

FILED

2019 AUG 26 PM 12: 30

JOHN E. WARREN  
COUNTY CLERK  
DALLAS COUNTY  
PROPERTY

**Notice of Substitute Trustee Sale**

RTS 03660  
T.S. #: 19-2318

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.

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

Date: 10/1/2019  
Time: The sale will begin no earlier than 10:00 AM or no later than three hours thereafter. The sale will be completed by no later than 1:00 PM  
Place: Dallas County Courthouse in DALLAS, Texas, at the following location: George Allen Courts Building, 600 Commerce Street, Dallas, TX 75202  
OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

**Property To Be Sold** - The property to be sold is described as follows:

**LOT 29, BLOCK 37, OF IRWIN KEASLER DEVELOPMENT, RED BIRD ADDITION UNIT #5, SITUATED IN DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 19, PAGE 257, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.**

**Instrument to be Foreclosed** – The instrument to be foreclosed is the Deed of Trust is dated 4/18/2014 and is recorded in the office of the County Clerk of Dallas County, Texas, under County Clerk’s File No 201400183441 recorded on 7/22/2014 of the Real Property Records of Dallas County, Texas.

511 ROUNDTOP BLVD  
DUNCANVILLE, TX 75116

Trustor(s): LEONARD LANDER Original Beneficiary: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR NEW DAY FINANCIAL, LLC, ITS SUCCESSORS AND ASSIGNS

Current Beneficiary: Planet Home Lending, LLC Loan Servicer: Planet Home Lending, LLC

Current Substituted: Brett Baugh, John Beazley, Kenny Shirey, Rick Montgomery, Craig Muirhead, Aaron Parker, Clay Golden, Robert Aguilar, Brent Graves, Wendy Lambert, Troy Robinett,

A

T.S. #: 19-2318

Trustees: **Terry Waters, Matt Hansen, Frederick Britton, Shawn Schiller, Logan Thomas, Rick Snoke, Guy Wiggs, Russell Stockman, David Stockman, Brenda Wiggs, Denise Boerner, Donna Stockman, Tim Lewis, Michelle Schwartz, Shelley Ortolani, Mary Mancuso, Michele Hreha, Francesca Ortolani, Robert Ortolani, Kathy Arrington, Briana Young, Heather Smith,**

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 property securing the above referenced loan.

**Terms of Sale** - The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. Pursuant to the Deed of Trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. 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 trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

**Type of sale** - The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of the sale granted by the deed of trust executed by LEONARD LANDER AN UNMARRIED MAN. The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

**Obligations Secured** - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (1) the promissory note in the original principal amount of \$144,067.00, executed by LEONARD LANDER AN UNMARRIED MAN, and payable to the order of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR NEW DAY FINANCIAL, LLC, ITS SUCCESSORS AND ASSIGNS; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of LEONARD LANDER AN UNMARRIED MAN to LEONARD LANDER. Planet Home Lending, LLC is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

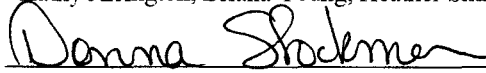
Questions concerning the sale may be directed to the undersigned or to the beneficiary:

**Planet Home Lending, LLC**  
**321 Research Parkway**  
**Meriden, Connecticut 06450-8301**  
**(855) 884-2250**

T.S. #: 19-2318

Dated: 8-26-19

Brett Baugh, John Beazley, Kenny Shirey, Rick Montgomery, Craig Muirhead, Aaron Parker, Clay Golden, Robert Aguilar, Brent Graves, Wendy Lambert, Troy Robinett, Terry Waters, Matt Hansen, Frederick Britton, Shawn Schiller, Logan Thomas, Rick Snoke, Guy Wiggs, Russell Stockman, David Stockman, Brenda Wiggs, Denise Boerner, Donna Stockman, Tim Lewis, Michelle Schwartz, Shelley Ortolani, Mary Mancuso, Michele Hreha, Francesca Ortolani, Robert Ortolani, Kathy Arrington, Briana Young, Heather Smith,



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Prestige Default Services  
600 E John Carpenter Freeway, Suite 175  
Irving, Texas 75062  
Phone: (949) 427-2010  
Fax: (949) 427-2732  
Website: AUCTION.COM

AFTER RECORDING, PLEASE RETURN TO:  
Prestige Default Services  
600 E John Carpenter Freeway, Suite 175  
Irving, Texas 75062  
Attn: Trustee Department

**NOTICE OF FORECLOSURE 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 OR 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. Property to Be Sold.** The property to be sold is described as follows: LOT NINETEEN (19) IN BLOCK F, OF REPLAT OF CHAMBERLAIN PLACE NO. ONE (1), PHASE TWO (2), A SUBDIVISION IN DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 88126, PAGE 5221 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 05/20/2005 and recorded in Book 2005108 Page 08886 Document 3377556 real property records of Dallas County, Texas.

