

**NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE**

**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.**

**1. Date, Time, and Place of Sale.**

Date: May 07, 2019

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: THE AREA OUTSIDE ON THE NORTHSIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

**2. Terms of Sale. Cash.**

**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated April 24, 2017 and recorded in Document CLERK'S FILE NO. 201700115403 real property records of DALLAS County, Texas, with KEVIN BUSBY, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS"), AS NOMINEE, mortgagee.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by KEVIN BUSBY, securing the payment of the indebtednesses in the original principal amount of \$188,550.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. MATRIX FINANCIAL SERVICES CORPORATION is the current mortgagee of the note and Deed of Trust or Contract Lien.

**5. Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

**6. Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. FLAGSTAR BANK, F.S.B., as Mortgage Servicer, is representing the current mortgagee, whose address is:

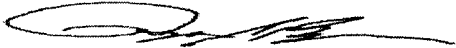
c/o FLAGSTAR BANK, F.S.B.  
5151 CORPORATE DRIVE  
TROY, MI 48098

FILED  
2019 APR 15 PM 2:20  
JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY  
BY \_\_\_\_\_



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.

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead MICHAEL HARRISON, PAUL BARRETT, ROBERT FORSTER, JEFFREY FLEMING, LAUREN CHRISTOFFEL, BRENT GRAVES, CRAIG MUIRHEAD, AARON PARKER, LOGAN THOMAS, RICK MONTGOMERY, PHILLIP PIERCEALL, CARY CORENBLUM, SHAWN SCHILLER, MATTHEW HANSEN, TERRY WATERS, CLAY GOLDEN, MICHELLE SCHWARTZ, GUY WIGGS, RUSSELL STOCKMAN whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Ryan Bourgeois

**Certificate of Posting**

My name is \_\_\_\_\_, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the DALLAS County Clerk and caused to be posted at the DALLAS County courthouse this notice of sale.

\_\_\_\_\_  
Declarants Name: \_\_\_\_\_

Date: \_\_\_\_\_

9122 PHEASANT RUN DRIVE  
ROWLETT, TX 75089

0000008031585

0000008031585

DALLAS

**EXHIBIT "A"**

BEING LOT 6, IN BLOCK D, OF QUAIL GLENN ADDITION, AN ADDITION TO THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 84244, PAGE 4787, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

FILED

STATE OF TEXAS

§

2019 APR 11 PM 3:49

COUNTY OF DALLAS

§

§

JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY

BY \_\_\_\_\_ DEPUTY

**NOTICE OF FORECLOSURE SALE**

Notice is hereby given of a public foreclosure sale.

1. **Property to be Sold:** The property to be sold is certain real property located in Dallas County, Texas and more fully described as:

6613 Toscano Drive, Rowlett, TX 75089; a/k/a

Lot 2, in Block D, of Mariner's Cove, Phase I, an Addition the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2000032, Page 500, Plat Records, Dallas County, Texas;

2. **Owner(s):** Andrews Philip & Biji A. Philip

3. **Date, Time, and Place of Sale:** The sale is scheduled to be held at the following date, time, and place:

**Date:** Tuesday, May 7, 2019

**Time:** Between the hours of 10:00 a.m. and 1:00 p.m. The sale shall commence at no earlier time than 10:00 a.m.

**Place:** At the County Courthouse in Dallas County, Texas, in the area where foreclosure sales are to take place as designated by the commissioner's court of said county, said designation having been recorded in the real property records of said county.

4. **Terms of Sale:** The sale will be conducted as a public auction to the highest bidder for cash. Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day of the sale for the property being sold. The Property will be sold "as is", "where is" and "with all faults" of whatever nature or kind. NO warranty or representation of any kind is made regarding the property.

