee is Michael J. Schroeder, 3610 North Josey Lane, Suite 206, Carrollton, Texas 75007. A Substitute Trustee is authorized by the Texas Property Code to set reasonable conditions for the foreclosure sale.

Dated: OCTOBER 16, 2017.



SUBSTITUTE TRUSTEE(S)
MICHAEL J. SCHROEDER OR ROSALIE C.
SCHROEDER OR ERIKA J. BENNETT

FILE NO.: BOK-1599
PROPERTY: 216 ISLAND FALLS DRIVE
SUNNYVALE, TEXAS 75182

JOEL NWOKE

NOTICE SENT BY:
MICHAEL J. SCHROEDER
3610 NORTH JOSEY LANE, SUITE 206
CARROLLTON, TEXAS 75007
Tel: (972) 394-3086
Fax: (972) 394-1263

FILED

2017 OCT 16 AM 11:16

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

ATTENTION SERVICE MEMBERS: ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR 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.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, JOEL NWOKE AND GERTRUDE NWOKE, HUSBAND AND WIFE delivered that one certain Homestead Lien Contract and Deed of Trust dated SEPTEMBER 7, 2010, which is recorded in INSTRUMENT NO. 201000283412 of the real property records of DALLAS County, Texas, conveying to the Trustee(s) therein named the real property therein described, to secure the payment of a Promissory Note in the principal amount of \$145,600.00 payable to the order of BANK OF TEXAS, N.A., to which reference is hereby made for a description of the Promissory Note, the terms and covenants of the Homestead Lien Contract and Deed of Trust, and the property therein conveyed; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Homestead Lien Contract and Deed of Trust, has occurred and the outstanding indebtedness on same is now wholly due; and

WHEREAS, the undersigned has been appointed Substitute Trustee in place of the original Trustee, upon the contingency and the manner authorized by the Homestead Lien Contract and Deed of Trust; and

WHEREAS, BOKF, N.A., a national banking association d/b/a BANK OF TEXAS, the Mortgagee, or the Mortgage Servicer, has instructed a Substitute Trustee(s) to sell real property described in the Homestead Lien Contract and Deed of Trust in order to satisfy the indebtedness secured thereby.

NOTICE IS HEREBY GIVEN that on Tuesday, NOVEMBER 7, 2017, beginning at 1:00 PM, or not later than three (3) hours after that time, a Substitute Trustee(s) will sell, to the highest bidder submitting cashier's check, certified check or money order, the following described real property:

LOT 21, THE FALLS PHASE ONE, AN ADDITION TO THE TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 2004034, PAGE 159, MAP RECORDS, DALLAS COUNTY, TEXAS.

The sale will occur at that area designated by the Commissioners Court of DALLAS County, Texas, for such sales (OR AT THE AREA OUTSIDE ON THE NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG).

NOTICE IS FURTHER GIVEN that the address of BOK FINANCIAL, the Mortgagee or Mortgage Servicer, is 3232 WEST RENO AVE, OKLAHOMA CITY, OKLAHOMA 73107. Pursuant to the Texas Property Code, the Mortgage Servicer is authorized to administer a foreclosure sale. The name and address of a substitute trustee is Michael J. Schroeder, 3610 North Josey Lane, Suite 206, Carrollton, Texas 75007. A Substitute Trustee is authorized by the Texas Property Code to set reasonable conditions for the foreclosure sale.

Dated: OCTOBER 16, 2017.


