

## NOTICE OF SUBSTITUTE 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.

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

2024 FEB - 9 AM 10: 09  
FILED  
JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY  
BY \_\_\_\_\_ DEPUTY

The following capitalized terms, as used in this document, shall have the meanings as set forth below:

***Borrower:***                       Jarrod Wilborn

***Lender:***                         Resource One Credit Union

***Note:***                         Promissory Note dated August 15, 2022 executed by Jarrod Wilborn delivered to Resource One Credit Union ("Resource One"), as Lender, in the original principal amount of \$2,640,000.00 (the "Note").

***Deed of Trust:***               Deed of Trust dated August 15, 2022, executed by and between Jarrod Wilborn, as borrower and grantor (collectively, "Borrower"), granting Resource One a security interest in real property commonly known as the address at 3504 Marquette St. Dallas, Tex 75225 (the "Property") to secure repayment of the Note and which is recorded at Instrument Number 2022-202200223280 of the Real Property Records of Dallas County, Texas (the "Deed of Trust").

***Property:***                   All of the property described in Exhibit A attached hereto and incorporated fully herein by reference, together with all improvements thereon, all personal property related thereto and all and singular the rights and appurtenances to the same belonging or in anywise incident or appertaining.

***Original Trustee:***         Mary Beth Spuck

***Substitute Trustee:***     Russell Devenport and/or Sarah Carmichael f/k/a Sarah M. Kline, any of them to act.

**Address of  
Substitute Trustee:**

777 Main Street  
Suite 2700  
Fort Worth, Texas 76102

**Sale Date:**

March 5, 2024, which is the first Tuesday of said month.

**Earliest Time  
For Sale:**

10:00 o'clock a.m. on the Sale Date with the sale to take place between 10:00 am and 4:00 pm; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three hours thereafter.

**County:**

Dallas County, Texas.

**Designated  
Sale Area:**

North Side of the George Allen Courts Building facing 600 Commerce Street Below the overhang, or as designated by the County Commissioners

A. Under the terms of the Deed of Trust, the Property was conveyed in trust to Original Trustee for the benefit of the holder of the Note to secure, among other obligations, the payment of the Note.

B. Resource One Credit Union ("Resource One" or "Lender") is the legal owner and holder of the indebtedness evidenced by the Note and secured by the Deed of Trust.

C. Default has occurred under the terms of the Note and the Deed of Trust. The indebtedness evidenced by the Note has either matured or has been accelerated in accordance with the terms of the Note and the Deed of Trust and as provided by law, and is now fully due and payable.

D. By written instrument entitled "Removal of Trustee and Appointment of Substitute Trustee," which was recorded as Clerk's Instrument Number 202300259009 of the Real Property Records of Dallas County, Texas, Resource One appointed the Substitute Trustee to assume the powers of and to act in the place and stead of Original Trustee under the Deed of Trust, the appointment being in the manner authorized by the Deed of Trust. Resource One also requested the Substitute Trustee to sell the Property in the manner provided in the Deed of Trust and as required by law to satisfy, in whole or in part, the obligations secured by the Deed of Trust.

NOW, THEREFORE, notice is hereby given that the undersigned, as the Substitute Trustee under the Deed of Trust, will sell the property by public sale at auction at the Designated Sale Area and on the Sale Date described above to the

highest bidder for cash. Such public sale will begin no earlier than the Earliest Time for Sale described above and no later than three (3) hours after that time.

NO WARRANTIES, EITHER EXPRESS OR IMPLIED, ARE OR SHALL BE MADE REGARDING THE PROPERTY AS TO MERCHANTABILITY, HABITABILITY, FITNESS FOR PURPOSE, WORKMANSHIP, OR QUALITY, AND NO POLICY OF TITLE INSURANCE WILL BE FURNISHED TO THE PURCHSER.

Pursuant to section 51.0075 of the Texas Property Code, the Substitute Trustee reserves the right to set further reasonable conditions for conducting the public sale. Any such further conditions shall be announced before bidding is opened for the sale.

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 Lender, the Borrower, the Lender's attorney or the Substitute Trustee.

The Deed of Trust permits the Lender to postpone, withdraw, or reschedule the public sale for another day. In that case, the Substitute Trustee under the Deed of Trust need not appear at the date, time and place of the currently scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code. Any such reposting or refiling may be after the Sale Date set forth herein.

Notice is further given, that except to the extent that the Substitute Trustee may bind and obligate Pinnacle Bank to warrant title to the Property under the Deed of Trust, pursuant to § 51.009 of the Texas Property Code, the Property will be sold in an "as is" and "where is" condition. Conveyance of the Property will be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable governmental records to determine the nature and extent of any title issues, liens, encumbrances or property taxes related to the Property and should independently satisfy themselves regarding the nature of the Property and its physical condition prior to the sale.

The name and address of the sender of this Notice of Substitute Trustee's Sale is:  
Russell Devenport  
777 Main Street  
Suite 2700  
Fort Worth, Texas 76102

The real property components and the personal property components of the Property will be sold together at the non-judicial foreclosure sale described above, as permitted by Section 9.604 of the Texas Business and Commerce Code, as amended.

EXECUTED on February 9, 2024.

SUBSTITUTE TRUSTEE

A handwritten signature in black ink, appearing to read "Russell Devenport", written over a horizontal line.

Russell Devenport, Substitute Trustee

**EXHIBIT A**

LOT 15, Block 55, UNIVERSITY HEIGHTS, FIFTH SECTION, an addition to the City of University Park, Dallas County, Texas, according to the map or plat thereof, recorded in Volume 7, Page 123, Plat Records, Dallas County, Texas.

which currently has the address of

3504 Marquette St.  
Dallas, Texas 75325  
["Property Address"]