

NOTICE OF FORECLOSURE SALE

FILED FOR RECORD
HOPKINS COUNTY, TEXAS
2020 JUN 16 P 1:07
TRACY SMITH
COUNTY CLERK
BY *Shawn DeWitt*

Deed of Trust:

Dated: October 8, 2019 (on or about)
Grantor: Arturo Nevarez and Indira Garcia
Trustee: Michael E. Gillman
Lender: WILDCAT LENDING FUND ONE, LP, a Texas limited partnership
Recorded in: Instrument No. 20195112 recorded on October 17, 2019, in the real property records of Hopkins County, Texas.
Secures: Promissory Note ("Note") in the original principal amount of \$217,000.00, executed by Arturo Nevarez and Indira Garcia ("Borrower") and payable to the order of Lender.
Legal Description: See Exhibit "A"
More commonly known as: 525 County road 3502, Sulphur Springs, Texas 75482.

Foreclosure Sale:

Date: Tuesday, July 7, 2020
Time: The sale of the Property will be held between the hours of 1:00 P.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 1:00 P.M. and not later than three hours thereafter.
Place: At the southwest entrance door to the first floor of the Hopkins County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.
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 Wildcat Lending Fund One LP, a Texas limited partnership's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.
Substitute Trustee: Kavish Wazirali, or Adnan Merchant, or Harriett Fletcher, or Robert LaMont, or Sheryl LaMont, or Allan Johnston, or Sharon St. Pierre, or Ronnie Hubbard.

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, Wildcat Lending Fund One LP, a Texas limited partnership, 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 Wildcat Lending Fund One LP, a Texas limited partnership's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Wildcat Lending Fund One LP, a Texas limited partnership'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 Wildcat Lending Fund One LP, a Texas limited partnership 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 Wildcat Lending Fund One LP, a Texas limited partnership. 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.

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.



By: _____

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Posted by Harriett Fletcher 06-16-2020

Exhibit "A"
Legal Description

ALL that certain 17.10 acre lot, tract or parcel of land situated in the Elizabeth Melton Survey, Abstract No. 583, Hopkins County, Texas, being all of a called 8.5622 acre Tract 1 and all of a called 8.562 acre Tract 2 described in a deed from Daniel Clifford Wood and wife, Cathey L Wood to Donald P. Tiegiser and wife, Taffy K. Tiegiser recorded in Volume 196, Page 634, Real Property Records, Hopkins County, Texas, (R.P.R.H.C.T.), said 17.10 acre tract being described by metes and bounds as follows:

Beginning at a 1/4" iron pipe found at the northwest corner of said 8.562 acre Tract 1, the southwest corner of a called 17.74 acre tract described in a deed to Don Sapaugh and Jill Sapaugh recorded in Instrument No. 2016-2813, Official Public Records, Hopkins County, Texas, (O.P.R.H.C.T.), and on the east line of a called 39.91 acre tract described in a deed to Satumino Tellez and wife, Maria Aldava De Tellez recorded in Volume 917, Page 657, O.P.R.H.C.T.;

THENCE N 86°39'30" E along the north line of said 8.562 acre Tract 1 and the south line of said 17.74 acre tract, at 1378.59 feet passing a 1/2" iron rod and pink cap stamped "landmark LS" found for reference, continuing in all a total distance of 1395.52 feet to a point for corner at the northeast corner of said 8.562 acre Tract 1, on the south line of said 17.74 acre tract, and in the approximate centerline of County Road No. 3502;

THENCE S 01°27'12" E along the east line of said 8.562 acre Tract 1, the east line of said 8.562 acre Tract 2, and generally along said road; at 266.25 feet passing the southeast corner of said 8.562 acre Tract 1 and the northeast corner of said 8.562 acre Tract 2, from which a 1/2" iron rod found for reference bears S 86°38'14" W a distance of 18.89 feet, continuing in all a total distance of 534.04 feet to a 1/2" iron rod and pink cap stamped "Landmark LS" set at the southeast corner of said 8.562 acre Tract 2 and the northeast corner of a called 6.302 acre tract described in a deed to Hopkins County recorded in Volume 20, Page 540, R.P.R.H.C.T.;

THENCE S 86°34' 48" W along the south line of said 8.562 acre Tract 2 and the north line of said 6.302 acre tract a distance of 1390.40 feet to a 1/2" iron rod and pink cap stamped "landmark LS" set at the southwest corner of said 8.562 acre Tract 2, the northwest corner of said 6.302 acre tract, and on the east line of said 39.91 acre tract;

THENCE N 02°00'26" W along the west line of said 8.562 acre Tract 2, the west line of said 8.562 acre Tract 1, and the east line of said 39.91 acre tract, at 268.54 feet passing a 1/4" iron pipe found at the northwest corner of said 8.562 acre Tract 2 and the southwest corner of said 8.562 acre Tract 1, continuing in all a total distance of 535.80 feet to the POINT OF BEGINNING and containing 17.10 acres of land, more or less.