NOTICE OF FORECLOSURE 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. *Property to Be Sold.* The property ("Property") to be sold is described as follows:

Lot Fifty-Two (52) and a part of Lot Thirty (30), of Friendswood Forest, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 254-A, Page 79 and transferred to Plat Record 9, Map No. 99, both of the Map Records of Galveston County, Texas, said part of Lot 30 being more particularly described by metes and bounds on Exhibit "A" attached hereto.

2. *Instrument to Be Foreclosed.* The instrument to be foreclosed is the deed of trust described more fully as follows:

Deed of Trust dated September 26, 2012, from Christine Mendoza Lopez, as grantor, conveying the Property in trust to Patrick F. Doyle, Dennis R. Bettison, Darrell A. Apffel, Benjamin Shabot, Scott A. Mixon or Ethan Baker, as trustee, for the benefit of Patrick J. McGinnis ("Beneficiary"), recorded under Clerk's File No. 2012052792, Real Property Records, Galveston County, Texas ("Deed of Trust").

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: **FEBRUARY 4, 2020**

Time: The sale will begin no earlier than **1:00 p.m.** or no later than three hours thereafter.

Place: THE FIRST FLOOR LOBBY OF THE GALVESTON COUNTY COURTHOUSE, 722 MOODY, GALVESTON, TEXAS, as currently designated by the County Commissioners of Galveston County, Texas for real property foreclosures.

The Beneficiary may 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 refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

4. *Terms of Sale*. 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 the Beneficiary thereunder 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.

Those desiring to purchase the Property will need to demonstrate their ability to pay their bid immediately IN CASH if their bid is accepted.

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.

Pursuant to the Deed of Trust, the Beneficiary 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.

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.

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 the Substitute Trustee.

5. *Type of Sale*. The sale is a non-judicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust.

6. *Obligations Secured*. The Deed of Trust secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to that certain real estate lien note ("Note") dated effective **September 26, 2012,** in the original principal amount of **ONE HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($157,500.00),** executed by **Christine Mendoza Lopez** and payable to the order of **Patrick J. McGinnis. Patrick J. McGinnis** is the current owner and holder of the Note and Obligations and is the current Beneficiary under the Deed of Trust.

7. Pursuant to the Deed of Trust, Beneficiary made, constituted and appointed in writing, **RONALD A. MURRAY, STACI A. GRIFFIN, AND KYLE L. DICKSON** as substitute trustees (each being a "Substitute Trustee") in that certain *Appointment of Substitute Trustee* dated March 12, 2019; to exercise the power of sale under the Deed of Trust for the purpose of enforcing the collection of the Obligations.

8. *Default and Request to Act*. Default has occurred under the Deed of Trust, and although demand was made upon **Christine Mendoza Lopez**, the default was not cured, and the

Beneficiary has requested a Substitute Trustee conduct this sale. Notice is given that before the sale, the Beneficiary may appoint other substitute trustees to conduct the sale.

Questions concerning the sale may be directed to the attention of Substitute Trustees, c/o Murray | Lobb, PLLC, at 700 Gemini, Suite 115, Houston, Texas 77058, phone number 281-488-0630.

DATED this the 3rd day of January, 2020.

Signature

Staci A. Griffin, Substitute Trustee

c/o Murray | Lobb, PLLC
700 Gemini, Suite 115
Houston Texas 77058

EXHIBIT "A"

Lot Fifty-Two (52) and a part of Lot Thirty (30), of Friendswood Forest, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 254-A, Page 79 and transferred to Plat Record 9, Map No. 99, both of the Map Records of Galveston County, Texas, said part of Lot 30 being more particularly described by metes and bounds as follows:

A tract of land containing 428.94 square feet, more or less, being a part of Lot 30 of FRIENDSWOOD FOREST, a subdivision in the Voss Subdivision, in Galveston County, Texas, according to the map thereof, recorded in Volume 254-A, Page 79 in the Office of the County Clerk of Galveston County, Texas, said tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1 inch iron pipe found marking the South corner of Lot 52, the West corner of Lot 30 and the Southwest corner of the herein described tract;

THENCE North 45°00'00" East, along the line common to Lots 52 and 30, a distance of 214.00 feet to a 3/8 inch iron rod found marking the Northeast corner of the herein described tract, same being the East corner of Lot 52 and the North corner of said Lot 30;

THENCE South 40°10'47" West, a distance of 119.00 feet to an angle point;

THENCE South 50°58'57" West, a distance of 95.94 feet to the POINT OF BEGINNING and containing 428.94 square feet of land, more or less.

FILED

Instrument Number: *FILED2020000031*

Filing Fee: 23.00

Number Of Pages:5

Filing Date: 01/09/2020 3:43PM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.

Dwight D. Sullivan, County Clerk
Galveston County, Texas

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*