

## 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 OR 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: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE WR BOWEN SURVEY, ABSTRACT NO 68, NAVARRO COUNTY, TEXAS, BEING LOT SEVEN (7) OF ADCOCK SUBDIVISION PHASE II AS RECORDED IN VOLUME 5, PAGE 84, PLAT RECORDS OF NAVARRO COUNTY, TEXAS.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 06/19/2008 and recorded in Document 00005737 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: 05/02/2017

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 ELIJAH L. BIVENS AND LAKEISHA BIVENS, provides that it secures the payment of the indebtedness in the original principal amount of \$69,351.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. BRANCH BANKING AND TRUST COMPANY is the current mortgagee of the note and deed of trust and BRANCH BANKING AND TRUST COMPANY is mortgage servicer. A servicing agreement between the mortgagee, whose address is BRANCH BANKING AND TRUST COMPANY c/o BRANCH BANKING AND TRUST COMPANY, P. O. BOX 2467, GREENVILLE, SC 29602 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 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  
Marissa Sibal, Attorney at Law  
Parkway Office Center, Suite 900  
14160 North Dallas Parkway  
Dallas, TX 75254

 3-27-17

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 3-27-2017 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.

2017-30  
FILED FOR RECORD  
AT 3:45 O'CLOCK P M.

MAR 27 2017

SHERRY DOWD, County Clerk  
NAVARRO COUNTY, TEXAS  
BY 07 DEPUTY

