

NOTICE OF FORECLOSURE SALE

Deed of Trust:

Dated: May 22, 2024
Grantor: REVIBE HOMES LLC, A TEXAS LIMITED LIABILITY COMPANY
Trustee: Chris Ferguson, managing attorney of Jack O'Boyle and Associates, a professional limited liability company
Lender: Closing Capital LLC, an Arizona limited liability company
Loan Servicer: Capital Fund I, LLC, an Arizona limited liability company
Recorded: **Instrument #202400106068**, recorded on May 28, 2024, in the official Real Property (Deed) Records of Dallas County, Texas
Secures: **Promissory Note** ("Note") in the original principal amount of \$180,000.00, executed by REVIBE HOMES LLC, A TEXAS LIMITED LIABILITY COMPANY ("Borrower") and payable to the order of Lender
Maturity Date: May 1, 2025

Assignment of Deed of Trust:

Dated: June 24, 2024
Recorded: **Instrument # 202400139292**, recorded July 12, 2024, in the official Real Property (Deed) Records of Dallas County, Texas
Assignor: Capital Fund REIT, LLC, AN ARIZONA LIMITED LIABILITY COMPANY company
Assignee: EB&T LOC LLC, an Arizona limited liability company
Loan Servicer: Capital Fund I, LLC, an Arizona limited liability company

Dated: February 6, 2025
Recorded: **Instrument #202500024309**, recorded February 6, 2025, in the official Real Property (Deed) Records of Dallas County, Texas
Assignor: EB&T LOC LLC, AN ARIZONA LIMITED LIABILITY COMPANY company
Assignee: Capital Fund REIT, LLC, an Arizona limited liability company
Loan Servicer: Capital Fund I, LLC, an Arizona limited liability company

Legal Description:

LOT 13, BLOCK 2/3492 OF MELROSE ADDITION, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 391 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS; and more commonly known as 823 S Winnetka Ave, Dallas, TX 75208.



FILED
APR 10 AM 10:55
JOHN E. WARREN
COUNTY CLERK
DALLAS COUNTY

FORECLOSURE SALE:

- Date: **Tuesday, May 6, 2025**
- Time: The sale of the Property will be held between the hours of **1:00 p.m. and 4:00 p.m.** local time; the earliest time at which the Foreclosure Sale will begin is **1:00 p.m.** and not later than three hours thereafter.
- Place: **ON THE NORTH SIDE OF THE GEORGE ALLEN COURTS BUILDING FACING COMMERCE STREET BELOW THE OVERHANG, OR IF THE PRECEDING AREA IS NO LONGER THE DESIGNATED AREA, AT THE AREA MOST RECENTLY DESIGNATED BY THE COUNTY COMMISSIONERS COURT**
- 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's or Loan Servicer's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.
- Substitute Trustee: Bennett M. Wyse, Ted Gambordella, Shelley Ortolani, Mary Mancuso, Michele Hreha, Francesca Ortolani, Guy Wiggs, David Stockman, Brenda Wiggs, Donna Stockman, Janet Pinder, Brandy Bacon, Michelle Schwartz, Jamie Dworsky, Angela Cooper, Carol Dunmon, Payton Hreha, and/or Jeff Benton

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, or its Loan Servicer, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender's, or Loan Servicer'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, Substitute 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 Loan Servicer passes the Foreclosure Sale, then 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

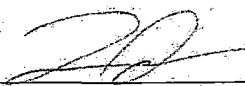
necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Lender, or Loan Servicer. 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, Substitute 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 Substitute Trustee.

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

SUBSTITUTE TRUSTEE:

By: 
Ted Gambordella, Substitute Trustee
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Dallas, Texas 75206
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