

# Notice of Substitute Trustee Sale

T.S. #: 22-7002

**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.**

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

Date: **8/2/2022**

Time: The sale will begin no earlier than **10:00 AM** or no later than three hours thereafter. The sale will be completed by no later than **1:00 PM**

Place: **Cooke County Courthouse in Gainesville, Texas, at the following location: On the east steps of the historic Cooke County Courthouse located at 101 South Dixon Street, Gainesville, TX, 76240, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE**

**Property To Be Sold** - The property to be sold is described as follows:

**SEE ATTACHED EXHIBIT "A"**

**Instrument to be Foreclosed** – The instrument to be foreclosed is the Deed of Trust is dated 8/15/2018 and is recorded in the office of the County Clerk of Cooke County, Texas, under County Clerk's File No 2018-85722 recorded on 8/27/2018 in Book Page of the Real Property Records of Cooke County, Texas.

903 SUMMIT AVENUE  
GAINESVILLE, TX 76240

Trustor(s): **MERITOCRACY C-STORE INC., A TEXAS CORPORATION** Original Beneficiary: **US METRO BANK**

Current Beneficiary: **US METRO BANK** Loan Servicer: **US METRO BANK**

Current Substituted Trustees: **Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Irene Lindsay, Dana Kamin, Lisa Bruno, Angie Uselton, Jami Hutton, Tonya Washington, Monica Henderson, Terry Waters, Logan Thomas, Shelley Ortolani, Mary Mancuso, Francesca Ortolani, Shelley Ortolani, Michele Hreha, Rick Snoke, Briana Young, Patricia Sanchez, Kristy Forget, Heather Smith, Prestige Default Services, LLC**

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

**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. 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,



4754264

FILED FOR RECORD

22 JUL 12 PM 12:30

JAY HARRISON  
COUNTY CLERK, COOKE COUNTY, TX

BY BC DEPUTY

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the beneficiary has the right to direct the 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 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 trustee or any substitute trustee.

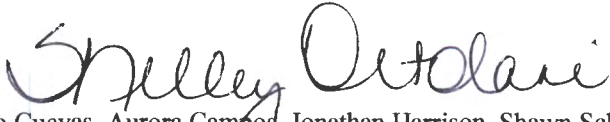
**Type of sale** - The present Beneficiary under the Deed of Trust has elected to conduct a unified foreclosure sale pursuant to the provisions of Texas Business and Commercial Code § 9.604 (a) and to include in the non-judicial foreclosure pursuant to the power of the sale granted by the deed of trust described in this Notice of Trustee's Sale all of the personal property and fixtures described in said Deed of Trust. The present Beneficiary reserves the right to revoke its election as to some or all of said personal property and/or fixtures, or to add additional personal property and/or fixtures to the election herein expressed, at the present Beneficiary's sole election, from time to time and at any time until the consummation of the trustee's sale to be conducted pursuant to the Deed of Trust and Notice of Trustee's Sale. The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

**Obligations Secured** - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$2,900,000.00, executed by MERITOCRACY C-STORE INC., A TEXAS CORPORATION, and payable to the order of US METRO BANK; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of MERITOCRACY C-STORE INC., A TEXAS CORPORATION to MERITOCRACY C-STORE INC., A TEXAS CORPORATION. US METRO BANK is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Questions concerning the sale may be directed to the undersigned or to the beneficiary:

**US METRO BANK**  
**5401 BEACH BLVD**  
**BUENA PARK, CA 90621**  
**714-367-3889**

Dated: 7/12/2022   
Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Irene Lindsay, Dana Kamin, Lisa Bruno, Angie Uselton, Jami Hutton, Tonya Washington, Monica Henderson, Terry Waters, Logan Thomas, Shelley Ortolani, Mary Mancuso, Francesca Ortolani, Shelley Ortolani, Michele Hreha, Rick Snoke, Briana Young, Patricia Sanchez, Kristy Forget, Heather Smith, Prestige Default Services, LLC

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Prestige Default Services, LLC  
9720 Coit Road, Suite 220-228  
Plano, Texas 75025  
Phone: (972) 893-3096 ext. 1035  
Fax: (949) 427-2732

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**AFTER RECORDING, PLEASE RETURN TO:**

