

Notice of Trustee's Sale

Date: **April 4, 2018**
Trustee: **Lee J. Schmitt**
Mortgagee: **Nextlots Now LLC, a Texas Limited Liability Company**
Note: **December 22, 2017, Principal Amount \$ 38,500.00**
Deed of Trust

JOHN E. WARREN
COUNTY CLERK
DALLAS COUNTY

2018 APR -5 PM 12:07

FILED

Date: **December 22, 2017**
Grantor: **Alexander Aguirre**
Mortgagee: **Nextlots Now LLC, a Texas Limited Liability Company**
Recording information: **Deed of Trust and Promissory Note**

Property: Acct No 60019500030010100; Being The North ½ Of Lot 1 Of Brownlee Park, No.2 Addition, An Addition Of The City Of Lancaster Situated In Block C In The City Of Lancaster, Dallas County, Texas As Shown By Deed Recorded In Volume 94130 Page 4480 Of The Deed Records Of Dallas County, Texas And More Commonly Addresses As 2508 Sherwood Avenue, Lancaster, Dallas County, Texas, (The "Property").

(Address: 2508 Sherwood Avenue Lancaster, Texas 75134)

County: **Dallas County**
Trustee's/Substitute Trustee's Name: **Lee J. Schmitt**
Trustee's/Substitute Trustee's Address: **P.O. Box 865, Lancaster, Texas 75146**
Date of Sale (first Tuesday of month): **May 1, 2018**
Time of Sale: **10:00 am**
Place of Sale: **Dallas County Courthouse**

Lee J. Schmitt is Trustee under the Deed of Trust/ Nextlots Now LLC, a Texas Limited Liability Company has appointed **Lee J. Schmitt** as Trustee under the Deed of Trust. Mortgagee has instructed Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the **May 1, 2018**, Trustee will offer the Property for sale at public auction at the **Dallas County Courthouse, Dallas, Texas**, to the highest bidder for cash, "AS IS." THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PERSONAL PROPERTY IN THIS DISPOSITION. The earliest time the sale will occur is the **10:00 AM**, and sale will be conducted no later than three hours thereafter.



Lee J. Schmitt, Trustee

4-4-18

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Date: 09/12/2002
Grantor(s): DEANNA MARIE BRADFORD, A SINGLE PERSON
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR FIRST MAGNUS FINANCIAL CORPORATION, AN ARIZONA CORPORATION, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$122,459.00
Recording Information: Book 2002184 Page 09195 Instrument 1998602
Property County: Dallas
Property: LOT 27, BLOCK B, OF RE-PLAT OF WELLINGTON PARK NORTH, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE AMENDED MAP THEREOF IN VOLUME 2000034, PAGE 13, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.
Reported Address: 1764 CANSLER LANE, LANCASTER, TX 75134

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: Wells Fargo Bank, N.A.
Mortgage Servicer: Wells Fargo Bank, N.A.
Current Beneficiary: Wells Fargo Bank, N.A.
Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

SALE INFORMATION:

Date of Sale: Tuesday, the 1st day of May, 2018
Time of Sale: 10:00 AM or within three hours thereafter.
Place of Sale: AT THE AREA OUTSIDE ON THE NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG in Dallas County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Dallas County Commissioner's Court.
Substitute Trustee(s): 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, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, or Suzanne Suarez, any to act
Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and 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, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, or Suzanne Suarez, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. 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, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, or Suzanne Suarez, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Very truly yours,

Bonial & Associates, P.C.

DALLAS COUNTY
COUNTY CLERK
JOHN F. WARREN

2010 APR -5 PM 4:07

FILED

ATTENTION SERVICE MEMBERS: ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR 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.

FILED

2018 APR -9 PM 12: 28

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, LOWELL T. SLINGERLAND, AN UNMARRIED MAN delivered that one certain Texas Home Equity Conversion Deed of Trust dated APRIL 23, 2007, which is recorded in INSTRUMENT NO. 20070202559 of the real property records of DALLAS County, Texas, conveying to the Trustee(s) therein named the real property therein described, to secure the payment of a Promissory Note in the principal amount of \$141,000.00 payable to the order of JUDITH O. SMITH MORTGAGE GROUP, INC., to which reference is hereby made for a description of the Promissory Note, the terms and covenants of the Texas Home Equity Conversion Deed of Trust, and the property therein conveyed; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Texas Home Equity Conversion Deed of Trust, has occurred and the outstanding indebtedness on same is now wholly due; and

WHEREAS, the undersigned has been appointed Substitute Trustee in place of the original Trustee, upon the contingency and the manner authorized by the Texas Home Equity Conversion Deed of Trust; and

WHEREAS, JAMES B. NUTTER & COMPANY, the Mortgagee, or the Mortgage Servicer, has instructed a Substitute Trustee(s) to sell real property described in the Texas Home Equity Conversion Deed of Trust in order to satisfy the indebtedness secured thereby.

