

**NOTICE OF SUBSTITUTE TRUSTEE'S NON-JUDICIAL
FORECLOSURE SALE**

Notice Concerning Military Duty: **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 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. Tex. Prop. Code § 51.002(i)**

STATE OF TEXAS }
 }
COUNTY OF LIMESTONE } **KNOW ALL MEN BY THESE PRESENTS:**

WHEREAS, by Deed of Trust (Wraparound Financing) (the "Deed of Trust") dated March 28, 2008, **ALBERTO AVILA** and Wife, **JULIE E. AVILA**, executed a Deed of Trust conveying to D. Woodard Glenn, as Trustee, the property situated in Limestone County, Texas, to-wit:

Being Lot 2, Block 4A, **MANNING PLACE ADDITION** out of **DIVISION XXXIV (34)**, City of Mexia, Limestone County, Texas according to the plat of said city of record in Vol. 2, page 17, Plat Records, Limestone County, Texas.

More commonly known as 207 S. Ross Avenue, Mexia, TX 76667

(herein the "Property") to secure that one certain Wraparound Promissory Note (the "Note") herein described, in the original principal amount of **SIXTY-FIVE THOUSAND FIVE HUNDRED AND NO/100THS DOLLARS (\$62,500.00)**, executed by **ALBERTO AVILA**, and Wife, **JULIE E. AVILA**, who joined therein for the sole purpose of encumbering her homestead interest, if any, made payable to **APOLLO FINANCIAL, INC.**, which such Deed of Trust is recorded in the Deed Records of Limestone County, Texas, and being document number 00082241 and recorded in Vol. 1276, Page 836 of the Deed Records of Limestone County, Texas; and

WHEREAS, the undersigned has been appointed as the Substitute Trustee (herein so called) together with Craig J. Luffy in place of the original Trustee by **APOLLO FINANCIAL, INC.** (the "Payee"), upon the contingency and in the manner prescribed by the Deed of Trust; and

WHEREAS, default has occurred under the terms of the Note secured by the Deed of Trust and the outstanding balance is now wholly due; and

WHEREAS, the owner and holder of said Note has requested the undersigned to sell said "Property" to satisfy said indebtedness.

PLEASE BE ADVISED that the Deed of Trust permits APOLLO FINANCIAL, INC. to postpone, withdraw or reschedule the sale for another day. In that case, the Substitute Trustee 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 re-filed in accordance with the posting and filing requirements of the Texas Property Code. The reposting or re-filing may be after the date originally scheduled for this sale.

FURTHER PLEASE BE ADVISED, because Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due, APOLLO FINANCIAL, INC., the owner and holder of the Note, has requested Philip D. Collins and Craig J. Luffy, whose address is 9330 LBJ Freeway, Suite 810, Dallas, Texas 75243, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the Deed of Trust.

FURTHER, PLEASE BE ADVISED AS FOLLOWS:


1. 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 APOLLO FINANCIAL, INC. to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.
2. Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the Property is sold.
3. 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.
4. Pursuant to the Deed of Trust, APOLLO FINANCIAL, INC. has the right to direct the Substitute Trustee to sell the Property in one or more parcels and/or to sell all or only part of the Property.
5. 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.
6. Pursuant to Section 51.0075 of the Texas Property Code, the Substitute 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 any Substitute Trustee.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN THAT ON TUESDAY, THE 3RD DAY OF DECEMBER, 2019, BETWEEN THE HOURS OF 10:00 A.M. AND 4:00 P.M., I WILL SELL SAID PROPERTY AT THE FRONT DOOR OF THE LIMESTONE COUNTY COURTHOUSE, 200 WEST STATE STREET, GROESBECK, TEXAS, IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT OF SUCH COUNTY, OR IF THAT PRECEDING AREA IS NO LONGER THE DESIGNATED AREA, AT THE AREA MOST RECENTLY DESIGNATED BY THE COUNTY COMMISSIONER'S COURT, TO THE HIGHEST BIDDER FOR CASH. SAID SALE WILL BEGIN AT 1:00 P.M. AND WILL TAKE PLACE NOT LATER THAN THREE HOURS AFTER THAT TIME.

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.

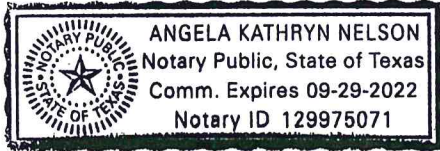
Witness the 4th day of November, 2019.



PHILIP D. COLLINS, Substitute Trustee

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this 4th day of November, 2019.



Angela Kathryn Nelson
Notary Public in and for the State of Texas

Please Return to:
PHILIP D. COLLINS & ASSOCIATES, P.C
PHILIP D. COLLINS
9330 LBJ FREEWAY, SUITE 810
Dallas, Texas 75243
(469) 453-4600
pdcollins@pdcollinslaw.com

Filed for Record in:
Limestone County

On: Nov 06, 2019 at 12:32P

By: Lederle Salazar

STATE OF TEXAS COUNTY OF LIMESTONE
I hereby certify that this instrument was
filed on the date and time stamped hereon by me and
was duly recorded in the named records of:
Limestone County as stamped hereon by me.

Nov 06, 2019

Kerrie Cobb, County Clerk
Limestone County