

2017-133
FILED FOR RECORD
AT 2:31 O'CLOCK P.M.

NOV 14 2017


NOTICE OF FORECLOSURE SALE


SHERRY DOWD, County Clerk
NAVARRO COUNTY, TEXAS

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 04/19/2005 and recorded in Book 1753 Page 431 Document 00004040 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: 12/05/2017
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 CAROL A. GILLMAN AND ALAN W. GILLMAN, provides that it secures the payment of the indebtedness in the original principal amount of \$64,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR AMERIQUEST MORTGAGE SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-R5 is the current mortgagee of the note and deed of trust and OCWEN LOAN SERVICING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR AMERIQUEST MORTGAGE SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-R5 c/o OCWEN LOAN SERVICING, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. Order to Foreclose.** DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR AMERIQUEST MORTGAGE SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-R5 obtained a Order from the 13th District Court of Navarro County on 11/01/2017 under Cause No. D17-26114-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, RONNIE HUBBARD, 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
Cori Liane Long, Attorney at Law
Tracey Midkiff, Attorney at Law
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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, RONNIE
HUBBARD, 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 c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on 11-14-2017 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.



Exhibit A

That certain lot, tract or parcel of land, being 0.359 acre situated in the W.W. Clark Survey, Abstract No. 181, in
Powell, Navarro County, Texas, and being part of a tract of land described in Deed from Willie Kyser Ellett, a
widow, to Margaret Dell Parks and Jeannette Buchel, dated March 9, 1970, recorded in Volume 781, page 441 of the
Public Records of Navarro County, Texas, and being more fully described as follows:

beginning at a 5/8" rod found for the Northeast corner of the above mentioned tract and in the West line of County
Road NE 2010;

thence with the East line of said road S30° E 60.0 feet and S12°53'E 74.81 feet to a 5/8" rod found for corner in the
North line of an alley;

thence S 60° W 103.0 feet to a 1" rod found for corner;

thence N30° W 131.5 feet with the West line of said tract to a 1/2" rod found for corner;

thence N60° E 125.0 feet to the Place of Beginning, containing 0.359 acre of land, more or less.

The Company is prohibited from insuring the area or quantity of the land described herein. Therefore, the
Company does not represent that the acreage or square footage calculations are correct. References to quantity are