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Notice of Foreclosure Sale

2020 APR 23 PM 12: 03

April 23, 2020

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY
BY _____ COUNTY

Deed of Trust ("Deed of Trust"):

Dated: September 19, 2006

Grantor: Walt Barnes

Trustee: Bill G. Brewer
5700 Legacy Drive
Suite 10
Plano, Texas 75024

Lender: Benchmark Bank

Recorded in: The real property records of Dallas County, Texas being in renewal and extension of Deed of Trust filed and recorded on September 29, 2006 -County Clerk's File and Instrument Number 200600363801.

Legal Description:

BEING a lot, tract or parcel of land situated in the Elisha Fike Survey, Abstract No. 478, City of Farmers Branch, Dallas County, Texas, and being a part of Block G of Metropolitan Business Park, Section Five an addition to the City of Farmers Branch, Dallas County, Texas according to the Plat recorded in Volume 71118, Page 54, Deed Records, Dallas County, Texas, and being the same property conveyed from National Marketing, Inc., an Arkansas Corporation doing business in the State of Texas to NMI Corporation, a Texas Corporation by deed recorded in Volume 89005, Page 4310, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron pipe found for comer in the West R.O.W. line of Proton Road (60' R.O.W.) and being the Northeast comer of a called 1.162 acre tract of land conveyed to NIRTAG U.S., INC. by deed recorded in Volume 76185, Page 1522, Deed Records, Dallas County, Texas;

THENCE West along the North line of said called 1.162 acre tract a distance of 240.00 feet to a point for comer in the East line of a called 3.702 acre tract of land conveyed to 14240 MIDWAY, L.P. by deed recorded in Document No. 200503548727, Official Public Records, Dallas County, Texas;

THENCE North along the East line of said called 3.702 acre tract, a distance of 100.00 feet to a point for comer in the Southwest comer of a tract of land conveyed to JACKAY, Ltd., by deed recorded in Volume 99155, Page 1435, Deed Records, Dallas County,

Texas;

THENCE East along the South line of said JACKAY tract, a distance of 240.00 feet to a 1/2 inch iron rod found for comer in the West R. O. W. line of said Proton Road;

THENCE South along the West R.O.W. line of said Proton Road, a distance of 100.00 feet to the POINT OF BEGINNING and containing 24,000.00 square feet or 0.5509 acres of land.

Physical Address: 14229 Proton Road, Dallas, TX 75244-3606.

Secures: Promissory Note (“Note”) in the original principal amount of \$277,879.99, executed by Walt Barnes (“Borrower”) and payable to the order of Lender.

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the Legal Description, and all rights and appurtenances thereto.

Substitute Trustee: Jim Neuhoff

Substitute Trustee’s
Address: 5700 Legacy Drive, Suite 10
Plano, TX 75024

Foreclosure Sale:

Date: June 2, 2020

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time; **the earliest time at which the Foreclosure Sale will begin is 10:00 am and not later than three hours thereafter.**

Place: At the area designated by the County Commissioners Court pursuant to Section 51.002 of the Texas Property Code in **DALLAS COUNTY, TEXAS** to the highest bidder for cash. The sale will be conducted in the area of the Courthouse; specifically, on the north side of the George Allen Courts Building facing Commerce Street below the overhang or any other area designated by the County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, of said county, pursuant to Section §51.002 of the Texas Property Code as amended.

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 Lender or its assignee'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, Lender, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender'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, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Lender or its assignee 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.

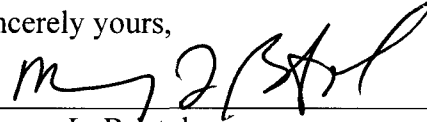
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "**AS IS,**" without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee.

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.

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO
SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT
IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS
THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR
MORTGAGE SERVICER.**

Sincerely yours,



Murray L. Bristol
Attorney for Benchmark Bank
State Bar No.: 00785722
mlb@bristoldubiel.com
10440 N. Central Expy., Suite 800
Dallas, TX 75231
(214) 880-9988 Phone
(214) 292-9466 Facsimile

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2020 APR 23 PM 12:03

Notice of Postponement of Foreclosure Sale

STATE OF TEXAS)
COUNTY OF)

JOHN F. WARREN
COUNTY CLERK
DALLAS COUNTY
BY _____ 177

Public notice is hereby given that the foreclosure sale previously announced to occur on May 5, 2020 pursuant to the deed of trust executed by Walt Barnes and recorded in the real property records of Dallas County, Texas being in renewal and extension of Deed of Trust filed and recorded on September 29, 2006 -County Clerk's File and Instrument Number 200600363801, for the following described property has been postponed:

Legal Description:

