

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HOWARD

§

§

WHEREAS, by Deed of Trust dated December 20, 2022 (the "Deed of Trust") **Tonya Grigg**, conveyed to **David Zalman**, as Trustee the herein below described property situated in Collin County, Texas, to secure the payment of that certain Promissory Note and all other Indebtedness therein described (collectively the "Note"), which Deed of Trust is recorded in the office of the Howard County Clerk in Volume 2130, Page 686 in the Official Public Records of Real Property of Howard County, Texas, to which reference is hereby made for all purposes; and

WHEREAS, default has occurred in the payment of the Note and the same is now wholly due, and **Prosperity Bank** (the "Beneficiary"), the owner and holder of the Note, has requested the undersigned to sell the Property to satisfy the Note; and

WHEREAS, the above named Trustee and any previously appointed Substitute Trustee was removed under and in accordance with the Deed of Trust and the Beneficiary designated and appointed **L. David Smith, Shelley Nail, Donna Trout, Zane Nail, Zia Nail and Zoey Fernandez**, any of whom may act independently as Substitute Trustee to enforce the Trust, and any of whom may conduct the sale of the Property and may be contacted as indicated on the signature block below.

NOW, THEREFORE, pursuant to the authority conferred upon me by the Deed of Trust, **I, L. David Smith**, hereby give notice that I or one of the other Substitute Trustees whose names and addresses are set out below, will sell the Property at public auction to the highest bidder, for cash, on **Tuesday, July 2, 2024**. The earliest time at which the sale will occur shall be at **10:00 o'clock**

[C:\Users\ldsla\OneDrive\Documents\Prosperity Bank v Tonya Grigg\NDS.wpd]

Posted 12:02 P. M O'clock 6-10-24
FILED at
BRENT ZITTERKOPF County Clerk, Howard County, Texas
By Nancy Porter Deputy

A.M. and it may take place not later than three hours after said time, and the sale shall take place at the North door of the Howard County Courthouse 300 S. Main Street, Big Spring, Texas or as designated by the County Commissioner's office. This conveyance will be made subject to any exceptions referenced in the Deed of Trust to the extent the same are still in effect and shall not cover any part of the Property that has been released from the liens of the Deed of Trust. The Property that will be sold at the foreclosure sale includes the following described real property, together with all improvements and fixtures thereon and appurtenances thereto and all equipment and articles of personal property attached to or used in or on the buildings and improvements:

East 82' of Lot No. Twelve (12), in Block No. Twelve (12), Original Town of Big Spring, an Addition to the City of Big Spring, Howard County, Texas, according to the proper map or plat of record in Envelope 9/B, Plat Records of Howard County, Texas.

THE SALE OF THE PROPERTY IS "AS-IS" AND "WHERE-IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. THE SUBSTITUTE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE COMPLIANCE WITH THE LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

SUBSTITUTE TRUSTEES

NOTICE IS HEREBY PROVIDED THAT ONE OF THE FOLLOWING NAMED SUBSTITUTE TRUSTEES WHOSE ADDRESS AND CONTACT INFORMATION FOR PURPOSES HEREOF IS AS FOLLOWS MAY CONDUCT THE SALE:

L. David Smith, Shelley Nail, Donna Trout, Zane Nail, Zia Nail and Zoey Fernandez

c/o L. David. Smith
2618 Kittansett Circle
Katy Texas 77450
Telephone: (281)788-3666

Email: ldslaw7@gmail.com

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.

Dated this 7th day of June, 2024.

L. David Smith Substitute Trustee

L. David. Smith, Substitute Trustee
2618 Kittansett Circle
Katy Texas 77450
Telephone:(281) 788-3666
Email:ldslaw7@gmail.com

*Posted By
L. David Smith
6/10/24*