

**NOTICE OF FORECLOSURE SALE
("SUBSTITUTE TRUSTEE'S" 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.

DATE OF NOTICE: December 16, 2024

**INSTRUMENT TO BE
FORECLOSED:** Deed of Trust ("Deed of Trust")

DATED: January 27, 2022

GRANTOR: Cynthia Guadalupe Gutierrez Coronado

TRUSTEE: Michael H. Patterson

LENDER: Shane Powell

**CURRENT
HOLDER:** Shane Powell

RECORDED IN: Deed of Trust is recorded under Instrument Number 190567-2022 of the real property records of Lamar County, Texas.

**LEGAL DESCRIPTION &
PROPERTY TO BE SOLD:** CITY OF PARIS, BLOCK 230, LOT PT OF 12, 465 NW 13TH

(MORE COMMONLY KNOWN AS: 465 13TH STREET NW, PARIS, TEXAS 75460)

OBLIGATION SECURE: Deed of Trust or Contract Lien executed by Cynthia Guadalupe Gutierrez Coronado, securing the payment of the indebtedness in the original principal amount of

\$64,600.00, and obligations therein described including but not limited to (a) the Promissory Note and (b) **any and all modifications, renewals, and extensions of the Promissory Note.** Shane Powell is the current mortgagee of the Promissory Note and Deed of Trust.

FORECLOSURE SALE:

DATE: January 7, 2025

TIME: The earliest time the sale will begin is 1:00 P.M., but not later than three (3) hours after such time

PLACE: *THE EAST FOYER, JUST INSIDE THE FIRST FLOOR, EAST ENTRANCE TO THE LAMAR COUNTY COURTHOUSE AT 119 NORTH MAIN STREET, PARIS, LAMAR COUNTY, TEXAS 75460, OR AT SUCH OTHER PLACE AS DESIGNATED BY THE LAMAR 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 the Current Lender/Holder's herein may bid and such bid may be credited against the indebtedness secured by the lien of the Deed of Trust and any and all modifications thereof.

SUBSTITUTE TRUSTEE(S): Ashleigh Renfro, AND/OR Ashley Tarver AND/OR Joseph Juarez

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, Shane Powell, the owner and holder of the Note, has requested the Substitute Trustee named herein to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Shane Powell's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Shane Powell'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, the Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law. If Shane Powell, 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 Shane Powell 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, any Trustee or 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 Trustee.

THIS INSTRUMENT HEREBY 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.

Name and Address of Sender of Notice:

Renfro Law, PLLC
By: Ashleigh Renfro
10226 Midway Road
Dallas, Texas 75229
Phone: 972-708-4425
Fax: 972-521-6413

Notice Pursuant to Section 51.0025 of the Texas Property Code

DIA Servicing, LLC, pursuant to a written servicing agreement, represents your Lender, Shane Powell. This agreement grants DIA Servicing, LLC, with the authority to service your mortgage loan and to administer, or cause to be administered, any necessary steps or actions related to the potential foreclosure of your property subject to foregoing requirements contained in this letter. DIA Servicing, LLC, has retained Renfro Law, PLLC, to carry out any necessary actions that may be required under all applicable state and federal laws and the services of this law firm are being carried out on behalf of DIA Servicing, LLC, and your Lender, Shane Powell. Contact information for DIA Servicing, LLC, may be found below:

**DIA Servicing, LLC
10226 Midway Road
Dallas, Texas 75229**

**Phone: 1.844.222.9450 or 972.708.4425
Email: info@diaservicingtx.com**

Renfro Law, PLLC



By: Ashleigh Renfro
Attorney/Substitute Trustee
Texas Bar No. 24093029
10226 Midway Road
Dallas, Texas 75229
Telephone (972) 708-4425
Fax (972) 521-6413
ashleigh@renfrolawtx.com

CERTIFICATION OF MAILING

Cynthia Guadalupe Gutierrez Coronado
465 13th Street NW
Paris, Texas 75460

DATE SENT: DECEMBER 16, 2024
VIA USPS FIRST-CLASS MAIL &
VIA CMRRR # 9589-0710-5270-2156-8822-23

BY:



I HEREBY CERTIFY THAT ON DECEMBER 16, 2024, TRUE AND CORRECT COPIES OF THIS DOCUMENT WERE SENT TO THE RECIPIENTS AT THE ADDRESS AND BY THE METHOD(S) DESCRIBED ABOVE.



Ashleigh Renfro