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1:30 pm

Notice of Foreclosure Sale
and
Appointment of Substitute Trustee

Deed of Trust (“Deed of Trust”):

Dated: **February 17, 2010**

Grantor: **Elizabeth Ashley Figueroa and Joseph Leon Galvan**

Trustee: **Peter F. Sheridan**

Lender: **SDD Financial, LLC, a Texas limited liability company**

Recorded in: **Instrument Number 10-319, Volume 1011, Page 270** of the real property records of **Nolan** County, Texas.

Legal Description: **SURFACE ESTATE ONLY:**

A tract of land located in Section Two (20 of the GULFTON HEIGHTS SUBDIVISION of part of Survey No. Fifty-Two (52) in Block No. Twenty-Two (22) of the T&P Ry. Co. Surveys in Nolan County, Texas, described by metes and bounds on Exhibit “A” appended hereto and incorporated herein by reference.

Secures: **Real Estate Lien Note** (“Note”) in the original principal amount of **\$50,600.00**, executed by **Elizabeth Ashley Figueroa and Joseph Leon Galvan** (“Borrower”) and payable to the order of Lender and all other indebtedness of Borrower to Lender

Original Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Property: **125 Gulfton Rd., Sweetwater, Texas 79556**

Substitute Trustee: **Shawn Davis**

Substitute Trustee’s Address: **409 Locust, Sweetwater, Texas 79556**

Foreclosure Sale:

Date: **June 2, 2020**

Time: The sale of the Property will be held between the hours of 10:00

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a.m. and 4:00 p.m. local time; **the earliest time at which the Foreclosure Sale will begin is 10:00am and not later than three hours thereafter.**

Place: Nolan County Courthouse located at 100 E. 3rd Street, Sweetwater, Texas at the specific location as designated by the commissioners court for sales of property under Tex. Prop. Code §51.002 in Nolan County, Texas.

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 SDD Financial 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, SDD Financial, 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 SDD Financial, 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 SDD Financial LLC's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If SDD Financial, LLC passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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. For the avoidance of doubt, 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 by Lender. 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 **"AS IS," without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Substitute Trustee reserves

Exhibit "A"

SURFACE ESTATE ONLY OF:

For a tract of land located in Section Two (2) of the GULFTON HEIGHTS SUBDIVISION of party of Survey No. Fifty-Two (52) in Block No. Twenty-Two (22), of the T & P Ry. Co. Surveys in Nolan County, Texas, described by metes and bounds as follows"

BEGINNING at a point in the North line of Gulfton Road, said point being located Westerly 218.0 feet from the intersection of said North line with the West line of Meadow Lane, for the Southeast corner of this tract;

THENCE: S 76° 57' W a distance of 224.2 feet to the intersection of said North line of Gulfton Road with the North line of Broadmoor for the Southwest Corner of this tract;

THENCE: N 3° 22' W along the West line of said Section No. 2 of the Gulfton Subdivision a distance of 520.2 feet to a point in the South line of an alley intersecting with Meadow Lane, for the Northwest corner of this tract;

THENCE: S 79° E along said South line of alley a distance of 150.0 feet to an iron pin set for the Northeast Corner of this tract;

THENCE: S 13° E parallel with the said West line of Meadow Lane and 218 feet Westerly therefrom as measured perpendicular thereto, a distance of 451.7 feet to the PLACE OF BEGINNING, containing 2.03 acres of land more or less.

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Nolan County Clerk