

2016 -50
FILED FOR RECORD
AT 8:15 O'CLOCK P M.

NOTICE OF FORECLOSURE SALE

State of Texas §
County of Navarro §

SHERRY DOWD, County Clerk
NAVARRO COUNTY, TEXAS
BY  DEPUTY

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" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

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

Date: June 7, 2016

Time: The sale shall begin no earlier than 10:00 AM or no later than three hours thereafter.

Place: The sale shall begin at the Navarro County Courthouse or at later date as the court may determine. Navarro County Courthouse in Corsicana, Texas, at the following location: the area designated by the Commissioners Court of Corsicana, Navarro 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 resiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or resiling 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.

1002104-1

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 Rosalie C. Lindsey.
5. **Obligations Secured.** The Deed of Trust is dated July 17, 2009, and is recorded in the office of the County Clerk of Navarro County, Texas, in/under Document No. 00005960, Official Public Records of Navarro 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 \$135,000.00, executed by Rosalie C. Lindsey, and payable to the order of Genworth Financial Home Equity Access Inc., formerly known as Liberty Reverse Mortgage, Inc..

Original Mortgagee: Genworth Financial Home Equity Access Inc., formerly known as Liberty Reverse Mortgage, Inc..

Current Mortgagee of Record: Liberty Home Equity Solutions, Inc., formerly known as Genworth Financial Home Equity Access, Inc whose address is 14405 Walters Road, Suite 200, Houston, TX 77014.

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: Jeffry B. Lewis
Robertson Anschutz Vettors
10333 Richmond Avenue, Suite 550
Houston, TX 77042

DATED April 11, 2016.



Sharon St. Pierre and/or Robert LaMont and/or Kelly Goddard and/or Darian Goddard, Substitute Trustee
c/o Robertson Anschutz Vettors
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.

1002104-1

EXHIBIT "A"

1446-194

TRACT I:

All that certain lot, tract or parcel of land, being 12.851 acres situated in the Louis Trammel Survey, Abstract No. 803, Navarro County, Texas, and being a part of land described in deed from W. C. Onstott, et ux, K Bar J Ranches, Inc., dated November 17, 1977, and recorded in Volume 887, Page 594, Deed Records of Navarro County, Texas, and being more fully described as follows:
BEGINNING at a point in center of County Road on the South side of said Onstott tract, and being 1838 feet N 60° E from the Southwest corner thereof, an iron stake bears 26 feet N 30° W in fence line; THENCE N 30° W 1866 feet to an iron stake in fence line, the North line of said Onstott tract; THENCE N 60° E 300 feet with fence to an iron stake for corner; THENCE S 30° E 1866 feet to a point in center of County road, on South line of Onstott tract, an iron stake bears 26 feet N 30° W in fence line; THENCE S 60° W 300 feet with center line of said County road to the PLACE OF BEGINNING, containing 12.851 acres of land, of which 0.179 acre is within the County Road, and being the same property conveyed by Michael Royce Jarrell and wife, Ronda Ferguson Jarrell to Haskell Woodall by deed dated July 13, 1981 and recorded in Volume 965, Page 116, Deed Records of Navarro County, Texas.

TRACT II:

All that certain lot, tract or parcel of land, being 12.851 acres, situated in the Louis Trammel Survey, Abstract No. 803, Navarro County, Texas, and being a part of the land described in deed from W. C. Onstott et ux, to K-Bar-J Ranches, Inc., dated November 17, 1977, recorded in Volume 887, page 594, Deed Records of Navarro County, Texas, and being more fully described as follows:
BEGINNING at a point in center of County road on the South side of said Onstott tract, and being 2138 feet N 60° E from the Southwest corner thereof, an iron stake bears 26 feet N 30° W in fence line; THENCE N 30° W 1866 feet to an iron stake in fence line the North line of said Onstott tract; THENCE N 60° E 300 feet with fence to an iron stake for corner; THENCE S 30° E 1866 feet to a point in center line of County road, an iron stake bears 26 feet N 30° W in fence line; THENCE S 60° W 300 feet with center line of said road to the place of BEGINNING, containing 12.851 acres of land, of which 0.179 acres is within the County road, and being the same property conveyed by James R. Rhinier to Haskell Woodall by deed dated January 24, 1984 and recorded in Volume 1024, Page 707, Deed Records of Navarro County, Texas.