NOTICE IS HEREBY GIVEN that on Tuesday, MAY 1, 2018, beginning at 1:00 PM, or not later than three (3) hours after that time, a Substitute Trustee(s) will sell, to the highest bidder submitting cashier's check, certified check or money order, the following described real property:

LOT 19, BLOCK 10, OF LANCASTER TERRACE ADDITION, INSTALLMENT NO. 4, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 46, PAGE 163, OF THE PLAT RECORDS OF DALLAS COUNTY, TEXAS.

The sale will occur at that area designated by the Commissioners Court of DALLAS County, Texas, for such sales (OR AT THE AREA OUTSIDE ON THE NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG).

NOTICE IS FURTHER GIVEN that the address of JAMES B. NUTTER & COMPANY, the Mortgagee or Mortgage Servicer, is P.O. BOX 10346, KANSAS CITY, MISSOURI 64171. Pursuant to the Texas Property Code, the Mortgage Servicer is authorized to administer a foreclosure sale. The name and address of a substitute trustee is Michael J. Schroeder, 3610 North Josey Lane, Suite 206, Carrollton, Texas 75007. A Substitute Trustee is authorized by the Texas Property Code to set reasonable conditions for the foreclosure sale.

Dated: APRIL 9, 2018.



SUBSTITUTE TRUSTEE(S)
MICHAEL J. SCHROEDER OR ROSALIE C.
SCHROEDER OR ERIKA J. BENNETT

FILE NO.: JBN-2203
PROPERTY: 520 WILLOWOOD LANE
LANCASTER, TEXAS 75134

ESTATE OF LOWELL T. SLINGERLAND

NOTICE SENT BY:
MICHAEL J. SCHROEDER
3610 NORTH JOSEY LANE, SUITE 206
CARROLLTON, TEXAS 75007
Tele: (972) 394-3086
Fax: (972) 394-1263



Cause No. DC-17-08157

JAMES B. NUTTER & COMPANY	§	IN THE DISTRICT COURT
Plaintiff	§	
	§	
vs.	§	
	§	298 TH JUDICIAL DISTRICT
UNKNOWN HEIRS OF LOWELL T.	§	
SLINGERLAND,	§	
WILLIAM T. SLINGERLAND,	§	
OCCUPANT	§	
	§	DALLAS COUNTY, TEXAS

**JUDGMENT ALLOWING FORECLOSURE OF LIEN UNDER TEXAS CONSTITUTION
ART. XVI, §§ 50(a)(7), 50(k) AND DECLARING HEIRS OF DECEASED BORROWER**

JAMES B. NUTTER & COMPANY ("Plaintiff"), on behalf of itself and its successors and assigns, has brought before this Court its Petition for court order allowing foreclosure of lien under Texas Constitution Article XVI, §§ 50(a)(7), 50(k). Having considered the evidence presented, the Court finds as follows:

1. The Petition complies with Texas Rule of Civil Procedure 735.3
2. Attorney Ad Litem Andrea Stoller filed an answer on behalf of the Unknown Heirs of Lowell T. Slingerland on October 23, 2017, no other Defendant has filed a response; and
3. A copy of the Notice of the Petition, together with certificate of service of the Notice, has been on filed with the Clerk of the Court for at least ten days inclusive of the date of filing.
4. Plaintiff is the current holder of the Note described in the Security Instrument.
5. Defendant mortgagor LOWELL T. SLINGERLAND was obligated to pay the debt secured by the Property. Defendant mortgagor LOWELL T. SLINGERLAND was a mortgagor of the lien sought to be foreclosed.
6. LOWELL T. SLINGERLAND is in default under the Texas Home Equity Conversion

Note in that he failed to maintain taxes and insurance on the subject real property. The total default is \$12,288.90 as of June 27, 2017. Plaintiff has elected to accelerate the maturity of the debt pursuant to Paragraph 9 of the Security Instrument and Texas Constitution Article XVI, § 50(k). Additionally, LOWELL T. SLINGERLAND died on or about August 13, 2015.

