

FILED FOR RECORD

2023 MAR -2 AM 8:56

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

JOANNA BLANCO
CASTRO COUNTY

DISTRICT & COUNTY CLERK

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving in 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.

DATE: February 24, 2023

SECURITY INSTRUMENT: Texas Home Equity Security Instrument (First Lien)
Date: July 20, 2012
Grantor: Tomas Alanis and Lulu Alanis fka Lulu Sanchez, a married couple
Lender: Amarillo National Bank
Trustee: J. Gregg Jordan
Substitute Trustee: Robert Glenn III, Garland D. Sell, or Kerry McLain
Recorded: under Clerk's File No. 60537, BK OR Vol. 344, Pg. 167 in the Official Public Records of Castro County, Texas

COURT ORDER: Rule 736 Default Order under Cause No. A10874-2212 in the 64th Judicial District Court of Castro County, Texas

PROPERTY: All of the West half (W/75') of Lots Number One (1), Two (2), and Three (3), in Block Number One Hundred Thirty-seven (137), Original Town of Dimmitt, Addition to the City of Dimmitt, Castro County, Texas, as shown by the recorded map or plat in Vol. 3, Page 240, Deed Records, Castro County, Texas. Together with all the right, title and interest in and to the East ten feet (E/10') of the North and South alley adjacent to the within land on the West side, which has the address of 405 W. Jones Street, Dimmitt, TX 79027.

SUBJECT TO all valid existing building and use restrictions, easements and rights-of-way of record, visible or apparent, if any, and valid reservations of oil, gas and other mineral interests, if any, and 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 Security Instrument.

DATE OF SALE: April 4, 2023

EARLIEST TIME SALE WILL BEGIN: 10:00 a.m. or within three hours after that time.

PLACE OF SALE: Inside the North foyer entrance of the Castro County Courthouse at 100 E. Bedford Street, Dimmitt, Texas, 79027, in front of the Commissioner's Court bulletin board, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners.

Because of default in performance of the obligations of the Security Instrument and as provided for in the Court Order, Substitute Trustee will sell the property described in the Security Instrument by public auction to the highest bidder for cash at the place and date specified to satisfy the debt secured by the Security Instrument.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Grantor, the Beneficiary, the Substitute Trustee, or the Beneficiary's attorney.


ROBERT GLENN III, GARLAND D. SELL
KERRY McLAIN Substitute Trustee
c/o Sell Griffin McLain PC
4801 Lexington Square
Amarillo, TX 79119
(806) 374-3765

In Re: Order for Foreclosure
Concerning

405 W. Jones Street, Dimmitt, TX 79027
("Property Mailing Address")
under Tex.R.Civ.P.736

Amarillo National Bank
("Petitioner")

Tomas Alanis and Lulu Alanis fka
Lulu Sanchez
("Respondents")

In the District Court of

Castro County, Texas

64th Judicial District Court

DEFAULT ORDER

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited foreclosure order. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.
2. The name and last known address of Respondents subject to this order are Tomas Alanis and Lulu Alanis fka Lulu Sanchez. Respondents were properly served with citation, but they did not file a response within the time required by law. The returns of service for Respondents have been on file with the Court for at least ten days.
3. The property that is the subject of this foreclosure proceeding is commonly known as 405 W. Jones Street, Dimmitt, TX 79027 with the following legal description:

All of the West half (W/75') of Lots Number One (1), Two (2), and Three (3), in Block Number One Hundred Thirty-seven (137), Original Town of Dimmitt, Addition to the City of Dimmitt, Castro County, Texas, as shown by the recorded map or plat in Vol. 3, Page 240, Deed Records, Castro County, Texas. Together with all the right, title and interest in and to the East ten feet (E/10') of the North and South alley adjacent to the within land on the West side.

4. The lien sought to be foreclosed is recorded in Volume 344, Page 167 of the Official Public Records of Castro County, Texas.
5. The material facts establishing Respondents' default are alleged in Petitioner's application and supporting affidavit. Those facts are adopted by the Court and incorporated by reference in this order.
6. Based on the affidavit of Petitioner's authorized representative, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 *et seq.*

7. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the lien sought to be foreclosed.
8. This order is not subject to a motion for rehearing, new trial, bill of review, or appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

IT IS SO ORDERED.

SIGNED this 23rd day of February, 2023.



Judge Presiding