TRACT III:

All that certain lot, tract or parcel of land, being 12.851 acres situated in the Louis Trammel Survey, Abstract No. 803, Navarro County, Texas, and being part of the land described in Deed from W. C. Onstott et ux to K Bar J Ranches, Inc. dated November 17, 1977, and recorded in Vol. 887, Page 594 Deed Records of Navarro County, Texas, and being more fully described as follows:
BEGINNING at a point in center of County Road on the South line of said Onstott tract, and being 2438 feet N 60° E from the Southwest corner thereof, an iron stake bears 26 feet N 30° W in fence line; THENCE N 30° W 1866 feet to an iron stake in fence line, the North line of said Onstott tract;

EXHIBIT "A" - PAGE TWO

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THENCE N 60° E 300 feet with fence to an iron stake for corner; THENCE S 30° E 1866 feet to a point in center of County Road on South line of Onstott tract, an iron stake bears 26 feet N 30° W in fence line; THENCE S 60° W 300 feet with center line of said County Road, to the place of beginning, containing 12.851 acres of land, of which 0.179 acres is within the County Road, and being the same property conveyed by B. R. Woodall to Haskell Woodall by deed dated February 11, 1985 and recorded in Volume 1044, Page 621, Deed Records of Navarro County, Texas and the same property described in a Warranty Deed from K Bar J Ranches, Inc. to Haskell Woodall, et ux, Barbara Ninson Woodall by deed dated May 8, 1987 and recorded in Volume 1253, Page 271, Deed Records of Navarro County, Texas.

SAID LAND EXCEPT 613 that certain lot, tract or parcel of land BEING that certain 10.387 acres tract of land situated in the Lewis Trammell Survey, A-003, Navarro County, Texas, a part of that called 12.851 acres TRACT 8 described in the deed dated July 13, 1981 from Mike Jarrell et ux, to Haskell Woodall recorded in Vol. 965, Pg. 16, Deed Records of Navarro County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the center of a county road for Southwest corner of said 12.851 acres tract and for Southwest corner of this tract, from which point a set 1/2" iron rod in the North margin of said road at the base of a cross-tie fence corner post bears N. 30° 00' 00" W. 24.65 ft., said road also being the South line of said Lewis Trammell Survey and the North line of the Joseph West Survey, A-823; THENCE N. 30° 00' 00" W. with the West line of said 12.851 acres TRACT 8, at 24.65 ft. said 1/2" iron reference rod in the North margin of said road, in all, 1866.00 ft. with a fence line to a set 1/2" iron rod at the base of a cross-tie fence corner post for Northwest corner of said 12.851 acres tract and for Northwest corner of this tract, said corner being in the North line of the Lewis Trammell Survey and in the South line of the Phillip Trammell Survey, A-004;

THENCE N. 60° 38' 07" E. 242.48 ft. with the North line of said 12.851 acres tract and with a fence to a set 1/2" iron rod for Northeast corner of this tract;

THENCE S. 30° 00' 00" E. at 1841.54 ft. as start "T" fence post for reference in the North margin of said county road, in all, 1866.00 ft. to a point in the center of said road and in the South line of said 12.851 acres tract for Southeast corner of this tract;

THENCE S. 60° 38' 15" W. 242.48 ft. with the centerline of said road to the point of BEGINNING, containing 10.387 acres.

CAUSE NO. C15-24563-CV

IN RE: ORDER FOR FORECLOSURE
CONCERNING

15140 SW COUNTY ROAD 2250,
DAWSON, TX 76639

UNDER TEX. R. CIV. P. 736

IN THE DISTRICT COURT OF

NAVARRO COUNTY, TEXAS

PETITIONER:

LIBERTY HOME EQUITY SOLUTIONS, INC.,
FORMERLY KNOWN AS GENWORTH
FINANCIAL HOME EQUITY ACCESS, INC.

RESPONDENT(S):

ROSALIE C. LINDSEY

COUNTY COURT AT LAW

HOME EQUITY FORECLOSURE ORDER

1. On this day, the Court considered Petitioners' Motion for a Default Order granting its application for an expedited foreclosure order under Rule 736. Applicant's application complies with the requirements of Texas Rule of Civil Procedure 736.1.
2. The name and last known addresses of each Respondent subject to this order is Rosalie C. Lindsey 15140 SW County Road 2250, Dawson, TX 76639. Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten (10) days.
3. The property that is the subject of this foreclosure proceeding is commonly known as 15140 SW County Road 2250, Dawson, TX 76639 with the following legal description:

See Exhibit "A" attached hereto and made a part hereof for all purposes.

4. The lien to be foreclosed is indexed or recorded at Document No. 00005960 and recorded in the real property records of Navarro County, Texas.
5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this Order.

