

NOTICE OF FORECLOSURE 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.

- 1. *Property to Be Sold.* The property to be sold is described as follows: SEE EXHIBIT "A"
- 2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 03/16/2009 and recorded in Book 298 Page 446 real property records of Mills County, Texas.
- 3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:
 Date: 12/06/2016
 Time: 10:00 AM
 Place: Mills County Courthouse, Texas, at the following location: THE NORTH DOOR/PORCH OF THE COURTHOUSE, 1011 4TH STREET, GOLDTHWAITE, MILLS COUNTY, TEXAS OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE
- 4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee 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.
- 5. *Obligations Secured.* The Deed of Trust executed by PATRICIA JACOBY, provides that it secures the payment of the indebtedness in the original principal amount of \$349,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY is the current mortgagee of the note and deed of trust and CHAMPION MORTGAGE COMPANY is mortgage servicer. A servicing agreement between the mortgagee, whose address is NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY c/o CHAMPION MORTGAGE COMPANY, 8950 Cypress Waters Blvd, Coppell, TX 75019 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. *Order to Foreclose.* NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY obtained a Order from the 35th District Court of Mills County on 09/15/2016 under Cause No. 16-06-6772. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.
- 7. *Substitute Trustee(s) Appointed to Conduct Sale.* In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint LINDA REPPERT, JIMMY CARROLL BREWER, JUANITA COX, STEPHEN RAWLINGS, DIASHA PERKINS OR JASON BREWER, Substitute Trustee to act under and by virtue of said Deed of Trust.

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.

Brandon Wolf

Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
Lori Liane Long, Attorney at Law
Tracey Midkiff, Attorney at Law
Joseph Modric, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254

Linda Reppert

LINDA REPPERT, JIMMY CARROLL BREWER, JUANITA COX,
STEPHEN RAWLINGS, DIASHA PERKINS OR JASON BREWER
c/o AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

I am *Linda Reppert* Certificate of Posting
whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. I declare under
penalty of perjury that on *11/14/2016* I filed this Notice of Foreclosure Sale at the office of the Mills County Clerk and
caused it to be posted at the location directed by the Mills County Commissioners Court.

FILED FOR RECORD
At *4:06* O'Clock *P* M

NOV 14 2016

CAROLYN FOSTER County & District Clerk
Mills County, Texas

Parsons Deputy

SCANNED

Exemw File No 0991086

2009 BK VOL PG
1688 PR 1759 172

EXHIBIT "A"

TRACT 1:

BEING 5.00 acres of land situated in Mills County, Texas, out of the Harrison Schropshire Survey, Abstract No. 584 and being part of a 50 acre Tract Two, that is described in a Non-Homestead Affidavit and Designation of Homestead, Clarence Glen Love, et ux, dated September 8, 1982, recorded in Volume 169 at Page 664, Deed Records of Mills County, Texas, and further described as follows:

BEGINNING at a 1/2 iron rod set, from which a 3 inch pipe post found in a fence corner at the occupied Southwest corner of the T.W. Huckabee Survey, A-1465 and being in the East line of said Schropshire Survey and being the occupied Northwest corner of the T. & St. L. Railroad Survey 7, Abstract Number 674, and being the Southwest corner of a 152.9 acre Tract Six and in the East line of said 50 acre Tract Two that is described in said Volume 169, Page 664, said Deed Records, and being the Northwest corner of a 259 acre tract of land that is described in Volume 114, Page 585, said Deed Records, bears S 21° 46' 21" E 1455.18 feet for the Southeast corner of this tract;

THENCE S 69° 22' 40" W 132.58 feet, to a 1/2 inch iron rod set, N 43° 04' 03" W 73.83 feet, to a 1/2 inch iron rod set and S 69° 22' 40" W 369.63 feet, to a 1/2 inch iron rod set, for the Southwest corner of this tract;

THENCE N 20° 37' 20" W 391.77 feet, to a 1/2 iron rod set, for the Northwest corner of this tract;

THENCE N 69° 22' 40" E 530.40 feet, to a 1/2 inch iron rod set, for the Northeast corner of this tract;

THENCE S 20° 37' 20" E 460.00 feet, to the point of BEGINNING and containing 5.00 acres of land.

