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3:50 PM  
SEP 06 2017

*Julie K. Kaststedt*

JULIE KASTSTEDT

*MB*

CO. CLERK, FAYETTE CO., TEXAS

## 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: EXHIBIT A
- 2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 05/24/2012 and recorded in Book 1608 Page 747 Document 12-3402 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: 02/06/2018

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 WERNER EDWARD ZIMMERMAN, provides that it secures the payment of the indebtedness in the original principal amount of \$403,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Finance of America Reverse, LLC is the current mortgagee of the note and deed of trust and FINANCE OF AMERICA REVERSE LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Finance of America Reverse, LLC c/o FINANCE OF AMERICA REVERSE LLC, 3900 Capital City Blvd., Lansing, MI 48906 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

- 6. 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.

*LJ*  
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*  
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 whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. I declare under penalty of perjury that on 9/10/2017 I filed this Notice of Foreclosure Sale at the office of the Fayette County Clerk and

Certificate of Posting

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*Julie Karstedt*

JULIE KARSTEDT

*mk*

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Exhibit "A"

LEGAL DESCRIPTION:

All that certain Tract No. 4 out of six (6) parcels of land situated in the W. H. Toy League, A-105, the David Berry League, A-15, the John E. Lewis 1/4 League, A-65, and the Fayette County School Land 11,085 Acres, A-182, Southwest of La Grange, Texas, and being also a part of the same land as conveyed to John Zimmermann and described in Volume 192, Pages 266-269, Deed Records of Fayette County, Texas, said Tract No. 4, being particularly described as follows, to-wit:

BEGINNING at an iron pin marking the East corner of the herein described tract, the South corner of a John W. Zimmermann, 55.697 acre tract 6, and lying in the Northwest right-of-way margin of F.M. 609 South 45° 50' West 362.97 feet from a post, 1 acre tract South corner, the North and West corners of this tract being in the John E. Lewis 1/4 League, A-65, the South corner being in the W. H. Toy League, A-105, and the East corner lying in the David Berry League, A-15;

THENCE South 45° 50' West 639.74 feet along the Northwest margin of F.M. 609 to a point of curvature;

THENCE 136.19 feet along the curve with the following curve data: D=1° 29', I=410.86', R=205.63', P=3869.77', to a corner post for the South corner;

THENCE North 31° 49' West 290.53 feet along the Southwest boundary of the herein described tract to a post;

THENCE North 30° 17' West 827.87 feet along an existing fence boundary to a post on the edge of the lake waters known as Lake Bl. 1007;

THENCE North 78° 08' East 723.98 feet along the lake water's edge to a corner post for the North corner and on East corner of a John W. Zimmermann, 55.697 acre Tract 5;

THENCE South 37° 00' East 1319.56 feet along the Southwest boundary of the John W. Zimmermann, 55.697 acre Tract 6 & Southwest boundary to the place of beginning containing 19.822 acres, more or less.

Being the same land described in that Gift Deed from Annie L. Zimmermann to Werner Edward Zimmermann, dated September 17, 1986 and recorded in volume 730, Pages 109-110, Deed Records of Fayette County, Texas.