

FILED

2019 MAY 13 AM 11:01

**JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY
BY _____ DEPUTY**

STATE OF TEXAS
COUNTY OF DALLAS

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NOTICE OF FORECLOSURE SALE

Deed of Trust, Assignment of Rents, Security Agreement and Fixture Filing (“Deed of Trust”)

Dated: January 8, 2018

Grantor(s): Hilltop Mustang Holdings LLC & Michael J. Rossley

Trustee: Paul Kellogg, Esq.

Lender: Athas Capital Group, Inc.

Recorded in: Instrument #201800011688 of the Real Property Records of Dallas County, Texas

Secures: Promissory Note ("Note") in the original principal amount of \$1,000,000.00 executed by Grantor(s) and payable to the order of Lender and all other indebtedness of Grantor(s) to Lender

Property: The real property and improvements described in the attached Exhibit A

Assignment: The Note and the liens and security interests of the Deed of Trust were transferred and assigned to The Rama Fund, LLC ("Beneficiary") by an instrument dated January 22, 2018 and recorded in Instrument #201800026394 of the Real Property Records of Dallas County, Texas

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

Substitute Trustee's Street Address: c/o DWaldmanlaw, P.A.
3418 Highway 6 South, Suite B#345
Houston, TX 77082

Mortgage Servicer: FCI Lender Services, Inc.

Mortgage Servicer's Address: PO Box 27370
Anaheim, CA 92809-0112

Foreclosure Sale:

Date: Tuesday, June 4, 2019

Time: The sale of the Property ("Foreclosure Sale") will take place between the hours of 10am-1pm local time.

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 The Rama Fund, LLC'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, The Rama Fund, LLC, 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 The Rama Fund, LLC'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.

FCI Lender Services, Inc. is representing The Rama Fund, LLC in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Lender. The respective addresses of The Rama Fund, LLC and FCI Lender Services, Inc. are set forth above.

Therefore, notice is given that on and at the Date, Time and Place of Sale described above, Substitute Trustee will sell the Property by public sale to the highest bidder for cash in accordance with the Deed of Trust.

The Deed of Trust permits the Lender to postpone, withdraw, or reschedule the sale for another day. In that case, the Substitute Trustee need not appear at the Date, Time, and Place of Sale described above to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and re-filed in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code. The reposting or re-filing may be after the date originally scheduled for this sale.

Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the Property is sold.

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. 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. 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 in "as-is, where-is" condition, without any express or implied warranties, except as to the warranties of title (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 of the Texas Property Code, the 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 the Substitute Trustee.

Notice is given that before the Foreclosure Sale Lender may appoint another person as Substitute Trustee to conduct the Foreclosure Sale.

By Shelley Ortolani
Shelley Ortolani Substitute Trustee

STATE OF TEXAS

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COUNTY OF DALLAS

This instrument was acknowledged before me by Shelley Ortolani on May 13, 2019

Michele Hreha

Notary Public, State of Texas

Commission Expires: 10-9-2020

Printed Name:

Michele Hreha

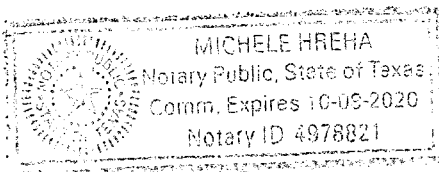


EXHIBIT "A"

DESCRIPTION OF THE LAND

THE LAND REFERRED TO HEREIN IS SITUATED IN DALLAS COUNTY, STATE OF TEXAS AND IS DESCRIBED AS FOLLOWS:

BEING LOT 20 AND THE EAST 6.6 FEET OF LOT 21, BLOCK 147 OF HIGHLAND PARK WEST (FOURTH INSTALLMENT), AN ADDITION TO THE TOWN OF HIGHLAND PARK DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 3 PAGE 349, MAP RECORDS, DALLAS COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED IN DEED TO DOUGLAS L. WYNN AND SUZANNE E. WYNN RECORDED IN INSTRUMENT NO. Z00600235596, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND IN THE NORTH LINE OF LIVINGSTON AVENUE (A 50 FOOT WIDE PUBLIC RIGHT-OF-WAY), AT THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO TEXAS TURNPIKE AUTHORITY, DATED MARCH 8, 1966, RECORDED IN 778, PAGE 206, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING 6.60 FEET WEST OF THE COMMON SOUTH CORNER OF LOTS 20 AND 21 OF SAID BLOCK 147; THENCE NORTH 00 DEG. 00 MIN. 49 SEC. WEST, A DISTANCE OF 135.20 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER AT THE NORTHEAST CORNER OF SAID TEXAS TURNPIKE AUTHORITY TRACT. SAID POINT BEING IN THE SOUTH LINE OF LOT 1, OF SAID BLOCK 147:

THENCE SOUTH 87 DEG. 07 MIN. 14 SEC. EAST, PASSING AT 6.60 FEET THE COMMON NORTH CORNER OF LOTS 20

AND 21 OF SAID BLOCK 147, CONTINUING A TOTAL DISTANCE OF 56.55 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER AT THE NORTHEAST CORNER OF LOT 20 AND THE NORTHWEST CORNER OF LOT 19, OF SAID BLOCK 147:

THENCE SOUTH 00 DEG. MIN 02 MIN. 06 SEC. EAST, A DISTANCE OF 135.10 FEET TO A "60-D NAIL" FOUND AT THE SOUTHEAST CORNER OF LOT 20 AND THE SOUTHWEST CORNER OF LOT 19, OF SAID BLOCK 147, AND BEING IN THE SAID NORTH LINE OF LIVINGSTON AVENUE: THENCE NORTH 87 DEG. 13 MIN. 27 SEC. WEST, ALONG SAID NORTH LINE A DISTANCE OF 56.60 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 7,636 SQUARE FEET OR

0.175 OF AN ACRE OF LAND.

APN: 60-08450-147-020-0000

PROPERTY ADDRESS: 4536 LIVINGSTON AVENUE, DALLAS, TX 75205