



NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public non-judicial foreclosure sale.

1. **Property to be Sold.** The property to be sold includes all such real property described in the below referenced Deed of Trust and further described to include, but not to limit, as follows:

The West 40 feet of Lot 45 and the East 20 feet of Lot 46, Skyline Terrace Addition, Installment #1, an Addition to the City of Lubbock, Lubbock County, Texas, according to the map, plat and/or dedication deed thereof, recorded in Vol. 643, Page 641, Deed Records, Lubbock County, Texas.

2. **Deed of Trust.** The document entitled Deed of Trust ("Deed of Trust") pursuant to which this sale will be conducted is described as follows:

Dated: June 29, 2018
Grantor: Anna M. Menjares, an unmarried woman
Beneficiary: FirstCapital Bank of Texas, N.A.
Recorded: July 3, 2018, under Clerk's File No. 2018025038, of the Official Public Records of Lubbock County, Texas

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

Date: June 6, 2023
Time: The sale shall begin no earlier than 10:00 o'clock, A.M. or no later than three (3) hours thereafter. The sale shall be completed by no later than 1:00 P.M.
Place: At the gazebo located on the front lawn of the County Courthouse at 904 Broadway Street, Lubbock, Texas 79403, with the first alternate location being the second floor auditorium at 916 Main Street and the second alternate locating being the Commissioners' Court located on the fifth floor of the Courthouse or as designated by the County

Commissioner's office of as designated by the County Commissioners Court.

The Deed of Trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust 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. Such 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 cash on the day the property is sold. The property to be sold shall include all real property secured by the Deed of Trust that has not been previously released.

The 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 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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 provides that it secures the payment of the indebtedness and obligations therein described (collectively the "obligations") including but not limited to (1) Promissory Note in the original principal amount of \$48,450.00, executed by Anna M. Menjares, and payable to the order of FirstCapital Bank of Texas, N.A. (the "Note"); (2) all renewals and extensions of the Note; and (3) any and all present and future indebtedness of Anna M. Menjares to FirstCapital Bank of Texas, N.A. FirstCapital Bank of Texas, N.A. is the current owner and holder of the obligations and is the Beneficiary under the Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the Beneficiary, FirstCapital Bank of Texas, N.A., 3900 S. Soncy Road, Amarillo, Texas 79119.

7. **Default and Request to Act.** Default has occurred under the Deed of Trust, and the Beneficiary has requested me, Samuel S. Karr, Bailey Hartman, C. Jared Knight, or Cathy Miller, as Substitute Trustee, to conduct this sale. Notice is given that before the sale, the Beneficiary may appoint another person as Substitute Trustee to conduct the sale.

8. **Statutory Notice of Servicemember Rights.** **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.**

DATED this the 3rd day of May, 2023.

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By: 
Samuel S. Karr
State Bar No. 24007466

Bailey Hartman
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FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Kelly Pinion

Kelly Pinion, County Clerk
Lubbock County, TEXAS
05/08/2023 09:24 AM
FEE: \$3.00
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