



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: EXHIBIT A
- 2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 06/24/2008 and recorded in Document 2008-02802222 real property records of Eastland 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: 01:00 PM
Place: Eastland County Courthouse, Texas, at the following location: THE SOUTH ENTRANCE STEPS OF THE EASTLAND 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.
- 5. Obligations Secured.** The Deed of Trust executed by KENNETH BROWN, provides that it secures the payment of the indebtedness in the original principal amount of \$99,216.00, 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 LAURA BROWDER, TERRY BROWDER, MARSHA MONROE OR LINDA REPPERT, 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


LAURA BROWDER, TERRY BROWDER, MARSHA MONROE
OR LINDA REPPERT
c/o AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

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

RECEIVED 2:10 P.M.
CATHY JENTHO, COUNTY CLERK

OCT 07 2016

EASTLAND COUNTY, TEXAS
By  Deputy

EXHIBIT "A"

GF#08-088

BEING a tract of land situated in the northeast quarter of Section 44, Block 4, H & T C Ry Co Survey, Abstract No 1779, Eastland County, Texas, being a portion of a tract of land described in the deed to Danny H Hutto and wife, Cathryn L Hutto, recorded in Volume 2266, Page 285, Official Public Records of Eastland County, Texas, being more particularly described by metes and bounds as follows

BEGINNING at a 5" metal fence corner post in the north line of State Highway No 6 for the southeast corner of the Hutto Tract, same being the southwest corner of a tract of land described in the deed to The Robert L and Merlene L King Family, LTD, recorded in Volume 1797, Page 228, Official Public Records, Eastland County, Texas,

THENCE N 89° 42' 34" W, 229 51 feet along the north line of State Highway No 6 to a ½" rebar rod set with a cap stamped RPLS 1983 (control monument) for the southwest corner of this described tract,

THENCE N 02° 11' 03" E (base bearing per GPS Observation, WGS 84), 428 08 feet crossing the Hutto Tract to a ½" rebar rod set with a cap stamped RPLS 1983 (control monument) for the northwest corner of this described tract,

THENCE N 89° 29' 40" E 216 46 feet crossing the Hutto Tract to a ½" rebar rod set with a cap stamped RPLS 1983 for the northeast corner of this described tract and in the west line of the King Family LTD Tract,

THENCE S 00° 26' 00" W, 430 86 feet along the common line between the Hutto Tract and the King Family LTD Tract to the point of beginning and containing 2 20 acres