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

Date: 10/01/2019

Time: 01:00 PM

Place: Dallas County, Texas at the following location: NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONERS OFFICE or as designated by the County Commissioners Court.

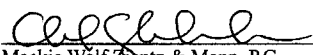
**4. Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 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.


**5. Obligations Secured.** The Deed of Trust executed by KIM HOWARD AND KEITHAIN HOWARD, provides that it secures the payment of the indebtedness in the original principal amount of \$92,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. U.S. BANK N.A., AS TRUSTEE FOR THE REGISTERED HOLDERS OF ASSET BACKED CERTIFICATES, SERIES 2005-HE4 is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is U.S. BANK N.A., AS TRUSTEE FOR THE REGISTERED HOLDERS OF ASSET BACKED CERTIFICATES, SERIES 2005-HE4 c/o PHH MORTGAGE CORPORATION, 1Mortgage Way, Mail Stop SV-22, Mt. Laurel, NJ 08054 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

**6. Order to Foreclose.** U.S. BANK N.A., AS TRUSTEE FOR THE REGISTERED HOLDERS OF ASSET BACKED CERTIFICATES, SERIES 2005-HE4 obtained a Order from the 14th District Court of Dallas County on 09/26/2016 under Cause No. DC-16-06159. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

**7. Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint CARL NIENDORFF, L. KELLER MACKIE, MICHAEL W. ZIENTZ, MICHAEL D. VESTAL, WES WEBB, KRISTEN WALL, Donna Stockman or David Stockman, Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**

  
Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Lori Liane Long, Attorney at Law  
✓ Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Parkway Office Center, Suite 900  
14160 North Dallas Parkway  
Dallas, TX 75254

  
CARL NIENDORFF, L. KELLER MACKIE, MICHAEL W. ZIENTZ, MICHAEL D. VESTAL, WES WEBB, KRISTEN WALL, Donna Stockman or David Stockman  
c/o AVT Title Services, LLC  
5177 Richmond Avenue Suite 1230  
Houston, TX 77056

2019 AUG 22 AM 11:34  
FILED  
JOHN WARREN  
COUNTY CLERK  
DALLAS COUNTY  
PROPERTY

**Certificate of Posting**

I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the Dallas County Clerk and caused it to be posted at the location directed by the Dallas County Commissioners Court.

**LOUIS I. COLE, P.C.**

**Attorney at Law**  
3710 Rawlins Street, #950  
Dallas, Texas 75219  
Telephone (214) 884-4800  
Facsimile (214) 615-7926  
Email: [icole@icolelaw.com](mailto:icole@icolelaw.com)  
[www.icolelaw.com](http://www.icolelaw.com)

**FILED**

2019 AUG 15 PM 1:27

JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY

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

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**NOTICE OF FORECLOSURE SALE**

1. *Property to Be Sold.* The property to be sold is described as follows:

**TRACT I:**

1100 Sargent Road, Dallas, Dallas County, Texas, and more particularly described as Block 7718, Lot 1, consisting of approximately 5.0493 acres.

**TRACT II:**

1000 Sargent Road, Dallas, Dallas County, Texas, and more particularly described as Block 7718, Lot 2, consisting of approximately 5.8566 acres.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded in Instrument Number 201500010103 of the real property records of Dallas County, Texas.

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

**Date:** Tuesday, October 1, 2019

**Time:** The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be completed by no later than 4:00 p.m.

**Place:** Dallas County, Texas, at the place designated by the Dallas County Commissioner's Court (if no such place is designated, the sale will take place where the notice is posted)

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash,

subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

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

The 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 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 sale shall not cover any part of the property that has been released of public record from the lien 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 the deed of trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

**Pursuant to section 51.009 of the Texas Property Code, the property will be sold in “as is, where is” condition. Trustee makes no representation or warranty of any kind whether express, implied, statutory, quasi-statutory, or otherwise. Any warranty of merchantability or fitness for a particular purpose is expressly disclaimed. Trustee makes no representation or warranties with respect to the compliance with the laws, rules, agreements, specifications, 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 is expressly waived by the purchaser. 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 trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

5. *Type of Sale.* The sale is a nonjudicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust and security agreement executed by Daniel Ghebreyohannes.