DEPUTY
NAVARRO COUNTY, TX
DISTRICT CLERK
JOSHUA B. TACKETT

1002104-1 30379 - TxHEForeclOrdfor - Rev. 10/15/15

CERTIFIED A TRUE COPY
JOSHUA B. TACKETT
DISTRICT CLERK, NAVARRO COUNTY, TX
ATTESTED: 3-15-2016
BY: DEPUTY.

2016 JAN 12 AM 9:30

FILED

6. Based on the affidavit of the Applicant, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Act, 50 U.S.C. App. § 501 et seq.
7. Therefore, the Court grants Petitioner's Motion for a Default Order under the Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the loan agreement sought to be foreclosed.
8. This Order is not subject to a motion for rehearing, new trial, bill of review or appeal. Any challenge to this Order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.8.

SIGNED THIS 11 day of January, 2014



JUDGE PRESIDING

APPROVED AS TO FORM:

By: 

Jeffry B. Lewis
Robertson Anschutz Vettters
10333 Richmond Avenue, Suite 550
Houston, TX 77042
Tel. (713) 980-9500
Fax (713) 888-2703
jlewis@ravdocs.com
ATTORNEY FOR PETITIONER

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EXHIBIT "A"

All of that certain lot, tract, or parcel of land situated in the Lewis Precinct Survey, Abstract 822, Nueces County, Texas, being all of a section 28.166 acre tract as described in Volume 1445, Page 25, Deed Records of Nueces County, Texas, also being known as part of Lot 8, all of Lots 9 and 10, of X-Bar-J Ranch, as unrecorded subdivisions of Nueces County, Texas, said tract being more fully described by names and bounds as follows:

RECORDING at a point in County Road No. SW2330 for the northwest corner of this tract, also being in the south line of Lot 8 of said subdivision;

THENCE North 30 degrees 00 minutes 00 seconds West, with the west line of this tract, passing a 1/2 inch iron rod found at 26.1 feet, continuing on for a total distance of 1,646.00 feet to a 1/2 inch iron rod found for the northwest corner of this tract, also being on the north line of Lot 8 of said subdivision;

THENCE North 60 degrees 30 minutes 00 seconds East, with the north line of this tract and the north line of Lots 9, 9 and 10, at 696.34 feet to a 1/2 inch steel post for the northeast corner of this tract, also being the northeast corner of Lot 10 and the northwest corner of Lot 11 of said subdivision;

THENCE South 30 degrees 00 minutes 00 seconds East, with the east line of this tract and the east line of Lots 10 and 10 and 11 of said subdivision, passing a 1/2 inch iron rod set at 3,342.69 feet, continuing on for a total distance of 1,346.00 feet to a point for the northeast corner of this tract in County Road No. SW2330, also being the northeast corner of Lot 10 and the northwest corner of Lot 11 of said subdivision;

THENCE South 60 degrees 30 minutes 00 seconds West, with County Road No. SW2330 and the south line of this tract and the south line of Lots 10, 7 and 8, at 696.34 feet to the PLACE OF RECORDING and containing within this description 28.11 acres of land.

EXHIBIT "A"

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TRACT I:

All that certain lot, tract or parcel of land, being 12.851 acres situated in the Louis Trammel Survey, Abstract No. 803, Navarro County, Texas, and being a part of land described in deed from W. C. Onstott, et ux, K Bar J Ranches, Inc., dated November 17, 1977, and recorded in Volume 887, Page 594, Deed Records of Navarro County, Texas, and being more fully described as follows:
BEGINNING at a point in center of County Road on the South side of said Onstott tract, and being 1818 feet N 60° E from the Southwest corner thereof, an iron stake bears 26 feet N 30° W in fence line; THENCE N 30° W 1866 feet to an iron stake in fence line, the North line of said Onstott tract;
THENCE N 60° E 300 feet with fence to an iron stake for corner;
THENCE S 30° E 1866 feet to a point in center of County road, on South line of Onstott tract, an iron stake bears 26 feet N 30° W in fence line;
THENCE S 60° W 300 feet with center line of said County road to the PLACE OF BEGINNING, containing 12.851 acres of land, of which 0.179 acre is within the County Road, and being the same property conveyed by Michael Royce Jarrell and wife, Ronda Ferguson Jarrell to Haskell Woodall by deed dated July 13, 1981 and recorded in Volume 965, Page 116, Deed Records of Navarro County, Texas.

