

2016-138
FILED FOR RECORD
AT 9:13 O'CLOCK A.M.

OCT 11 2016


SHERRY DOWD, County Clerk
NAVARRO COUNTY, TEXAS
Deputy


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: SEE ATTACHED EXHIBIT A
- 2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 02/13/2008 and recorded in Document 00001664 real property records of Navarro County, Texas.
- 3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:
Date: 11/01/2016
Time: 11:00 AM
Place: Navarro County Courthouse, Texas, at the following location: NAVARRO CENTER, 800 N MAIN EAST ENTRANCE 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 GORDON S FARMER AND GLORIA D FARMER, provides that it secures the payment of the indebtedness in the original principal amount of \$106,000.00, 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 Trust, N.A., as Trustee for LSF9 Master Participation Trust is the current mortgagee of the note and deed of trust and CALIBER HOME LOANS, INC. is mortgage servicer. A servicing agreement between the mortgagee, whose address is U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust c/o CALIBER HOME LOANS, INC., 3701 Regent Boulevard, Suite 200, Irving, TX 75063 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 Trust, N.A., as Trustee for LSF9 Master Participation Trust obtained a Order from the 13th District Court of Navarro County on 09/24/2015 under Cause No. D15-24168-CV. 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 RANDY DANIEL, CINDY DANIEL, ALLAN JOHNSTON, ROBERT LAMONT, SHARON ST. PIERRE, HARRIETT FLETCHER, SHERYL LAMONT, DAVID SIMS, WES WEBB OR CARL NIENDORFF, 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
Joseph Modric, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254


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

Certificate of Posting
I am Sharon St Pierre whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. I declare under penalty of perjury that on 10-11-2016 I filed this Notice of Foreclosure Sale at the office of the Navarro County Clerk and caused it to be posted at the location directed by the Navarro County Commissioners Court.



EXHIBIT A

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF CORSICANA, NAVARRO COUNTY, TEXAS, AND BEING LOT ONE (1) IN BLOCK 1207 ACCORDING TO THE PLAT OF OAK RIDGE ADDITION NO. 2 FILED IN VOLUME 4, PAGE 27, PLAT RECORDS OF NAVARRO COUNTY, TEXAS.

THIS CONVEYANCE, HOWEVER, IS MADE AND ACCEPTED SUBJECT TO ANY AND ALL VALIDLY EXISTING EASEMENTS, RIGHT-OF-WAYS, AND PRESCRIPTIVE RIGHTS, WHETHER OF RECORD OR NOT; ALL PRESENTLY RECORDED RESTRICTIONS, RESERVATIONS, COVENANTS, CONDITIONS, OIL AND GAS LEASES, MINERAL SEVERANCES, AND OTHER INSTRUMENTS, OTHER THAN LIENS AND CONVEYANCES, THAT AFFECT THE HEREIN DESCRIBED REAL PROPERTY AS NOW REFLECTED BY THE RECORDS OF THE COUNTY CLERK OF NAVARRO COUNTY, TEXAS; RIGHTS OF ADJOINING OWNERS IN ANY WALLS AND FENCES SITUATED ON A COMMON BOUNDARY; ANY DISCREPANCIES, CONFLICTS, OR SHORTAGES IN AREA OR BOUNDARY LINES; ANY ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS; TAXES FOR THE CURRENT YEAR, THE PAYMENT OF WHICH GRANTEE ASSUMES; AND SUBSEQUENT ASSESSMENTS FOR THE CURRENT AND PRIOR YEARS DUE TO CHANGE IN LAND USAGE, OWNERSHIP, OR BOTH, THE PAYMENT OF WHICH GRANTEE ASSUMES.

TAX ID #: R000000768

BEING ALL AND THE SAME LANDS AND PREMISES CONVEYED TO GORDON S. FARMER AND WIFE, GLORIA D. FARMER BY RUSSELL F. MAIVILLE AND SUE MAIVILLE IN A WARRANTY DEED EXECUTED 5/23/2002 AND RECORDED 5/26/2002 IN BOOK 1576, PAGE 0683 OF THE NAVARRO COUNTY, TEXAS LAND RECORDS