

NOTICE OF [SUBSTITUTE] TRUSTEE SALE

FILE FOR RECORD
JENNIFER LINDENZWEIG
COUNTY CLERK HUNT CO. TX

17 JUL 12 AM 10:36
BY: [Signature]
DEPUTY

1. *Property to Be Sold.* The property to be sold is described as follows:
BEING a tract of land situated in the JOHN ROBERTS SURVEY, ABSTRACT NO. 870, Hunt County, Texas, same being that tract of land conveyed to Filemon M. Serrano and Maura Arteaga, by Deed recorded in Vol. 1223, Page 400, Deed Records, Hunt County, Texas, and as corrected under-Instrument No. 2015-4885, Official Public Records of Hunt County, Texas, together with all improvements, fixtures, and appurtenances thereto as described in Exhibit A.
2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated July 1, 2016 recorded in the real property records of Hunt County, Texas.
3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

DATE: August 1, 2017

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.

LOCATION: Hunt County Courthouse in Greenville, TX as follows:
2507 Lee Street
2nd Floor
Greenville, TX 75401

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 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 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.

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.
6. *Obligations secured.* The deed of trust provides that it secured the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$105,000, executed by Rafael Rosales and Jose Adalberto Rosales, and payable to the order of Filemon M. Serrano and Maura Arteaga.

Filemon M. Serrano and Maura Arteaga are the current owners and holders of the obligations and are the beneficiaries 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 to substitute trustee to conduct the sale.

Date: 7/11/, 2017

Respectfully submitted,

By: 

DANIEL C. PEREZ

State Bar No. 15776401

PEREZ & LINK; PLLC

10440 N. Central Expy., Ste. 950

Dallas, Texas 75231

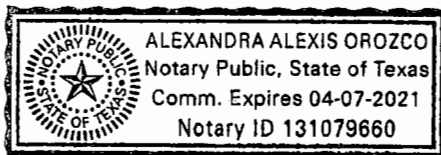
dperez@perezandlink.com

Telephone: 214-521-4394

Facsimile: 214-521-5871

SUBSTITUTE TRUSTEE

SUBSCRIBED AND SWORN TO BEFORE ME on the 11th day of July, 2017, personally appear Daniel C. Perez, to certify which witness my hand and official seal.



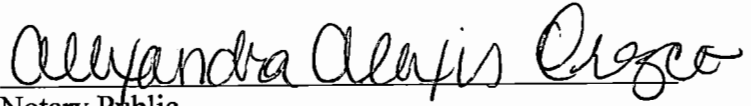

Notary Public
State of Texas

EXHIBIT A

BEING a tract of land situated in the JOHN ROBERTS SURVEY, ABSTRACT NO. 870, Hunt County, Texas, same being that tract of land conveyed to Filemon M. Serrano and Maura Arteaga, by Deed recorded in Vol. 1223, Page 400, Deed Records, Hunt County, Texas, and as corrected under-Instrument No. 2015-4885, Official Public Records of Hunt County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8 inch iron rod found for corner, said corner being the Northwest corner of that tract of land conveyed to Dale M. Lumley, by Deed recorded in volume 946, Page 361, Deed Records, Hunt County, Texas, and on the Easterly line of that tract of land conveyed to David Carl Peckham and wife, Donna Marie Peckham, by Deed recorded in Volume 624, Page 241, Deed Records, Hunt County, Texas;

THENCE North 04 degrees 10 minutes 05 seconds East, along the Easterly line of said Peckham tract, a distance of 294.14 feet to a 1/2 inch iron rod found for corner, said corner being on the Easterly line of said Peckham tract, and the Southwest corner of that tract of land conveyed to Thomas Johnston, by Deed recorded in Document No. 2013-1183, Deed Records, Hunt County, Texas; **THENCE** North 85 degrees 45 minutes 42 seconds East, along the Southerly line of said Johnston tract, passing at a distance of 1492.06 feet to 3/8 inch iron found on-line, and continuing a total distance of 1521.74 feet to a point for corner, said corner being on the Westerly line of that tract of land conveyed to Harry D. Aston and Patsy Rae Toler Aston, by Deed recorded in Clerk's File No. 2016-494, County Clerk, Hunt County, Texas, said corner being at or near the centerline of County Road 4415 (40 foot right-of-way);

THENCE South 11 degrees 37 minutes 10 sec West, with said County Road 4415, along the Westerly line of said Aston tract, a distance of 298.48 feet to a point for corner, said corner being on the Westerly line of said Aston tract, the Northeast corner of said Lumley tract, said corner being at or near the centerline of said County Road 4415;

THENCE South 85 degrees 36 minutes 45 seconds West, along the Northerly line of said Lumley tract, leaving said County Road 4415, passing at a distance of 27.65 feet to a 3/8 inch iron rod found on-line, and continuing a total distance of 1483.19 feet to the POINT OF BEGINNING, and containing 434,170 square feet or 9.97 acres of land.

Commonly known as: 3996 County Road 4415, Wolfe City, TX 75496