7. As of June 29, 2017, the total amount required to pay off the lien was \$104,995.03.

8. The requisite notice or notices to cure the default were mailed on October 15, 2015 to each person as required under applicable law and the loan agreement, contract, or lien sought to be foreclosed. The opportunity to cure has expired.

9. Pursuant to Texas Estates Code § 101.001(b), the heirs-at-law of LOWELL T. SLINGERLAND, whether known or unknown, acquired LOWELL T. SLINGERLAND's undivided interest in the Property immediately upon LOWELL T. SLINGERLAND's death. Each Heir has been made a party to this proceeding pursuant to Texas Civil Practice & Remedy Code § 17.002. Pursuant to the Texas Estates Code §§ 202.001, 202.005 the heirs-at-law are hereby declared to be those persons identified by Ad Litem Report filed in this Court as WILLIAM T. SLINGERLAND.

10. Plaintiff performed, before this Petition was filed, any other action required of Plaintiff under applicable law and the loan agreement, contract, or lien sought to be foreclosed.

IT IS, THEREFORE, ORDERED that:

1. JAMES B. NUTTER & COMPANY, its successors and assigns, is hereby authorized to serve a Notice of Sale upon Defendants and to proceed to foreclosure sale under the Security Instrument and Texas Property Code § 51.002 concerning the real property having a street address of 520 WILLOWOOD LANE, LANCASTER, TEXAS 75134, recorded as INSTRUMENT #2007020559 of the real property records of DALLAS County, Texas and a

legal description of:

LOT 19, BLOCK 10, OF LANCASTER TERRACE ADDITION, INSTALLMENT NO. 4, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 46, PAGE 163, OF THE PLAT RECORDS OF DALLAS COUNTY, TEXAS.

2. A copy of this Order shall be sent to the following Defendants with the Notice of Sale by Plaintiff or its successors or assigns:

UNKNOWN HEIRS OF LOWELL T.
SLINGERLAND, DECEASED
520 WILLOWOOD LANE
LANCASTER, TEXAS 75134

WILLIAM T. SLINGERLAND
P.O. Box 473
ALBA, TEXAS 75410-0473

OCCUPANT
520 WILLOWOOD LANE
LANCASTER, TEXAS 7513

WILLIAM T. SLINGERLAND
3211 PRIVATE ROAD 5534
TRAILER NO. 6
ALBA, TX 75410

3. Plaintiff or its successors or assigns may communicate with the Defendants and all third parties reasonably necessary to conduct the foreclosure sale.

4. Plaintiff or its successors or assigns shall mail notice of the foreclosure sale to counsel, if any, of the Defendants by Certified Mail.

5. Plaintiff or its successors or assigns shall file a certified copy of this Order in the DALLAS County, Texas, real property records.

6. Fees in the amount of \$1,700.00 will be paid to Andrea K. Stoller, Attorney Ad Litem, by James B. Nutter & Company.

IT IS SO ORDERED.

Signed: February 30, 2018

Emily A. Tokeley
Judge Presiding

APPROVED:

MICHAEL J. SCHROEDER, P.C.

/s/ Erika Bennett Stickney

Michael J. Schroeder

State Bar No. 17817380

Email: mike@lawmjs.com

Erika Bennett Stickney

State Bar No. 24085195

Email: erika@lawmjs.com

3610 North Josey Lane, Suite 206

Carrollton, TX 75007

Telephone: (972) 394-3086

Facsimile: (972) 394-1263

ATTORNEYS FOR Plaintiff

APPROVED AS TO FORMS


Andrea K. Stoller

State Bar No. 00785059

Email: akstoller@gmail.com

605 Keller Smithfield Road

Keller, Texas 76248

Telephone: 214-356-7165

Fax: 214-261-228

Attorney Ad Litem

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
03/12/2018 11:48:06 AM
\$42.00



A handwritten signature in black ink, appearing to be "JFW".

201800062859

**STATE OF TEXAS }
COUNTY OF DALLAS }**

I, **FELICIA PITRE**, Clerk of the District of Dallas County, Texas, do hereby certify that I have compared this instrument to be a true and correct copy of the original as appears on record in my office.

GIVEN UNDER MY HAND AND SEAL of said Court, at office in Dallas, Texas, this 12 day of March, A.D., 2018.

**FELICIA PITRE, DISTRICT CLERK
DALLAS COUNTY, TEXAS**

By Deputy