

**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.**

**Notice of Foreclosure Sale Scheduled on October 1, 2024**

Subordinated Deed of Trust/Security Agreement (“Deed of Trust”):

Dated: May 31, 2019

Grantor: Alfredo Sarinana Jr.  
313 South Doris Avenue  
Monahans, Ward County, Texas 79756

Original Trustee: Wayne Coker  
c/o Advantage Business Capital, Inc.  
4605 Post Oak Place, Suite 105  
Houston, Texas 77027

Beneficiary/Lender: Advantage Business Capital, Inc.  
4605 Post Oak Place, Suite 105  
Houston, Texas 77027

Recorded in: Deed of Trust, recorded in the Official Public Records of Ward County, Texas, on June 20, 2019, instrument no. 2019-3911

Secures: Obligations of D.A.F.S. Transport, LLC (“Debtor”) to Beneficiary under that certain Accounts Receivable Purchase and Sale Agreement, between Debtor and Beneficiary, dated May 23, 2013 (as from time to time amended, modified, extended and renewed, including, without limitation, under that certain Addendum to Accounts Receivable Purchase and Sale Agreement dated June 2, 2023, the “ARPA”);

Obligations of Grantor to Beneficiary under that certain Guaranty Agreement by Grantor in favor of Beneficiary, dated May 23, 2013, as amended, modified, extended and renewed from time to time; and

Obligations of Grantor and Debtor to Beneficiary under all other documents and agreements executed in connection with any of the foregoing, including the Deed of Trust (all of the foregoing, collectively, the “Indebtedness”).

Property: The following real property, improvements, and personal property as described in and mortgaged in the Deed of Trust:

That real property in Ward County, Texas commonly known as 207 S. Teresa, Monahans, Texas 79756, and 208 S. Ursila St., Monahans, Texas 79756, and being more particularly described as:

The SURFACE ESTATE ONLY in and to the South Half (S/2) of Tract SEVEN (7) and the South Half (S/2) of Tract EIGHT (8), HUTCHINGS JOINT STOCK ASSOCIATION SUBDIVISION NO. 3, Ward County, Texas as shown on a map or plat now of record in Volume 2, Page 18, Plat Records in the Office of the County Clerk of Ward County, Texas

Guaranty: The Indebtedness is guaranteed by separate Guaranty Agreement, dated on or around May 23, 2013, executed by Alfredo Sarinana Jr., in favor of Beneficiary

Substitute Trustees: Teresa Ruiz Schober, Esq.  
1611 Nueces Street  
Austin, Texas 78701  
(512) 474-7678 (phone)  
(512) 491-1333 (fax)  
teresa@schoberlegal.com  
State Bar No.: 24005353

Brad Baird  
4605 Post Oak Place, Suite 105  
Houston, Texas 77027  
832-485-2386  
bbaird@cbhou.com

Foreclosure Sale:

**Date:** Tuesday, October 1, 2024

**Time:** The sale of the Property will begin no earlier than 10:00 a.m. local time and no later than three (3) hours thereafter.

**Place:** Ward County Courthouse, 400 South Allen, Monahans, Texas 79756 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

**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 Beneficiary's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the Property is sold.

Default has occurred in the payment of the Indebtedness and in the performance of the obligations of the Deed of Trust. Because of that default, Beneficiary, the owner and holder of the Indebtedness, 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 Beneficiary's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Beneficiary'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 Beneficiary 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 Beneficiary. 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 trustee to sell the Property in one or more parcels and/or to sell all or only part of the Property. The sale is a foreclosure sale pursuant to Section 51.002, Texas Property Code, and the power of sale granted by the Deed of Trust executed by Grantor. The Deed of Trust secures the payment of the Indebtedness to Beneficiary. Beneficiary is the current owner and holder of the Indebtedness and is the beneficiary under said Deed of Trust.

