

FILED

2020 MAY 12 PM 12: 26

**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 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. *Property to Be Sold.* The property (including any improvements) to be sold is located in Dallas County, Texas and is more fully described as follows:

Lot 3 of Carrollton Industrial Park, an Addition to the City of Carrollton, Dallas County, Texas, according to the map thereof recorded in Volume 501, Page 2252, Map Records, Dallas County, Texas, as more particularly described in the Deed of Trust

The real property and personal property being sold is the same property described in the Deed of Trust (defined below).

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Second Lien Deed of Trust, Security Agreement, Financing Statement, and Assignment of Rents, dated January 28, 2016, executed by MICI CORPORATION, a Texas corporation ("Borrower") for the benefit of CADLES OF GRASSY MEADOWS II, L.L.C. ("Lender", as successor-in-interest to Simmons Bank pursuant to that certain Assignment of Deed of Trust dated October 15, 2019, and recorded as Instrument No. 201900277449 in the Official Public Records of Dallas County, Texas), and recorded on February 1, 2016, as Instrument No. 201600026009 in the Official Public Records of Dallas County, Texas (the "Deed of Trust").

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

Date: June 2, 2020

Time: The sale will begin no earlier than 10:00 A.M. and no later than three hours thereafter.

Place: The sale will occur at that area outside the north side of the George Allen Courts Building, as designated by the Commissioner's Court of Dallas County, Texas, for such sales, under Section 51.002 of the Texas Property Code. The George Allen Courts Building is located at 600 Commerce Street, Dallas, Texas 75202.

In the event Lender decides to postpone, withdraw, or reschedule the sale for another day, 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 refiling 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 Lender thereunder to have the bid credited to the Note (defined below) 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 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.

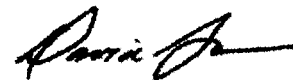
5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust.

6. *Obligations Secured.* The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including, but not limited to, (a) Promissory Note 112152, dated January 28, 2016, in the original principal amount of \$970,000.00 (the "Note"), executed by Borrower, and payable to the order of Lender (as successor-in-interest to Simmons Bank pursuant to that certain Allonge executed as of August 9, 2019) ("Lender"), and (b) penalties and interest. In addition, the Note and the Deed of Trust provide for reimbursement to the holder of the Note of its reasonable attorney's fees and expenses incurred in collecting this debt.

7. *Default and Request to Act.* Default has occurred under the Deed of Trust and the Note, and Lender has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

EXECUTED to be effective as of May 12, 2020.

*Murphy Sayre*



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SUBSTITUTE TRUSTEE

Murphy C. Sayre  
Or Troy (T.J.) Hales  
Or David Garvin  
Or Jack Beckham  
Or Kelly Goddard  
Or Michelle Schwartz

c/o Bell Nunnally & Martin LLP  
2323 Ross Street, Suite 1900  
Dallas, Texas 75201

**AFTER RECORDING, RETURN TO:**

**Troy (T.J.) Hales  
Bell Nunnally & Martin LLP  
2323 Ross Street, Suite 1900  
Dallas, Texas 75201  
Telephone: (214) 740-1400**