

21275

Our Case Number: 23-03252-FC

NOTICE OF TRUSTEE'S SALE

WHEREAS, on March 24, 2003, DEROLYN HALEY, UNMARRIED, executed a Deed of Trust/Security Instrument conveying to MATTHEW HADDOCK, as Trustee, the Real Estate hereinafter described, to FIRST FRANKLIN FINANCIAL CORPORATION, in the payment of a debt therein described, said Deed of Trust/Security Instrument being recorded under County Clerk Number 2254364, in Book 2003058, at Page 05665, in the DEED OF TRUST OR REAL PROPERTY RECORDS of DALLAS COUNTY, TEXAS; and

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust/Security Instrument; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **TUESDAY, JUNE 3, 2025** between ten o'clock AM and four o'clock PM and beginning not earlier than 01:00 PM or not later than three hours thereafter, I will sell said Real Estate at George Allen Courts Building, 600 Commerce Street, Dallas, TX 75202 in **DALLAS COUNTY, TEXAS** to the highest bidder for cash. The sale will be conducted in the area of the Courthouse designated by the Commissioners' Court, of said county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this notice was posted.

Said Real Estate is described as follows: LOT 6, BLOCK 15 OF WINDMILL HILL ADDITION, FIFTH SECTION, PHASE I, AN ADDITION TO THE CITY OF DESOTO, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 98238, PAGE 231, MAP RECORDS, DALLAS COUNTY, TEXAS.

Property Address: 1321 HERITAGE HILL, DESOTO, TX 75115

Mortgage Servicer: FAY SERVICING

Noteholder: METROPOLITAN LIFE INSURANCE COMPANY
425 S. FINANCIAL PLACE, SUITE 2000, CHICAGO, IL 60605

The Mortgage Servicer is authorized to represent the Noteholder by virtue of a servicing agreement with the Noteholder. 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.

ACTIVE MILITARY SERVICE NOTICE

Assert and protect your rights as a member of the armed forces of the United States. If you 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.

WITNESS MY HAND this 5 day of May, 2025.



Angela Cooper, Brandy Bacon, Brenda Wiggs,
David Stockman, Donna Stockman, Guy Wiggs,
Jamie Dworsky, Janet Pinder, Jeff Benton,
Kathy Arrington, Michelle Schwartz, Rick
Snoke, Marinosci Law Group PC

Substitute Trustee Address:

Marinosci Law Group, P.C.
16415 Addison Road, Suite 725
Addison, TX 75001
(972) 331-2300

BY _____
DEPUTY CLERK
DALLAS COUNTY
JOHN F. WARREN
2025 MAY -8 AM 11:53

FILED



FILED
2025 MAY -8 AM 11:06
JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY
MILLER GEORGE & SUGGS

Texas Office
6080 Tennyson Pkwy, Suite 100
Plano, Texas 75024
Main: 972.532.0128
Fax: 214.291.5507
FLORIDA | TEXAS | GEORGIA

NOTICE OF DEFAULT AND FORECLOSURE SALE

WHEREAS, on June 17, 2011, a certain Deed of Trust was executed by Carolyn Ann McGraw as mortgagor in favor of Wells Fargo Bank, N.A. as beneficiary and Robert K Fowler as trustee, and was recorded on, June 24, 2011, as Instrument No. 201100162906 in the Office of the County Clerk, Dallas County, Texas; and

WHEREAS, the Deed of Trust was insured by the United States Secretary of Housing and Urban Development (the Secretary) pursuant to the National Housing act for the purpose of providing single family housing; and

WHEREAS, the beneficial interest in the Deed of Trust is now owned by the Secretary pursuant to an assignment dated August 10, 2018, and recorded on August 10, 2018, as Instrument No. 201800215440 in the office of the County Clerk, Dallas County, Texas; and

WHEREAS, a default has been made in the covenants and conditions of the Deed of Trust in that all borrowers are deceased; and

WHEREAS, by virtue of this default, the Secretary has declared the entire amount of the indebtedness secured by the Deed of Trust to be immediately due and payable.

NOW, THEREFORE, pursuant to powers vested in me by the Single Family Mortgage Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR part 27, subpart B, and by the Secretary's designation of me as Foreclosure Commissioner, recorded on August 13, 2024 as Instrument No. 202400161772 notice is hereby given that on June 03, 2025 at 1:00 PM local time, or not later than three hours thereafter, all real and personal property at or used in connection with the following described premises ("Property") will be sold at public auction to the highest bidder:

LOT 1, BLOCK 4 OF GREEN MEADOWS ESTATES, FIRST SECTION, AN ADDITION TO THE CITY OF DESOTO, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 78170, PAGE 2483, MAP RECORDS, DALLAS COUNTY, TEXAS.

Commonly known as: 900 Prairie Creek Dr, Desoto, TX 75115

The sale will be held at the north side of the George Allen Courts Building facing Commerce Street below the overhang, or as designated by the County Commissioners Court.

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The Secretary of Housing and Urban Development will bid \$236,230.28.

There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay, at or before closing, his prorata share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale.

When making their bids, all bidders except the Secretary must submit a deposit totaling \$23,623.03 in the form of a certified check or cashier's check made out to the Secretary of HUD. A deposit need not accompany each oral bid. If the successful bid is oral, a deposit of \$23,623.03 must be presented before the bidding is closed. The deposit is nonrefundable. The remainder of the purchase price must be delivered within 30 days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a certified or cashier's check. If the Secretary is the highest bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveying fees, all real estate and other taxes that are due on or after the delivery date of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee of \$500.00, paid in advance. The extension fee shall be in the form of a certified or cashier's check made payable to the Secretary of HUD. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due.

If the high bidder is unable to close the sale within the required period, or within any extensions of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit or, at the election of the foreclosure commissioner after consultation with the HUD representative, will be liable to HUD for any costs incurred as a result of such failure. The Commissioner may, at the direction of the HUD representative, offer the property to the second highest bidder for an amount equal to the highest price offered by that bidder.

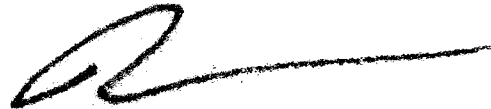
There is no right of redemption, or right of possession based upon a right of redemption, in the mortgage or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant.

The scheduled foreclosure sale shall be cancelled or adjourned if it is established, by documented written application of the mortgagor to the Foreclosure Commissioner not less than 3 days before the date of sale, or otherwise, that the default or defaults upon which the foreclosure is based did not exist at the time of service of this notice of default and foreclosure sale, or all amounts due under the mortgage agreement are tendered to the Foreclosure Commissioner, in the form of a certified or cashier's check payable to the Secretary of HUD, before public auction of the property is completed.

Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner provided below.

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 send of this notice immediately.

Date: May 2, 2025



By: Dustin George
Miller, George & Suggs, PLLC
Foreclosure Commissioner
6080 Tennyson Parkway, Suite 100
Plano, TX 75024
972-532-0128 Phone
214-291-5507 Fax