Questions concerning the sale may be directed to the Substitute Trustee and counsel for the beneficiary, Teresa Ruiz Schober, whose address is 1611 Nueces Street, Austin, Texas 78701, phone number (512) 474-7678, and email address: [teresa@schoberlegal.com](mailto:teresa@schoberlegal.com), or to Substitute Trustee, Brad Baird, at Advantage Business Capital, Inc., phone number (832) 485-2386, and email address: [bbaird@cbhou.com](mailto:bbaird@cbhou.com).

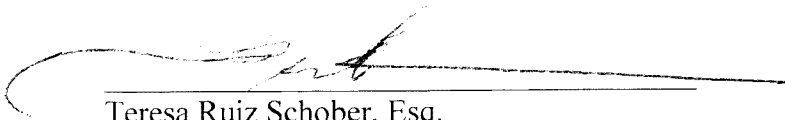
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical 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.

**IF NOT PREVIOUSLY APPOINTED, THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE 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 MORTGAGEE SERVICER.**

**LIMITATION OF DAMAGES:** If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against Beneficiary, or any Substitute Trustee.

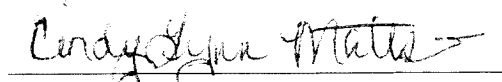
Dated: September 4, 2024

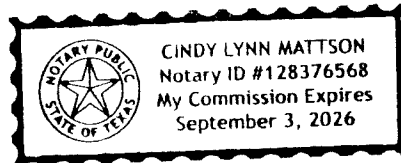


Teresa Ruiz Schober, Esq.  
Substitute Trustee  
1611 Nueces Street  
Austin, Texas 78701  
Email address: [teresa@schoberlegal.com](mailto:teresa@schoberlegal.com)  
(512) 474-7678 (phone)  
(512) 498-1333 (fax)

State of Texas        )  
County of Travis    )

This instrument was acknowledged before me on September 4, 2024, by Teresa Ruiz Schober, Substitute Trustee, in such capacity.

  
\_\_\_\_\_  
Signature of Officer



Cindy Lynn Mattson  
Notary's typed or printed name

## Appointment of Substitute Trustee

Re: Subordinate Deed of Trust/Security Agreement:

Dated: May 31, 2019

Grantor: Alfredo Sarinana Jr.

Original Trustee: Wayne Coker

Lender: Advantage Business Capital, Inc.

Recorded in: Official Public Records of Ward County, Texas, Document no. 2019-3911, recorded on June 20, 2019

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Legal Description: The following real property, improvements, and personal property as described in and mortgaged in the Deed of Trust:

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Persons appointed as substitute trustees to exercise power of sale under the Deed of Trust:

Teresa Ruiz Schober  
1611 Nueces Street  
Austin, Texas 78701  
(512) 474-7678 (phone)  
Email: [teresa@schoberlegal.com](mailto:teresa@schoberlegal.com)  
Appointee's Texas Bar No.: 24005353

and

Brad Baird  
4605 Post Oak Place, Suite 105  
Houston, Texas 77027  
(832) 485-2386  
[bbaird@cbhou.com](mailto:bbaird@cbhou.com)

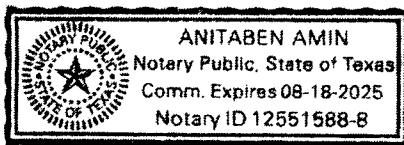
Each substitute trustee is appointed as of September 4, 2024 pursuant to Texas Property Code section 51.0075 to succeed to all title, powers, and duties of the original or successor trustees that are removed herein. Each substitute trustee, alone, may exercise all powers and duties of the original trustee.

Wayne Coker  
Wayne Coker,  
President and CEO for Advantage Business Capital, Inc.

STATE OF TEXAS )  
COUNTY OF HARRIS )

Before me, the undersigned notary public, on this day personally appeared Wayne Coker, who is the CEO and President of Advantage Business Capital, Inc., on behalf of said entity, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 4<sup>th</sup> day of September,  
2024.



[Signature]  
Notary Public, State of Texas

FILED  
SEP - 5 2024

[Signature] Deputy  
2:45pm