TRACT 2 (Access Easement Only):

BEING a 0.98 acre, 30 foot wide Easement Tract of land, situated in Mills County, Texas, of which 0.48 of an acre is out of the Harrison Schropshire Survey Number 584, and the remaining 0.50 of an acre of land is out of the T.W. Huckabee Survey, Abstract 1465 and being part of a 50 acre Tract Two and part of a 152.9 acre Tract Six, that is described in a Non-Homestead Affidavit and Designation of Homestead, Clarence Glen Love, et ux, dated September 8, 1982, recorded in Volume 169, Page 664, Deed Records of Mills County, Texas and further described as follow:

BEGINNING at a 1/2 inch iron rod set, from which a 3 inch pipe post found in a fence corner at the occupied Southwest corner of said T.W. Huckabee Survey, and being in the

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East line of said Schropshire Survey, and being the occupied Northwest corner of the T & ST. L. Railroad Survey 7, Abstract Number 674 and being the Southwest corner of said 152.9 acre TRact Six and in the East line of said 50 acre Tract Two and being the Northwest corner of a 259 acre tract of land that is described in Volume 114 at page 585, said Deed Records, bears S 21° 46' 21" E 1455.18 feet, for the Southwest corner of this tract;

THENCE N 20° 37' 20" W at 460 feet past a 1/2 inch iron rod set at the Northeast corner of a 5.00 acre tract and continue on for a total distance of 1238.54 feet, to a 1/2 inch iron rod set in a fence on the North line of said 50 acre tract and being in the South line of a 15 acre tract of land that is described in a deed to the Mt. Olive Church, recorded in Volume 4, Page 264, said Deed Records, for a corner of this tract;

THENCE N 70° 17' 20" E 30.00 feet, with a fence, to a 1/2 inch iron rod found in a fence corner on the East side of a Lane, for a corner of this tract;

THENCE N 20° 33' 08" W 152.82 feet, with a fence along the East side of said lane, to a 1/2 inch iron rod found in a fence corner on the South line of Mills County Road Number 237, for the Northwest corner of this tract;

THENCE N 70° 01' 47" E 30.0 feet, with a fence along the South line of said County Road 237, for the Northeast corner of this tract;

THENCE S 20° 33' 08" E 182.96 feet, to a 1/2 inch iron rod set, S 70° 17' 20" W 29.97 feet, to a 1/2 inch iron rod set in a fence and S 20° 37' 20" E 1208.06 feet, with a fence, to a 1/2 inch iron rod set, for the Southeast corner of this tract;

THENCE S 69° 22' 40" W 30.00 feet, to the point of BEGINNING and containing 0.98 of an acre of land.

INSTRUMENT NO. 1688
FILED MARCH 20, 2009 03:24 PM
RECORDED
COMPARED
INDEXED
RETURN TO:
BROWN COUNTY ABSTRACT CO INC

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ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

STATE OF TEXAS
COUNTY OF BROWN
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED in the Official Public Records of Real Property of Brown County, Texas.



DEPUTY: *Sharon Ferguson*
SHARON FERGUSON, COUNTY CLERK
BROWN COUNTY, TEXAS

FILED
AT 4:46 O'CLOCK P M
ON THE 26 DAY OF March
A.D., 20 09
Carolyn Foster
COUNTY CLERK, MILLS CO., TEXAS
BY *Sharon Foy* DEPUTY
STATE OF TEXAS
COUNTY OF MILLS
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the Records of Mills County, Texas.
Carolyn Foster
County Clerk, Mills County, Texas
VOL 258 PAGE 446
RECORDED 27 March 2009