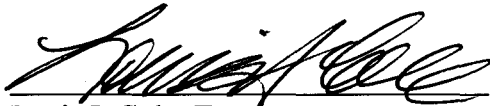
6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the “**Obligations**”) including, but not limited to: (a) the promissory note in the original principal amount of \$1,000,000.00, executed by Daniel Ghebreyohannes and payable to the order of Mainland Land & Equipment Co. at 1920 Dorcas Street, Omaha, Nebraska 68108; (b) all amendments, renewals, and extensions of the note; and (c) any and all present and future indebtedness of Daniel Ghebreyohannes to Mainland Land & Equipment Co. Mainland Land & Equipment Co. is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale. **THIS INSTRUMENT APPOINTS THE TRUSTEE 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.**

8. **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.**

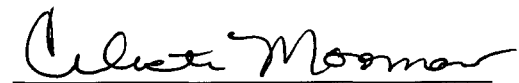
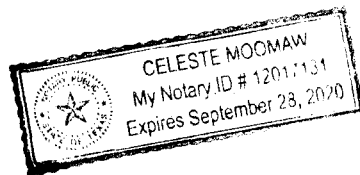
Dated: August 15, 2019



Louis I. Cole, Trustee

STATE OF TEXAS §  
§  
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on this 15<sup>th</sup> day of August, 2019 by LOUIS I. COLE, personally known to me.

  
Notary Public, State of Texas

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

DALLAS County  
Deed of Trust Dated: September 3, 2004  
Amount: \$56,700.00  
Grantor(s): ALEJANDRO TORRES  
Original Mortgagee: GARY M. SCOTT  
Current Mortgagee: BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY  
Mortgagee Address: BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY, 4425 Ponce de Leon Blvd., Suite 500, Coral Gables, FL 33146  
Recording Information: Document No. 3073514  
Legal Description: SEE EXHIBIT "A" ATTACHED HERETO.


Date of Sale: October 1, 2019 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.

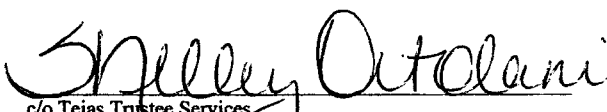
BRENT GRAVES OR JOHN BEAZLEY, RICK MONTGOMERY, AARON PARKER, LOGAN THOMAS, WENDY LAMBERT, PHILLIP PIERCEALL, TERRY WATERS, CLAY GOLDEN, CARY CORENBLUM, SHAWN SCHILLER, MATTHEW HANSEN, MICHELLE SCHWARTZ, GUY WIGGS, RUSSELL STOCKMAN, TIM LEWIS, SHELLEY ORTOLANI, MARY MANCUSO, MICHELE HREHA, FRANCESCA ORTOLANI, ROBERT ORTOLANI, DAVID STOCKMAN, BRENDA WIGGS, DENISE BOERNER, DONNA STOCKMAN, JOHN PHILLIP MARQUEZ OR KATHY ARRINGTON 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.**

  
KIM ELLEN LEWINSKI, ATTORNEY AT LAW  
KIM ELLEN LEWINSKI, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2018-002865

  
c/o Tejas Trustee Services  
14800 Landmark Blvd, Suite 350  
Addison, TX 75254

**Shelley Ortolani**

BY \_\_\_\_\_  
JOHN E. WARREN  
COUNTY CLERK  
DALLAS COUNTY  
PROPERTY

2019 AUG 15 AM 10:56

FILED



Exhibit A

GF-Number 03R33243

Being Lot 53 of Meadow Wood Addition, an unrecorded addition out of the Jessie Elam Survey, Abstract No. 444, in Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the North line of John Rowland Road, said point being 318.13 feet West of the West line of Murdock Road;

THENCE West along the North line of John Rowland Road 50 feet to point for corner;

THENCE North 0 degrees 40 minutes East a distance of 150 feet to point for corner;

THENCE East 50 feet to point for corner;

THENCE South 0 degrees 40 minutes West 150 feet to POINT OF BEGINNING.