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### NOTICE OF FORECLOSURE SALE

FILED  
NICOLE TANNER, COUNTY CLERK  
HILL COUNTY, TEXAS

2015 DEC 30 P 1:38

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 06/16/2005 and recorded in Book 1353 Page 0813 Document 006303 real property records of Hill County, Texas.

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

Date: 02/02/2016

Time: The sale will begin no earlier than 12:00 PM or no later than three hours thereafter.

Place: Hill County Courthouse, Texas, at the following location: EAST DOOR OF THE HILL COUNTY 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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

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. 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.

5. **Obligations Secured.** The Deed of Trust executed by VICKI JANE MCCOY AND RICKEY JESS MCCOY, provides that it secures the payment of the indebtedness in the original principal amount of \$157,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. WELLS FARGO BANK, National Association, successor by merger to WELLS FARGO BANK MINNESOTA, NATIONAL ASSOCIATION, as Trustee for MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-HE5 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE5 is the current mortgagee of the note and deed of trust and SELECT PORTFOLIO SERVICING, INC. is mortgage servicer. A servicing agreement between the mortgagee, whose address is WELLS FARGO BANK, National Association, successor by merger to WELLS FARGO BANK MINNESOTA, NATIONAL ASSOCIATION, as Trustee for MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-HE5 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE5 c/o SELECT PORTFOLIO SERVICING, INC., 3217 S. Decker Lake Dr., Salt Lake City, UT 84119 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. **Default and Request to Act.** Default has occurred under the deed of trust and WELLS FARGO BANK, National Association, successor by merger to WELLS FARGO BANK MINNESOTA, NATIONAL ASSOCIATION, as Trustee for MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-HE5 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE5 obtained an Order from the 66th District Court of Hill County on 11/20/2015 under Cause No. 52526. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order and notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

TIM LEWIS, DENISE BOERNER, BRENDA WIGGS, DONNA STOCKMAN, DAVID STOCKMAN, GUY WIGGS, ANGELA LEWIS, JUANITA COX, JIMMY CARROLL BREWER, STEPHEN RAWLINGS, DIASHA PERKINS, MICHAEL W. ZIENTZ, OR CARL NIENDORFF  
c/o AVT Title Services, LLC  
13770 Noel Road #801529  
Dallas, TX 75380-1529

14-004251-670  
225 Hcr 3242  
Hubbard, TX 76648

**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.**



4556801

EXHIBIT A

BEING A TRACT OF LAND IN THE J. MOORE SURVEY, ABSTRACT NO. 626, HILL COUNTY, TEXAS, AND BEING A PART OF A CALLED 25.00 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 1277, PAGE 833, DEED RECORDS OF HILL COUNTY, TEXAS (D.R.H.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A ½" IRON ROD FOUND IN THE WEST LINE OF SAID 25.00 ACRE TRACT AND BEING IN THE EAST LINE OF A CALLED 80.81 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 809, PAGE 272, D.R.H.C.T., AND ALSO BEING THE MOST SOUTHERLY CORNER OF A CALLED 2.00 ACRE TRACT OF LAND AS DESCRIBED IN A DEED RECORDED IN VOLUME 721, PAGE 274, D.R.H.C.T.;

THENCE N 09°25'17" E ALONG THE EAST LINE OF SAID 2.00 ACRE TRACT, 460.77 FEET TO A ½" IRON ROD SET WITH A CAP STAMPED "DUMAS SURVEYING" IN THE SOUTH LINE OF COUNTY ROAD 3242, ALSO BEING IN THE NORTHERLY LINE OF SAID 25.00 ACRE TRACT AND BEING THE NORTHEAST CORNER OF SAID 2.00 ACRE TRACT;

THENCE S 80°34'43" E, CALLED S 80°37'29" E, ALONG THE NORTHERLY LINE OF SAID 25.00 ACRE TRACT AND THE SOUTHERLY LINE OF SAID COUNTY ROAD 3242, 445.53 FEET TO A ½" IRON ROD SET WITH A CAP STAMPED "DUMAS SURVEYING" FOR AN ANGLE POINT IN SAID LINES;

THENCE S 83°21'21" E, CALLED S 83°24'07" E, ALONG THE NORTHERLY LINE OF SAID 25.00 ACRE TRACT AND THE SOUTHERLY LINE OF SAID COUNTY ROAD 3242, 174.49 FEET TO A ½" IRON ROD FOUND FOR A CORNER;

THENCE S 06°38'39" W, LEAVING THE NORTHERLY LINE OF SAID 25.00 ACRE TRACT, 584.83 FEET TO A POINT FROM WHICH A ½" IRON ROD SET WITH A CAP STAMPED "DUMAS SURVEYING" BEARS S 06°38'39" W, 15.19 FEET;

THENCE S 60°00'00" W, 427.72 FEET TO A POINT IN THE WESTERLY LINE OF SAID 25.00 ACRE TRACT AND BEING IN THE EASTERLY LINE OF SAID 80.81 ACRE TRACT, FROM WHICH A ½" IRON ROD SET WITH A CAP STAMPED "DUMAS SURVEYING" BEARS S 30°00'00" E, 12.19 FEET, AND A ½" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 25.00 ACRE TRACT BEARS S 30°00'00" E, 341.84 FEET;

THENCE N 30°00'00" W ALONG THE WESTERLY LINE OF SAID 25.00 ACRE TRACT AND THE EASTERLY LINE OF SAID 80.81 ACRE TRACT, 500.37 FEET TO THE PLACE OF BEGINNING AND CONTAINING 10.000 ACRES OF LAND AS SURVEYED ON THE GROUND ON APRIL 29, 2005 UNDER THE SUPERVISION OF S. ERIK DUMAS, R.P.L.S. NO. 5371. ALL BEARINGS RECTED HEREIN ARE CORRELATED TO THE WESTERLY LINE OF SAID 25.00 ACRE TRACT.

006303

FILED  
AT 3:30 O'CLOCK P. M  
ON THE 5 DAY OF July  
A.D., 2005

STATE OF TEXAS  
COUNTY OF HILL

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the Official Public Records of Hill County, Texas.

Ruth Pelham  
COUNTY CLERK, HILL CO. TEXAS



Ruth Pelham  
County Clerk, Hill County, Texas

BY Ann McClure  
DEPUTY

BY J. Hilton DEPUTY  
RECORDED 7-5-05

EASTLAND  
TITLE CO.  
P. O. Box 680  
Hillsboro, Texas 76645

BOOK 1353 PAGE 0833

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