

**POSTED**  
DATE 10/11/18  
3:20 p.m.

## Notice of Foreclosure Sale

October 12, 2018

### Deed of Trust ("Deed of Trust"):

Dated: **February 17, 2010**  
Grantor: **Elizabeth Ashley Figueroa and Joseph Leon Galvan**  
Trustee: **Peter F. Sheridan**  
Lender: **SDD Financial, LLC, a Texas limited liability company**  
Recorded in: **Instrument Number 10-319, Volume 1011, Page 270** of the real property records of **Nolan County, Texas.**

### Legal Description: **SURFACE ESTATE ONLY:**

*A tract of land located in Section Two (20 of the GULFTON HEIGHTS SUBDIVISION of part of Survey No. Fifty-Two (52) in Block No. Twenty-Two (22) of the T&P Ry. Co. Surveys in Nolan County, Texas, described by metes and bounds on Exhibit "A" appended hereto and incorporated herein by reference.*

Secures: **Real Estate Lien Note ("Note")** in the original principal amount of **\$50,600.00**, executed by **Elizabeth Ashley Figueroa and Joseph Leon Galvan** ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Original Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Property: **125 Gulfton Rd., Sweetwater, Texas 79556**

Substitute Trustee: **Jim Turkett**

Substitute Trustee's Address: **2201 S. Willis, Abilene, Texas 79605**

### Foreclosure Sale:

Date: **November 6, 2018**

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time; **the earliest time at which the**

**Foreclosure Sale will begin at 10:00am and not later than three hours thereafter.**

**Place:** Nolan County Courthouse located at 100 E. 3<sup>rd</sup> Street, Sweetwater, Texas at the specific location as designated by the commissioners court for sales of property under Tex. Prop. Code §51.002 in Nolan County, Texas.

**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 SDD Financial LLC's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

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, SDD Financial, LLC, the owner and holder of the Note, 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 SDD Financial, LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with SDD Financial LLC'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 SDD Financial, LLC passes the Foreclosure Sale, 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/Beneficiary]. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

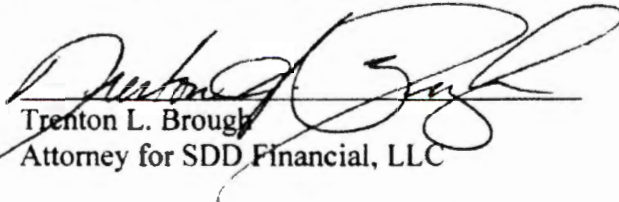
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold **"AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.** Prospective bidders are advised to conduct an independent investigation of the nature and 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.

**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.**

**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 OR MORTGAGE SERVICER.**

  
Trenton L. Brough  
Attorney for SDD Financial, LLC