BEING a lot, tract or parcel of land situated in the Elisha Fike Survey, Abstract No. 478, City of Farmers Branch, Dallas County, Texas, and being a part of Block G of Metropolitan Business Park, Section Five an addition to the City of Farmers Branch, Dallas County, Texas according to the Plat recorded in Volume 71118, Page 54, Deed Records, Dallas County, Texas, and being the same property conveyed from National Marketing, Inc., an Arkansas Corporation doing business in the State of Texas to NMI Corporation, a Texas Corporation by deed recorded in Volume 89005, Page 4310, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron pipe found for corner in the West R.O.W. line of Proton Road (60' R.O.W.) and being the Northeast corner of a called 1.162 acre tract of land conveyed to NIRTAG U.S., INC. by deed recorded in Volume 76185, Page 1522, Deed Records, Dallas County, Texas;

THENCE West along the North line of said called 1.162 acre tract a distance of 240.00 feet to a point for corner in the East line of a called 3.702 acre tract of land conveyed to 14240 MIDWAY, L.P. by deed recorded in Document No. 200503548727, Official Public Records, Dallas County, Texas;

THENCE North along the East line of said called 3.702 acre tract, a distance of 100.00 feet to a point for corner in the Southwest corner of a tract of land conveyed to JACKAY, Ltd., by deed recorded in Volume 99155, Page 1435, Deed Records, Dallas County, Texas;

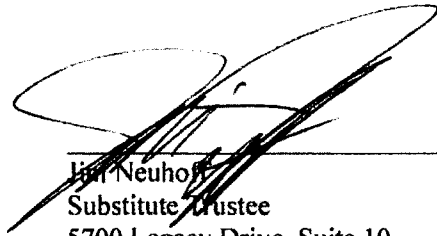
THENCE East along the South line of said JACKAY tract, a distance of 240.00 feet to a 1/2 inch iron rod found for corner in the West R. O. W. line of said Proton Road;

THENCE South along the West R.O.W. line of said Proton Road, a distance of 100.00 feet to the POINT OF BEGINNING and containing 24,000.00 square feet or 0.5509 acres of land.

Physical Address: 14229 Proton Road, Dallas, TX 75244-3606.

The foreclosure sale will be reset to June 2, 2020.

Dated 4/22/2020.



Bill Neuho
Substitute Trustee
5700 Legacy Drive, Suite 10
Plano, TX 75024
T: (972) 673-4054

Notice of [Substitute] Trustee 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. Date, Time and Place of Sale.

Date: 06/02/2020

Time: The sale will begin at 10:00 AM or not later than three hours after that time

Place: NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING
COMMERCE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONERS
OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS
THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS
DESIGNATED BY THE COUNTY COMMISSIONERS

Property Address: 3437 Mapledale Circle, Farmers Branch, TX 75234

2. Terms of Sale: The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all 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. Any conveyance of the property is subject to all matters of record affecting the property.

3. Instrument to be Foreclosed: The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 03/16/1998 and recorded 03/27/1998 in Book 98060 Page 02882 Document 86033 , real property records of Dallas County, Texas, with James D. Caldwell, Jr., and spouse, Nancy J. Caldwell grantor(s) and MORTGAGE PORTFOLIO SERVICES, INC. as Lender, THE BANK OF NEW YORK MELLON TRUST COMPANY, NATIONAL ASSOCIATION FKA THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE FOR RESIDENTIAL ASSET MORTGAGE PRODUCTS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES SERIES 2005-SP2 as Beneficiary.

4. Appointment of Substitute Trustee: In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent for the mortgage servicer has named and appointed, and by these presents does name and appoint JOHN BEAZLEY, BOB DICKERSON, AARON PARKER, LOGAN THOMAS, RICK MONTGOMERY, PHILLIP PIERCEALL, TERRY WATERS, DOUGLAS RODGERS, CARY CORENBLUM, MATTHEW HANSEN, JOSHUA SANDERS, CLAY GOLDEN, CRAIG MUIRHEAD, SHAWN SCHILLER, CARL NIENDORFF, L. KELLER MACKIE, MICHAEL W. ZIENTZ, MICHAEL D. VESTAL, WES WEBB, KRISTEN WALL, Donna Stockman or David Stockman , Substitute Trustee to act under and by virtue of said Deed of Trust.

5. Obligation Secured: Deed of Trust or Contract Lien executed by James D. Caldwell, Jr., and spouse, Nancy J. Caldwell, securing the payment of the indebtedness in the original principal amount of \$73,250.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. THE BANK OF NEW YORK MELLON TRUST COMPANY, NATIONAL ASSOCIATION FKA THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE FOR RESIDENTIAL ASSET MORTGAGE PRODUCTS, INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES SERIES 2005-SP2 is the current mortgagee of the note and deed of trust or contract lien.

