

NOTICE OF FORECLOSURE SALE 5/15/17 @ 1:10pm PV

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 12/15/2004 and recorded in Book 1293 Page 677 Document 04-8090 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: 06/06/2017
Time: 10:00 AM
Place: Fayette County Courthouse, 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 GARY BIGLEY AND JERRY BIGLEY AND RANDY BIGLEY AND MARY BETH HARRELL BIGLEY, provides that it secures the payment of the indebtedness in the original principal amount of \$86,250.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. U.S. Bank National Association, as Trustee for Residential Asset Securities Corporation, Home Equity Mortgage Asset-Backed Pass-Through Certificates, Series 2005-KS2 is the current mortgagee of the note and deed of trust and OCWEN LOAN SERVICING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is U.S. Bank National Association, as Trustee for Residential Asset Securities Corporation, Home Equity Mortgage Asset-Backed Pass-Through Certificates, Series 2005-KS2 c/o OCWEN LOAN SERVICING, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. Order to Foreclose.** U.S. Bank National Association, as Trustee for Residential Asset Securities Corporation, Home Equity Mortgage Asset-Backed Pass-Through Certificates, Series 2005-KS2 obtained a Order from the 155th District Court of Fayette County on 03/24/2017 under Cause No. 2017V-016. 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 LOUISE GRAHAM, DONALD GRAHAM, EBBIE MURPHY OR MEGAN L. RANDLE AKA MEGAN L. RANDLE-BENDER, 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
Tracey Midkiff, Attorney at Law
Marissa Sibal, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254

LOUISE GRAHAM, DONALD GRAHAM, EBBIE MURPHY OR
MEGAN L. RANDLE AKA MEGAN L. RANDLE-BENDER
c/o AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

I am Louise Graham Certificate of Posting
whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. I declare under
penalty of perjury that on 5/15/17 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"

STATE OF TEXAS)
COUNTY OF FAYETTE)

Land Description

BEING a 2.00 acre tract of land, being part of the Jacob Stifler Survey, Abstract 287 of Fayette County, Texas, and being a part of that certain tract as conveyed to Mary Beth Harrell Bigley as recorded in volume 315, page 21 of the Deed Records of Fayette County, Texas, and being more particularly described as follows;

BEGINNING at a 1/2" iron rod found in the West line of Farm to Market Road 1115 for the Southeast corner of a Veteran's Land Board tract (volume 673, page 385), the Northeast corner of the parent tract and for the Northeast corner hereof;

THENCE with the West line of Farm to Market Road 1115 South 00 deg. 36 min. 23 sec. West 366.82 feet to a 1/2" iron rod set for an exterior corner of the residual of the parent tract and for the Southeast corner hereof;

THENCE across the parent tract North 86 deg. 34 min. 42 sec. West 293.37 feet to a 1/2" iron rod set for the Southwest corner hereof;

THENCE across the parent tract North 60 deg. 36 min. 23 sec. East 287.82 feet to a 1/2" iron rod set in the South line of the Veteran's Land Board tract for the Northwest corner hereof;

THENCE with the South line of the Veteran's Land Board tract North 89 deg. 42 min. 32 sec. East 293.05 feet to the PLACE OF BEGINNING, containing 2.00 acres of land.

Reference is hereby made to a survey plat, attached hereto and made a part hereof.

I hereby certify that this land description represents the facts as found during an on the ground survey made under my direct supervision on November 3, 2004, and that it substantially conforms to the current Standards and Specifications for a Category 1A, Condition IV Survey.

Rocky Von Roesler

Rocky Von Roesler
Registered Professional Land Surveyor
Number 4702



FILED

1:55 p.m.
DEC 20 2004

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

\$49.00 Pd.
Filed by & Hand To:
Botts Title Company

STATE OF TEXAS
COUNTY OF FAYETTE
I hereby certify that this instrument was FILED on the date and at the time stamped herein by me; and was duly RECORDED in the Volume and Page of the Named RECORDS of Fayette County, Texas as stamped herein by me, on
DEC 20 2004

STATE OF TEXAS COUNTY OF FAYETTE
I hereby certify that this instrument was FILED on the date and at the time stamped herein by me; and was duly RECORDED in the Volume and Page of the Named RECORDS of Fayette County, Texas as stamped herein by me, on

DEC 20 2004



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