TRACT II:

All that certain lot, tract or parcel of land, being 12.851 acres, situated in the Louis Trammel Survey, Abstract No. 803, Navarro County, Texas, and being a part of the land described in deed from W. C. Onstott et ux, to K-Bar-J Ranches, Inc., dated November 17, 1977, recorded in Volume 887, page 594, Deed Records of Navarro County, Texas, and being more fully described as follows:
BEGINNING at a point in center of County road on the South side of said Onstott tract, and being 2138 feet N 60° E from the Southwest corner thereof, an iron stake bears 26 feet N 30° W in fence line; THENCE N 30° W 1866 feet to an iron stake in fence line the North line of said Onstott tract;
THENCE N 60° E 300 feet with fence to an iron stake for corner;
THENCE S 30° E 1866 feet to a point in center line of County road, an iron stake bears 26 feet N 30° W in fence line;
THENCE S 60° W 300 feet with center line of said road to the place of BEGINNING, containing 12.851 acres of land, of which 0.179 acres is within the County road, and being the same property conveyed by James R. Rhinler to Haskell Woodall by deed dated January 24, 1984 and recorded in Volume 1024, Page 707, Deed Records of Navarro County, Texas.

TRACT III:

All that certain lot, tract or parcel of land, being 12.851 acres situated in the Louis Trammel Survey, Abstract No. 803, Navarro County, Texas, and being part of the land described in Deed from W. C. Onstott et ux to K Bar J Ranches, Inc. dated November 17, 1977, and recorded in Vol. 887, Page 594 Deed Records of Navarro County, Texas, and being more fully described as follows:
BEGINNING at a point in center of County Road on the South line of said Onstott tract, and being 2438 feet N 60° E from the Southwest corner thereof, an iron stake bears 26 feet N 30° W in fence line; THENCE N 30° W 1866 feet to an iron stake in fence line, the North line of said Onstott tract;

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THENCE N 60° E 300 feet with fence to an iron stake for corner;
THENCE S 30° E 1866 feet to a point in center of County Road on
South line of Onstott tract, an iron stake bears 26 feet N 30° W in
fence line;
THENCE S 60° W 300 feet with center line of said County Road, to the
place of beginning, containing 12.851 acres of land, of which 0.179
acres is within the County Road, and being the same property
conveyed by D. R. Woodall to Haskell Woodall by deed dated February
11, 1985 and recorded in Volume 1041, Page 671, Deed Records of
Navarro County, Texas and the same property described in a Warranty
Deed from K Bar J Ranches, Inc. to Haskell Woodall, et ux, Barbara
Hinson Woodall by deed dated May 8, 1987 and recorded in Volume
1253, Page 273, Deed Records of Navarro County, Texas.

SAWD AND EXCEPT all that certain lot, tract or parcel of land BEING
that certain 10.387 acres tract of land situated in the Lewis
Tramell Survey, A-003, Navarro County, Texas, a part of that called
12.851 acres TRACT B described in the deed dated July 13, 1981 from
Mike Jarrell et ux, to Haskell Woodall recorded in Vol. 965, Pg.
16, Deed Records of Navarro County, Texas, and being more
particularly described by metes and bounds as follows:

BEGINNING at a point in the center of a county road for Southwest
corner of said 12.851 acres tract and for Southwest corner of this
tract, from which point a set 1/2" iron rod in the North margin of
said road at the base of a cross-tie fence corner post bears N. 30°
00' 00" W. 24.65 ft., said road also being the South line of said
Lewis Tramell Survey and the North line of the Joseph West Survey,
A-023; THENCE N. 30° 00' 00" W. with the West line of said 12.851
acres TRACT B, at 24.65 ft. said 1/2" iron reference rod in the
North margin of said road, in all, 1866.00 ft. with a fence line to
a set 1/2" iron rod at the base of a cross-tie fence corner post
for Northwest corner of said 12.851 acres tract and for Northwest
corner of this tract, said corner being in the North line of the
Lewis Tramell Survey and in the South line of the Philip Tramell
Survey, A-004;

THENCE N. 60° 38' 07" E. 242.48 ft. with the North line of said
12.851 acres tract and with a fence to a set 1/2" iron rod for
Northeast corner of this tract;

THENCE S. 30° 00' 00" E. at 1841.54 ft. as steel "T" fence post for
reference in the North margin of said county road, in all, 1866.00
ft. to a point in the center of said road and in the South line of
said 12.851 acres tract for Southeast corner of this tract;

THENCE S. 60° 38' 15" W. 247.48 ft. with the centerline of said
road to the point of BEGINNING, containing 10.387 acres.