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Notice of [Substitute] Trustee Sale

6. Default: A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

7. Property to be sold: The property to be sold is described as follows:

LOT THREE (3), IN BLOCK SIX (6), TOWN NORTH ESTATES, AN ADDITION TO THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 39, PAGE 19, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

8. Mortgage Servicer Information: The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. 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 lien securing the property referenced above. **PHH Mortgage Corporation**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

C/O PHH Mortgage Corporation

**1 Mortgage Way
Mt. Laurel, NJ 08054**

Phone: 877-744-2506


TS No.: 2020-00729-TX
18-000916-673

Notice of [Substitute] Trustee Sale

9. Limitation of Damages: If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's attorney.

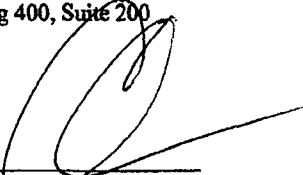
THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

Date: April 13, 2020



Stephanie Spurlock, Laterika Thompkins, Camisha Scott, Iman Walcott, Tanesha Humphrey, Claire Buxton – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

C/O Power Default Services, Inc.
Northpark Town Center
1000 Abernathy Rd NE; Bldg 400, Suite 200
Atlanta, GA 30328
Telephone: 855-427-2204
Fax: 866-960-8298



JOHN BEAZLEY, BOB DICKERSON, AARON PARKER, LOGAN THOMAS, RICK MONTGOMERY, PHILLIP PIERCEALL, TERRY WATERS, DOUGLAS RODGERS, CARY CORENBLUM, MATTHEW HANSEN, JOSHUA SANDERS, CLAY GOLDEN, CRAIG MUIRHEAD, SHAWN SCHILLER, ~~CARL NIENDORFF~~, L. KELLER MACKIE, MICHAEL W. ZIENTZ, MICHAEL D. VESTAL, WES WEBB, KRISTEN WALL, Donna Stockman or David Stockman
- Substitute Trustee(s)

C/O AVT Title Services, LLC
5177 Richmond Avenue Suite 1230
Houston, TX 77056

POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.

I am M. Beazley ^{Certificate of Posting} whose address is c/o AVT Title Services, LLC, AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on 4/14/2020 I filed this Notice of Foreclosure Sale at the office of the Dallas County Clerk and caused it to be posted at the location directed by the Dallas County Commissioners Court.

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S 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.

DEED OF TRUST INFORMATION:

Date: 12/24/2008
Grantor(s): JOHN W STOUFFER AND NANCY I STOUFFER
Original Mortgagee: JPMORGAN CHASE BANK, N.A.
Original Principal: \$200,000.00
Recording Information: Instrument 200900004745
Property County: Dallas
Property: (See Attached Exhibit "A")
Reported Address: 3405 PEBBLE BEACH DR, DALLAS, TX 75234-2218

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: JPMorgan Chase Bank, National Association
Mortgage Servicer: JPMorgan Chase Bank, N.A.
Current Beneficiary: JPMorgan Chase Bank, National Association
Mortgage Servicer Address: PO Box 1015238, Columbus, OH 43219

SALE INFORMATION:

Date of Sale: Tuesday, the 2nd day of June, 2020
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(s) is/are no longer the area(s) designated by the Dallas County Commissioner's Court, at the area most recently designated by the Dallas County Commissioner's Court.

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 Shelley Ortolani or Mary Mancuso or Michele Hreha or Russell Stockman or David Stockman or Brenda Wiggs or Denise Boerner or Guy Wiggs or Donna Stockman or Lori McCarty or Tim Lewis, Michael Burns, Tori 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. Shelley Ortolani or Mary Mancuso or Michele Hreha or Russell Stockman or David Stockman or Brenda Wiggs or Denise Boerner or Guy Wiggs or Donna Stockman or Lori McCarty or Tim Lewis, Michael Burns, Tori 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.

BY _____
JPMORGAN CHASE BANK
DALLAS COUNTY
COUNTY CLERK
JOHN F. WALKER
2020 APR 23 AM 10:28

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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.

Substitute Trustee(s): Shelley Ortolani or Mary Mancuso or Michele Hreha or Russell Stockman or David Stockman or Brenda Wiggs or Denise Boerner or Guy Wiggs or Donna Stockman or Lori McCarty or Tim Lewis, Michael Burns, Tori Jones, or Suzanne Suarez, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am Shelley Ortolani whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on 4.23.2020 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Dallas County Clerk and caused it to be posted at the location directed by the Dallas County Commissioners Court.

By: Shelley Ortolani

Exhibit "A"

BEING LOT 15, BLOCK K OF BROOKHAVEN HILLS WEST, SECOND SECTION, AN ADDITION TO THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 600, PAGE 1, MAP RECORD OF DALLAS COUNTY, TEXAS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254