

44

NOTICE OF FORECLOSURE SALE

FILED
NICOLE TANNER, COUNTY CLERK
HILL COUNTY, TEXAS
2016 MAR 11 P 1:08

State of Texas §
 §
County of Hill §

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

1. Property To Be Sold. The property to be sold is described as follows:

SEE EXHIBIT "A"

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

Date: **April 5, 2016**
Time: The sale shall begin no earlier than **12:00 PM** or no later than three hours thereafter.
Place: **Hill County Courthouse in Hillsboro, Texas**, at the following location: the area designated by the Commissioners Court of **Hillsboro, Hill County, Texas**, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

The deed of trust permits the Mortgagee of Record 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. The reposting or refiled may be after the date originally scheduled for this sale.

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.

3. 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 Mortgagee of Record 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 their bid immediately in cash if their bid is accepted.

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. The sale shall not cover any part of the property that has been released of public record from the lien of 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.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the

deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

4. Type of Sale. The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by **Michael R Girard, Ashley L Girard.**
5. Obligations Secured. The Deed of Trust is dated **February 29, 2008**, and is recorded in the office of the County Clerk of **Hill County, Texas**, in/under **Document No. 00014146, Book Vol 1534, Page 259, Official Public Records of Hill County, Texas.** 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 the promissory note in the original principal amount of **\$27,964.00**, executed by **Michael R Girard, Ashley L Girard**, and payable to the order of **Citizens Mortgage Corp.**

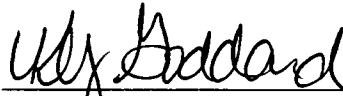
Original Mortgagee: Citizens Mortgage Corp.

Current Mortgagee of Record: Nationstar Mortgage LLC whose address is **8950 Cypress Waters Blvd., Coppel, TX 75019.**

6. Default and Request To Act. Default has occurred under the deed of trust, and the beneficiary has requested me, as Substitute Trustee, to conduct this public sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.
7. **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.**

Sent by: Jeffrey B. Lewis
Robertson Anschutz Veters
10333 Richmond Avenue, Suite 550
Houston, TX 77042

DATED March 14, 2016.



Tim Lewis and/or Kelly Goddard and/or Darian Goddard and/or David Garvin, Tim Lewis, Brenda Wiggs, Denise Boerner, Donna Stockman, David Stockman, Guy Wiggs, Lori McCarty, Juanita Cox, Jimmy Carroll Brewer, Stephen Rawlings, Diasha Perkins, Jason Brewer, Aurora Campos, Ramiro Cuevas, Patrick Zwiers, Kristopher Holub, Substitute Trustee
c/o Robertson Anschutz Veters
10333 Richmond Avenue, Suite 550
Houston, TX 77042
Phone: 713-244-1360

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.

1002617-1

EXHIBIT "A"
Page 1 of 2

INCE SURVEYING & ENGINEERING
184 THOUSAND OAKS DRIVE
WHITNEY, TEXAS 76692
PHONE: (254)694-7708
FAX: (254)694-7230

Field notes for the survey of a certain lot, tract, or parcel of land lying and situated in the Thomas Carter Survey A-135 in Hill County, Texas (also known as Lot 4, Block 1 of the Adams Addition to the Town of Abbott, an unrecorded subdivision) and being a part of that certain 40 acre tract described in a deed from J. B. Adams, Mrs. Kattie Tinsley, and Mrs. Nettie Russell to G. M. Adams recorded in Volume 30, Page 457 of the Deed Records of Hill County. Said land is all that certain tract described in a deed from Harry Frank Holland, Jr. to Anita L. Smith recorded in Volume 725, Page 170 of the Deed Records of Hill County, more particularly described as follows:

BEGINNING at a railroad spike found in the south line of Waco Street and in the north line of said 40 acre tract, for the northeast corner of that certain tract described in a deed to Elliott Hackman recorded in Volume 761, Page 496 of the Deed Records of Hill County and for the northwest corner of this:

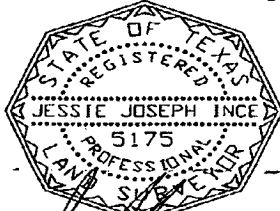
THENCE with the south line of Waco Street, N60°00'00"E 80.97 feet to a 1/2" iron rod set for the northwest corner of that certain tract described in a deed to Barry Bailey recorded in Volume 1446, Page 436 of the Official Public Records of Hill County and for the northeast corner of this;

THENCE S30°00'00"E 198.36 feet to a 1/2" iron rod set in the north line of 20 foot alley, for the southwest corner of said Bailey tract and for the southeast corner of this, said rod being N59°56'19"E 340.00 feet from the intersection of the north line of said alley with the east line of 1ST Street;

THENCE with the north line of said alley, S59°56'19"W 81.26 feet to a 1/2" iron rod set for the southeast corner of said Holland tract and for the southwest corner of this;

THENCE N29°55'05"W 198.45 feet to the place of beginning, containing 0.369 acres of land.

A plat of even date accompanies these field notes.



Jessie Joseph Ince
Registered Professional Land Surveyor
02/19/08