

NOTICE OF FORECLOSURE SALE

FILED FOR RECORD
HOPKINS COUNTY, TEXAS
2017 DEC 21 PM
DEPUTY

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 12/22/2005 and recorded in Book 560 Page 663 real property records of Hopkins County, Texas.
- 3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:
Date: 03/06/2018
Time: 01:00 PM
Place: Hopkins County Courthouse, Texas, at the following location: THE SOUTHWEST ENTRANCE DOOR TO THE FIRST FLOOR OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE 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 WILLIE B. LAMPP AND E. GENE LAMPP, provides that it secures the payment of the indebtedness in the original principal amount of \$202,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. CIT Bank, N.A. is the current mortgagee of the note and deed of trust and FINANCIAL FREEDOM SENIOR FUNDING CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is CIT Bank, N.A. c/o FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, 2900 Esperanza Crossing, Austin, TX 78758 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. Order to Foreclose.** CIT Bank, N.A. obtained a Order from the 62nd District Court of Hopkins County on 11/30/2017 under Cause No. CV43457. 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 HARRIETT FLETCHER, ROBERT LAMONT, SHERYL LAMONT, DAVID SIMS, ALLAN JOHNSTON, SHARON ST. PIERRE, RONNIE HUBBARD, RANDY DANIEL OR CINDY DANIEL, 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

HARRIETT FLETCHER, ROBERT LAMONT, SHERYL LAMONT,
DAVID SIMS, ~~ALLAN JOHNSTON~~, SHARON ST. PIERRE,
RONNIE HUBBARD, RANDY DANIEL OR CINDY DANIEL
c/o AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

Certificate of Posting

I am Allan Johnston 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 12/21/17 I filed this Notice of Foreclosure Sale at the office of the Hopkins County Clerk and caused it to be posted at the location directed by the Hopkins County Commissioners Court.

Exhibit "A"

LEGAL DESCRIPTION:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN OCELA BOB SURVEY, A-51, LOCATED 5.23 MILES N 79° W FROM THE CITY OF SULPHUR SPRINGS, HOPKINS COUNTY, TEXAS; BEING A PART OF THAT CERTAIN 54.712 ACRES DESCRIBED IN A DEED FROM NORMAN R. SANDERS, SR. AND WIFE ETTIE SANDERS TO LAMPP FAMILY TRUST, DATED APRIL 30, '993, RECORDED IN VOL. 154, PAGE 88, REAL PROPERTY RECORDS OF HOPKINS COUNTY, TEXAS; AND BEING FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR MARKED WITH A "COOPER" CAP FOUND ON THE WEST BOUNDARY LINE OF SAID 54.712 ACRE TRACT, BEING ON AN EXTERNAL ANGLE CORNER OF 47.874 ACRES DESCRIBED IN A DEED TO LIOPOLDO ROMERO, DATED OCTOBER 31, 2003, RECORDED IN VOL. 460 PAGE 618, OFFICIAL PUBLIC RECORDS, AND BEING ON THE CENTER OF COUNTY ROAD 4700, A FOUND 1/2" REBAR MARKED WITH A "COOPER" CAP BEARS S 87°32'22" E. A DISTANCE OF 21.28 FEET;

THENCE N 0°05'53" W ALONG THE WEST BOUNDARY LINE OF SAID 54.712 ACRE TRACT AND THE CENTER OF SAID CR 4700 A DISTANCE OF 290.02 FEET TO A 1/2" REBAR MARKED WITH A "COOPER" CAP FOUND ON AN EXTERNAL ANGLE CORNER OF SAID 47.874 ACRE TRACT, A FOUND 1/2" REBAR MARKED WITH A "COOPER" CAP BEARS N 87°48'46" E A DISTANCE OF 18.82 FEET;

THENCE N 87°48'46" E ALONG A BOUNDARY LINE OF SAID 47.874 ACRE TRACT A DISTANCE OF 303.93 FEET TO A 1/2" REBAR MARKED WITH A "COOPER" CAP FOUND ON AN INTERNAL ANGLE CORNER OF SAID 47.874 ACRE TRACT;

THENCE S 1°14'55" E (BEARING BASIS) ALONG THE WEST BOUNDARY LINE OF SAID 47.874 ACRE TRACT A DISTANCE OF 315.02 FEET TO A 1/2" REBAR MARKED WITH A "COOPER" A CAP FOUND ON AN INTERNAL ANGLE OF SAID 47.874 ACRE TRACT;

THENCE N 87°32'22" W ALONG A BOUNDARY LINE OF SAID 47.874 ACRE TRACT A DISTANCE OF 310.36 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.131 ACRES OF LAND OF WHICH 0.13 ACRES LIES WITHIN THE BOUNDS OF SAID CR 4700.