Prestige Default Services, LLC

9720 Coit Road, Suite 220-228

Plano, Texas 75025

Attn: Trustee Department

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**Exhibit A  
Legal Description**

1.02 ACRE TRACT IN THE JOHN WALKER SURVEY ABSTRACT 1151, IN THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS, BEING TRACT ONE AND TRACT TWO AS DESCRIBED IN DEED FROM TIMOTHY F. CAMP AND PATTY L. CAMP TO MERITOCRACY C-STORE, INC. RECORDED IN VOLUME 2034, PAGE 538 OF THE COOKE COUNTY OFFICIAL PUBLIC RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND STEEL PIN AT THE INTERSECTION OF THE NORTH LINE OF US HWY 82 WITH THE EAST LINE OF REFINERY ROAD, SAID POINT BEING THE SOUTHWEST CORNER OF SAID TRACT ONE, ON THE NORTH LINE OF TRACT CONVEYED TO THE CITY OF GAINESVILLE BY DEED RECORDED IN VOLUME 308, PAGE 382 OF THE COOKE COUNTY DEED RECORDS;

THENCE NORTH, WITH SAID EAST LINE OF REFINERY ROAD, PASSING THE NORTHWEST CORNER OF SAID TRACT ONE AND THE SOUTHWEST CORNER OF SAID TRACT TWO (AS DESCRIBED IN A DEED FROM PETER ROBINSON LIVING TRUST OF APRIL 4, 2002 TO TIM CAMP, ET UX RECORDED IN VOLUME 1556, PAGE 677 OF SAID PUBLIC RECORDS) AND CONTINUING A TOTAL DISTANCE OF 256.47 FEET TO A FOUND STEEL PIN AT THE NORTHWEST CORNER OF SAID TRACT TWO;

THENCE NORTH 89 DEG 56 MIN 55 SEC EAST, WITH THE NORTH LINE OF SAID TRACT TWO, A DISTANCE OF 170.00 FEET TO A SET STEEL PIN AT THE NORTHWEST CORNER OF SAID TRACT TWO AND THE NORTHEAST CORNER OF SAID ROBINSON TRUST TO CAMP TRACT;

THENCE SOUTH, A DISTANCE OF 130.00 FEET TO A SET STEEL PIN AT THE SOUTHEAST CORNER OF SAID TRACT TWO AND SAID CAMP TRACT;

THENCE SOUTH 89 DEG 56 MIN 55 SEC WEST, A DISTANCE OF 22.80 FEET TO A SET PK NAIL AT THE ENORTHERNMOST NORTHEAST CORNER OF SAID TRACT ONE, ON THE SOUTH LINE OF SAID TRACT TWO;

THENCE SOUTH, A DISTANCE OF 28.00 FEET TO A SET PK NAIL AT AN INSIDE CORNER OF SAID TRACT ONE;

THENCE NORTH 89 DEG 56 MIN 55 SEC EAST, A DISTANCE OF 20.00 FEET TO A FOUND STEEL PIN AT THE EASTERNMOST NORTHEAST CORNER OF SAID TRACT ONE;

THENCE SOUTH, A DISTANCE OF 115.00 FEET TO A FOUND STEEL PIN ON THE NORTHLINE OF SAID US HWY 82;

THENCE SOUTH 89 DEG 56 MIN 55 SEC WEST, WITH SAID NORTH LINE, A DISTANCE OF 80.00 FEET TO A FOUND STEEL PIN;

THENCE NORTH 80 DEG 35 MIN 15 SEC WEST, A DISTANCE OF 88.39 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.02 ACRES OF LAND, MORE OR LESS.

NOTE: THE COMPANY IS PROHIBITED FROM INSURING THE AREA OR QUANTITY OF THE LAND DESCRIBED HEREIN. ANY STATEMENT IN THE ABOVE LEGAL DESCRIPTION OF THE AREA OR QUANTITY OF LAND IS NOT A REPRESENTATION THAT SUCH AREA OR QUANTITY IS CORRECT, BUT IS MADE ONLY FOR INFORMATION AND/OR IDENTIFICATION PURPOSES AND DOES NOT OVERRIDE ITEM 2 OF SCHEDULE B HEREOF.