

## 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 OR 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 03/23/2009 and recorded in Book 1477 Page 490 Document 09-2233 real property records of Fayette County, Texas.

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

Date: 01/07/2020

Time: 01:00 PM

Place: Fayette County, Texas at the following location: ON THE FAYETTE COUNTY COURTHOUSE LAWN ON THE WEST SIDE AT THE POSTING BOARD LOCATED ON THE STONE WALL ENCLOSURE OF THE COURTHOUSE FACING WEST COLORADO STREET NEAR ITS INTERSECTION WITH NORTH MAIN STREET, OR THE PRECEDING AREA IS NO LONGER THE DESIGNATED AREA, AT THE AREA MOST RECENTLY DESIGNATED BY THE COUNTY COMMISSIONER'S COURT or as designated by the County Commissioners Court.

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 LONNITA DANIELS AND LONNIE E. DANIELS JR, provides that it secures the payment of the indebtedness in the original principal amount of \$510,000.00, 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 155th District Court of Fayette County on 01/23/2019 under Cause No. 2018V-331. 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 PETE FLOREZ, EBBIE MURPHY, ELIZABETH ANDERSON OR MEGAN L. RANDLE, 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.**



Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Lori Liane Long, Attorney at Law  
✓ Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Parkway Office Center, Suite 900  
14160 North Dallas Parkway  
Dallas, TX 75254



PETE FLOREZ, EBBIE MURPHY, ELIZABETH  
ANDERSON OR MEGAN L. RANDLE  
c/o AVT Title Services, LLC  
5177 Richmond Avenue Suite 1230  
Houston, TX 77056

### Certificate of Posting

I am Pete Florez whose address is c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on 12-5-19 I filed this Notice of Foreclosure Sale at the office of the Fayette County Clerk and caused it to be posted at the location directed by the Fayette County Commissioners Court.



EXHIBIT "A"

All that certain tract or parcel of land situated in Fayette County, Texas, a part of the N. W. Eastland Survey, A-173 and a part of the J. H. Cartwright League, A-29, same being a part of that certain called 50 acre tract of land described in a Quitclaim Deed from L. E. Daniels, Jr. to Lonnie Daniels, dated September 21, 1998 and recorded in Volume 1039, Page 781 of the Deed Records of Fayette County, Texas, same being a part of that certain called 108 acre tract of land described in a Quitclaim Deed from Rachel Daniels to L. E. Daniels, Jr., dated February 21, 1986 and recorded in Volume 713, Page 452 of the Deed Records of Fayette County, Texas, same being that 18.578 acre tract of land described in a deed from Daniels Family Trust, Lonnie E. Daniels, Jr. and Lonnie Daniels to Lonnie E. Daniels, Jr., dated March 5, 2003 and recorded in Volume 1208, Page 185 of the Official Records of Fayette County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at an iron rod set for the most South corner, same being the most South corner of the said L. E. Daniels, Jr. 108 acre tract of land, same lying in the Northeast boundary of a 68 acre tract of land described in a deed to Walter Dotson in Volume 386, Page 612, same lying within a county road named Anders-Daniels Road, same being the West corner of a 153.32 acre tract of land described in a deed to Edgar Frerichs in Volume 787, Page 688;

THENCE, along the Southwest boundary of the said L. E. Daniels, Jr. 108 acre tract of land, the Northeast boundary of the said Walter Dotson 68 acre tract of land and within Anders-Daniels Road, N 47°00'00" W 426.79 feet to an iron rod set for the West corner;

THENCE, N 34°40'06" E, passing an iron rod set at 1847.73 feet, a total distance of 1897.73 feet to a point for the North corner, same lying in the Northeast boundary of the said L. E. Daniels, Jr. 108 acre tract of land, same lying in the Southwest boundary of a 33.486 acre tract of land described as Second Tract in a deed to Edgar Frerichs in Volume 787, Page 688, same lying in the center of Cedar Creek;

THENCE, along the Northeast boundary of the said L. E. Daniels, Jr. 108 acre tract of land, the Southwest boundary of the said Edgar Frerichs 33.486 acre tract and the center of said Cedar Creek, S 63°57'01" E 0.46 feet, S 16°37'46" E 60.71 feet, S 69°13'25" E 30.00 feet, S 30°20'39" E 149.06 feet, S 64°19'17" E 38.02 feet, N 62°49'45" E 98.56 feet, S 62°05'32" E 88.49 feet and S 36°14'58" E 44.21 feet to a point for the East corner of the said L. E. Daniels, Jr. 108 acre tract of land, same being the North corner of the said Edgar Frerichs 153.32 acre tract;

THENCE, along the Southeast boundary of the said L. E. Daniels, Jr. 108 acre tract and the Northwest boundary of the said Edgar Frerichs 153.32 acre tract, S 34°23'27" W, passing an iron rod set at 48.93 feet, a total distance of 1023.38 feet to an iron rod set and S 35°11'18" W, passing an iron rod set at 914.48 feet, a total distance of 931.39 feet to the place of beginning, containing 18.578 acres of land, of which 0.019 acre lies within said county road.

\$60.00 Pd.  
Filed By & Return To:  
Capital Title  
19111 N. Dallas Parkway #230  
Dallas, Tx. 75287

FILED  
8:45 AM  
APR 13 2009

*Carolyn Kubos Roberts*  
CAROLYN KUBOS ROBERTS  
CO. CLERK, FAYETTE CO., TEXAS

STATE OF TEXAS COUNTY OF FAYETTE  
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 Named RECORDS of Fayette County, Texas as stamped hereon by me on.

APR 13 2009



*Carolyn Kubos Roberts*  
CAROLYN KUBOS ROBERTS  
COUNTY CLERK, FAYETTE COUNTY, TEXAS

197 2047701 0

RECORDED COMPARED



FILED RB  
3:41 PM  
DEC 05 2019

*Brenda Fietsam*  
BRENDA FIETSAM  
CO. CLERK, FAYETTE CO., TEXAS