

NOTICE OF FORECLOSURE SALE

FILE FOR RECORD
JENNIFER L. HINDENZWEIG
COUNTY CLERK HUNT COUNTY TX
17 OCT -5 AM 11:08
BY: DEPUTY

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 04/26/1999 and recorded in Book 0562 Page 001 Document 005721 real property records of Hunt County, Texas.
- 3. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:
 Date: 11/07/2017
 Time: 12:00 PM
 Place: Hunt County Courthouse, Texas, at the following location: THE NORTH STEPS OF THE COURTHOUSE INCLUDING THE HALLWAY AREA 20 FT. INSIDE ON THE 2ND FLOOR 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 SILVINA EPPERSON AND WILLIAM F. EPPERSON, JR., provides that it secures the payment of the indebtedness in the original principal amount of \$99,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. NEW PENN FINANCIAL, LLC D/B/A SHELLPOINT MORTGAGE SERVICING is the current mortgagee of the note and deed of trust and SHELLPOINT MORTGAGE SERVICING is mortgage servicer. A servicing agreement between the mortgagee, whose address is NEW PENN FINANCIAL, LLC D/B/A SHELLPOINT MORTGAGE SERVICING c/o SHELLPOINT MORTGAGE SERVICING, 2020 S. Dairy Ashford #200, Houston, TX 77077 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, JIM O'BRYANT, WES WEBB OR MICHAEL W. ZIENTZ, 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

RANDY DANIEL, CINDY DANIEL, JIM O'BRYANT, WES WEBB
OR MICHAEL W. ZIENTZ
c/o AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

Certificate of Posting

I am _____ 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 _____ I filed this Notice of Foreclosure Sale at the office of the Hunt County Clerk and caused it to be posted at the location directed by the Hunt County Commissioners Court.

EXHIBIT "A"

All that certain lot, tract, or parcel of land situated in the City of Commerce, Hunt County, Texas, being all of Lot 1, Block B, RIDGE NORTH ADDITION, SECTION ONE, an Addition to the City of Commerce, Texas, according to the Plat thereof recorded in Volume 400 at Page 173, of the Hunt County Plat Records, and being part of Lot 2, Block B, RIDGE NORTH ADDITION, SECTION TWO, an Addition to the City of Commerce, Texas, according to the Plat thereof recorded in Volume 400 at Page 195, of the Hunt County Plat Records, and being the same lot, tract or parcel of land conveyed by deed from J.B. Boyd, Jr., and wife, Tommie Lee Boyd to Lowell N. Ballew, and wife, Margaret Beth Ballew as recorded in Volume 653 at Page 234 of the Hunt County Deed Records and being further described as follows:

BEGINNING at a 3/8" iron rod found for corner at the intersection of the Southeast right of way of Northwood Drive (a 60' R.O.W.) and the southwest right of way of Brookhaven Terrace (a 50' R.O.W.) a the north corner of said Lot 1, Block B;

THENCE S 37' 35' 48" E along the southwest right of way of Brookhaven Terrace, a distance of 115.80 feet to a 3/8" iron rod found for corner, being the east corner of said Boyd to Ballew tract;

THENCE S 52' 36' 12" W joining and along a fence, a distance of 130.90 feet to a 1/2" iron rod set for corner, being in the northeast right of way of State Highway No. 11 (a 200' R.O.W.);

THENCE N 38' 17' 48" W along the northeast right of way of State Highway No. 11, a distance of 29.40 feet to a concrete highway monument found for corner;

THENCE N 36' 28' 48" W continuing along the northeast right of way of State Highway No. 11, a distance of 95.26 feet to a 1/2" iron rod set for corner, being the intersection of said northeast right of way of State Highway No. 11 and the southeast right of way of said Northwood Drive;

THENCE N 56' 30' 45" E along the southeast right of way of Northwood Drive, a distance of 129.74 feet returning to the Point of Beginning and containing 0.360 acre of land and being known as No. 201 Brookhaven Terrace.

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FILED FOR RECORD
LINDA BROOKS
COUNTY CLERK HUNT CO., TX

99 APR 27 PM 3:59

BY: *J. Leman*
DEPUTY

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