SUBSTITUTE TRUSTEE(S)
MICHAEL J. SCHROEDER OR ROSALIE C.
SCHROEDER OR ERIKA J. BENNETT

FILE NO.: BOK-1600
PROPERTY: 216 ISLAND FALLS DRIVE
SUNNYVALE, TEXAS 75182

JOEL NWOKE

NOTICE SENT BY:
MICHAEL J. SCHROEDER
3610 NORTH JOSEY LANE, SUITE 206
CARROLLTON, TEXAS 75007
Tele: (972) 394-3086
Fax: (972) 394-1263



201700071271
ORDER 1/3

Cause No. DC-16-15046

| | | |
|-----------------------------------|---|------------------------------------|
| IN RE: ORDER FOR FORECLOSURE | § | IN THE DISTRICT COURT |
| CONCERNING | § | |
| | § | |
| 216 ISLAND FALLS DR. | § | |
| SUNNYVALE, TX 75182 | § | 44 th JUDICIAL DISTRICT |
| | § | |
| | § | |
| UNDER TEX. R. CIV. PROC. 735, 736 | § | DALLAS COUNTY |

ORDER ALLOWING FORECLOSURE OF LIEN UNDER
TEXAS CONSTITUTION ART. XVI, § 50(a)(6)(D)

BANK OF TEXAS, N.A. ("Petitioner"), on behalf of itself and its successors and assigns, has brought before this Court its application for court order allowing foreclosure of lien under Tex. Const. Art. XVI, § 50(a)(6)(D). Having considered the evidence presented, the Court finds as follows:

1. The Application complies with TRCP 736(1);
2. The Respondents JOEL NWOKE and GERTRUDE NWOKE filed a response on December 15, 2016. No other respondent has previously filed a response to the Application; and
3. A copy of the Notice of the Application, together with certificate of service of the Notice, has been on filed with the Clerk of the Court for at least ten days inclusive of the date of filing.

IT IS, THEREFORE, ORDERED that:

1. BANK OF TEXAS, N.A. ("Petitioner"), its successors and assigns, is hereby authorized to serve a Notice of Sale upon Respondents and to proceed to foreclosure sale under the Security Instrument and Tex. Prop. Code § 51.002 concerning the real property having a street address of 216 ISLAND FALLS DR., SUNNYVALE, TX 75182 and a legal description

*no earlier than
the
April 4, 2017
first
Tuesday
date*

of:

LOT 21, THE FALLS PHASE ONE, AN ADDITION TO THE TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 2004034, PAGE 159, MAP RECORDS, DALLAS COUNTY, TEXAS.

2. A copy of this Order shall be sent to Respondents with the Notice of Sale by Petitioner or its successors or assigns.


3. Petitioner or its successors or assigns may communicate with the Respondents and all third parties reasonably necessary to conduct the foreclosure sale.

4. Petitioner or its successors or assigns shall mail notice of the foreclosure sale to counsel, if any, of the Respondents by Certified Mail.

5. Petitioner or its successors or assigns shall file a certified copy of this Order in the DALLAS County, Texas, real property records.

IT IS SO ORDERED.

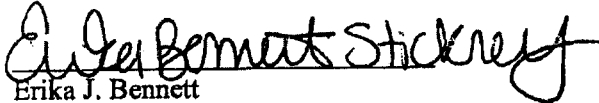
Signed: 1-27-17



Judge Presiding

APPROVED:

MICHAEL J. SCHROEDER, P.C.



Erika J. Bennett

State Bar No. 24085195

Email: erika@lawmjs.com

Michael J. Schroeder

State Bar No. 17817380

Email: mike@lawmjs.com

3610 North Josey Lane, Suite 206

Carrollton, TX 75007

Telephone: (972) 394-3086

Facsimile: (972) 394-1263

ATTORNEYS FOR PETITIONER

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
03/13/2017 11:52:45 AM
\$34.00



A handwritten signature in black ink, appearing to be "JF2".

201700071271

STATE OF TEXAS }
COUNTY OF DALLAS }

I, FELICIA PITRE, Clerk of the District of Dallas County, Texas, do hereby certify that I have compared this Instrument to be a true and correct copy of the original as appears on record in my office.

GIVEN UNDER MY HAND AND SEAL of said Court, at office in Dallas, Texas, this 13th day of March, A.D., 2017.

FELICIA PITRE, DISTRICT CLERK
DALLAS COUNTY, TEXAS

By Cecilia Flower Deputy