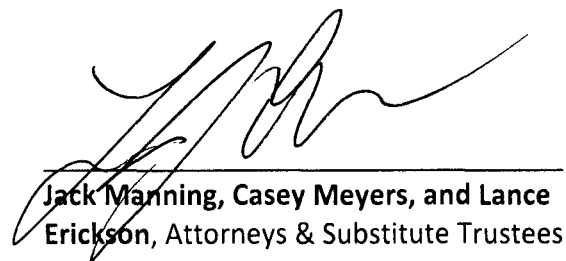
The sale will be made expressly subject to the provisions of the Declaration, any and all prior matters of records affecting the Property and any rights of redemption granted by law. **Prospective bidders are strongly urged to examine the applicable property records and the law.**

5. **Type of Sale:** The sale is a foreclosure sale to foreclose the Lien of The Rowlett Mariner's Cove Homeowners Association, Inc. a/k/a Mariner's Cove Homeowners for the failure of the above-referenced owner(s) to pay assessments and related charges against the Property as reflected in the Notice of Lien filed in the County Clerk's Office.

6. **Obligation Secured:** The Lien as reflected in the Notice of Lien secures the failure to pay assessments and related charges to the Association in the amount of \$10,070.00, as of April 10, 2019.

7. **Default and Request to Act:** Default has occurred by the failure to pay assessments to the Association, and the Association has requested me as agent on behalf of the Association to conduct this sale. Notice is given that before the sale the Association may appoint another person as agent or trustee to conduct the sale.

**Dated:** April 10, 2019



**Jack Manning, Casey Meyers, and Lance Erickson, Attorneys & Substitute Trustees**

**MANNING & MEYERS**  
Attorneys at Law  
4340 N. Central Expressway, Suite 200  
Dallas, Texas 75206  
(214) 823-6600 – *Telephone*  
(214) 821-3800 – *Facsimile*

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED ABOVE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE ABOVE NAMED ASSOCIATION.**

**NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE**

**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.**

**1. Date, Time, and Place of Sale.**

Date: 05/07/2019

Time: Between 1PM-4PM and beginning not earlier than 1PM-4PM or not later than three hours thereafter.

Place: The area designated by the Commissioners Court of Dallas County, pursuant to §51.002 of the Texas Property Code as amended: if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

**2. Terms of Sale.** Highest bidder for cash.

**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated 10/01/2012 and recorded in the real property records of Dallas County, TX and is recorded under Clerk's File/Instrument Number, 201200303096 with Wilfred Kiptarus (grantor(s)) and Wells Fargo Bank, National Association mortgagee to which reference is herein made for all purposes.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by Wilfred Kiptarus, securing the payment of the indebtedness in the original amount of \$132,550.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. Wells Fargo Bank, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

**5. Property to be Sold.** LOT 35, BLOCK 3, HARBORVIEW ADDITION NO. 3, AN ADDITION TO THE CITY OF ROWLETT, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP/PLAT RECORDED IN VOLUME 97214, PAGE 2715, MAP/PLAT RECORDS, DALLAS COUNTY, TEXAS.

FILED  
2019 APR 11 AM 11:31  
JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY  
DEPUTY



4690586

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.002, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. Wells Fargo Bank, N.A., as Mortgage Servicer, is representing the current Mortgagee whose address is:

Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715

*Shelley Ortolani*

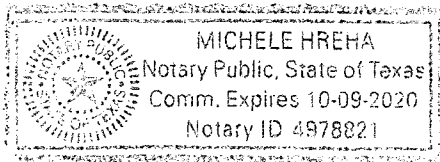
**SUBSTITUTE TRUSTEE**

Shelley Ortolani, Mary Mancuso, Michele Hreha, Francesca Ortolani, Robert Ortolani, Michelle Schwartz, Guy Wiggs, David Stockman, Brenda Wiggs, Denise Boerner, Donna Stockman, Tim Lewis, Kathy Arrington,  
1320 Greenway Drive, Suite 300  
Irving, TX 75038

STATE OF Texas  
COUNTY OF Dallas

Before me, the undersigned authority, on this day personally appeared Shelley Ortolani, as Substitute Trustee, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and who acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11 day of April, 2019.



Michele Hreha  
NOTARY PUBLIC in and for

Dallas COUNTY  
My commission expires: 10-9-2020  
Print Name of Notary:  
Michele Hreha

**CERTIFICATE OF POSTING**

My name is \_\_\_\_\_, and my address is 1320 Greenway Drive, Suite 300, Irving, TX 75038. I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the Dallas County Clerk and caused to be posted at the Dallas County courthouse this notice of sale.

Declarants Name: \_\_\_\_\_  
Date: \_\_\_\_\_