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2018 JUL 16 AM 9:36

CLERK OF COURTS
COUNTY CLERK HOWARD COUNTY

BY DEPUTY *Nancy Potter*

00000007198880

1501 W CHEROKEE ST
BIG SPRING, TX 79720

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.

1. Date, Time, and Place of Sale.

Date: August 07, 2018

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

Place THE NORTH FRONT DOOR OF THE HOWARD COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated August 01, 2006 and recorded in Document VOLUME 1019, PAGE 312 real property records of HOWARD County, Texas, with ADELA E DOMINGUEZ AND MANUEL S DOMINGUEZ, grantor(s) and BANK OF AMERICA, N.A., mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by ADELA E DOMINGUEZ AND MANUEL S DOMINGUEZ, securing the payment of the indebtednesses in the original principal amount of \$22,400.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. BANK OF AMERICA, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

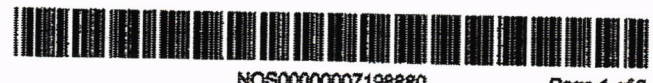
6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP
7105 CORPORATE DRIVE
PLANO, TX 75024

LANELLE LYNCH, SHELLEY NAIL, DONNA TROUT, JONATHAN SCHENDEL, RAMIRO CUEVAS, FREDERICK BRITTON, DOUG WOODARD, KRISTIE ALVAREZ, KRISTINA MCCRARY, SHELLY HENDERSON, CHELSEA BROOKS, JOHN MCCARTHY, OR DAVID CARRILLO

Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001



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1501 W CHEROKEE ST
BIG SPRING, TX 79720

00000007198880
Date of Sale: 08/07/2018

My name is DAVID CARL 7-16-18 Certificate of Posting, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas. I declare under penalty of perjury that on 7-16-18 I filed at the office of the HOWARD County Clerk and caused to be posted at the HOWARD County courthouse this notice of sale.

Declarant's Name: David Carl
Date: 7-16-18

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HOWARD



LOT NUMBER FIVE (5) IN BLOCK NUMBER FOUR (4) IN INDIANOLA ADDITION TO THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS, AS PER THE MAP OR PLAT OF SAID ADDITION OF RECORD IN THE OFFICE OF THE COUNTY CLERK OF SAID HOWARD COUNTY, TEXAS.

BEING THAT PARCEL OF LAND CONVEYED TO MANUEL S. DOMINGUEZ ET UX ADELA DOMINUEZ FROM ROBERT C. WEAVER, SECRETARY OF HOUSING AND URBAN DEVELOPMENT, OF WASHINGTON, D.C. BY THAT DEED DATED 07/30/1968 AND RECORDED 08/08/1968 IN DEED BOOK 397, AT PAGE 437 OF THE HOWARD COUNTY, TX PUBLIC REGISTRY.

Cause No. 52518

BANK OF AMERICA, N.A.,
Plaintiff,

IN THE DISTRICT COURT

Filed 4/2/2018 9:30 AM
Colleen Barbo
District Clerk
Howard County, Texas

v.

PHILLIP JAMES DOMINGUEZ,
Defendant.

OF HOWARD COUNTY, TEXAS

In Re: 1501 W. CHEROKEE ST.,
BIG SPRING, TEXAS 79720

118TH JUDICIAL DISTRICT

DEFAULT JUDGMENT

After considering plaintiff, Bank of America, N.A.'s, its successors or assigns, motion for default judgment, pleadings, and evidence on file the Court GRANTS the motion and finds:

1. Citation properly served on defendants according to law and returned on file with the Clerk of this Court for the time prescribed by law.
2. Defendant, Phillip James Dominguez was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit. The last known address for defendant, Phillip James Dominguez is as follows: 1501 W. Cherokee St., Big Spring, Texas 79720.
3. None of the defendants who were personally served are in active military service.
4. The Loan Agreement between Manuel S. Dominguez and Adela E. Dominguez and the plaintiff is in default and that plaintiff is in the beneficiary of that agreement on the property made the basis of lawsuit.
5. Plaintiff entitled to the relief sought in plaintiff's original petition. Therefore it is:

IT IS ORDERED that:

Phillip James Dominguez was vested with all right, title and interest in the real property and improvements commonly known as 1501 W. Cherokee St., Big Spring, Texas 79720 ("Property") and legally described as:

LOT NUMBER FIVE (5) IN BLOCK NUMBER FOUR (4) IN INDIANOLA ADDITION TO THE CITY OF BIG SPRING, HOWARD COUNTY, TEXAS, AS PER THE MAP OR PLAT OF SAID ADDITION OF RECORD IN THE OFFICE OF THE COUNTY CLERK OF SAID HOWARD COUNTY, TEXAS.

BEING THAT PARCEL OF LAND CONVEYED TO MANUEL S. DOMINGUEZ ET UX ADELA DOMINUEZ FROM ROBERT C. WEAVER, SECRETARY OF HOUSING AND URBAN DEVELOPMENT, OF WASHINGTON, D.C. BY THAT DEED DATED 07/30/1968 AND RECORDED 08/08/1968 IN DEED BOOK 397, AT PAGE 47 OF THE HOWARD COUNTY, TX PUBLIC REGISTRY.

IT IS FURTHER ORDERED plaintiff, its successors or assigns, has a valid lien on the Property by way of a Texas Home Equity Security Instrument dated August 1, 2006 and filed under Volume 1019, Page 312 of the Official Public Records of Howard County, Texas.

IT IS FURTHER ORDERED that this Default Judgment serves as an Order authorizing plaintiff, its successors or assigns, to foreclose its lien created under TEX. CONST. art. XVI, § 50(a)(6) in compliance with the Loan Agreement and TEX. PROP. CODE § 51.002.

IT IS FURTHER ORDERED that a copy of this Default Judgment shall be sent to defendant with the notice of the date, time and place of the foreclosure sale.

IT IS FURTHER ORDERED that plaintiff, its successors or assigns, may communicate with the defendant and all third parties reasonably necessary to conduct the foreclosure sale.

IT IS FURTHER ORDERED that if defendant is represented by counsel, the notice of foreclosure sale shall also be mailed to counsel by certified mail.

IT IS FURTHER ORDERED that one of the effects of the non-judicial foreclosure shall be that defendant is divested and the purchaser of the Property at the non-judicial foreclosure sale is vested with all right, title and interest to the Property.

IT IS FURTHER ORDERED that no personal liability or deficiency for the Loan Agreement debt shall be asserted against the defendant or the putative estates of Manuel S. Dominguez and Adela E. Dominguez.

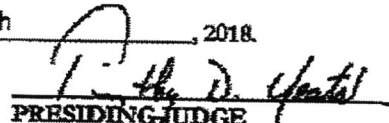
IT IS FURTHER ORDERED that after the non-judicial foreclosure is held, if the property remains occupied after this judgment becomes final and the plaintiff, its successors or

assigns, is the purchaser of the Property at the non-judicial foreclosure sale, a writ of possession shall issue against any occupant of the Property in accordance with Tex. R. Civ. P. 310.

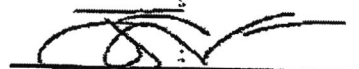
All relief not expressly granted is denied.

This judgment finally disposes of all parties and all claims and is appealable.

SIGNED this 29 day of March, 2018.


PRESIDING JUDGE

APPROVED AS TO FORM & SUBSTANCE:


Joseph M. Vacek
State Bar No.: 24039948
4004 Belt Line Road, Suite 100
Addison, Texas 75001-4320
(972) 340-7809
(972) 341-0734 (Facsimile)
JosephV@bdfgroup.com

ATTORNEY FOR PLAINTIFF