

NOTICE OF [SUBSTITUTE] TRUSTEE'S 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. Date, Time, and Place of Sale.

Date: August 04, 2020

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: THE NORTH DOOR OF THE MILLS COUNTY JAIL OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated March 16, 2009 and recorded in Document VOLUME 298, PAGE 446 real property records of MILLS County, Texas, with PATRICIA JACOBY, grantor(s) and BANK OF AMERICA, N.A., mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by PATRICIA JACOBY, securing the payment of the indebtednesses in the original principal amount of \$349,500.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. CHAMPION MORTGAGE COMPANY, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o CHAMPION MORTGAGE COMPANY
8950 CYPRESS WATERS BLVD.
COPPELL, TX 75019



6-25-20



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.

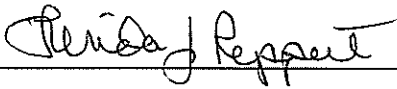
The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead LINDA J. REPERT OR HOWARD WHITNEY whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Israel Saucedo

Certificate of Posting

My name is Linda J. Reppert, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on June 25, 2020 I filed at the office of the MILLS County Clerk and caused to be posted at the MILLS County courthouse this notice of sale.



Declarants Name: LINDA J. REPERT

Date: June 25, 2020

0000006947295

MILLS

EXHIBIT "A"

TRACT 1:

BEING 5.00 ACRES OF LAND SITUATED IN MILLS COUNTY, TEXAS, OUT OF THE HARRISON SCHROPSHIRE SURVEY, ABSTRACT NO. 584 AND BEING PART OF A 50 ACRE TRACT TWO, THAT IS DESCRIBED IN A NON- HOMESTEAD AFFIDAVIT AND DESIGNATION OF HOMESTEAD, CLARENCE GLEN LOVE, ET UX, DATED SEPTEMBER 8, 1982, RECORDED IN VOLUME 169 AT PAGE 664, DEED RECORDS OF MILLS COUNTY, TEXAS, AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 IRON ROD SET, FROM A 3 INCH PIPE POST FOUND IN A FENCE CORNER AT THE OCCUPIED SOUTHWEST CORNER OF THE T.W. HUCKABEE SURVEY, A-1465 AND BEING IN THE EAST LINE OF SAID SCHROPSHIRE SURVEY AND BEING THE OCCUPIED NORTHWEST CORNER OF THE T. & ST. L. RAILROAD SURVEY 7, ABSTRACT NUMBER 674, AND BEING THE SOUTHWEST CORNER OF A 152.9 ACRE TRACT SIX AND IN THE EAST LINE OF SAID 50 ACRE TRACT TWO THAT IS DESCRIBED IN SAID VOLUME 169, PAGE 664, SAID DEED RECORDS, AND BEING THE NORTHWEST CORNER OF A 259 ACRE TRACT OF LAND THAT IS DESCRIBED IN VOLUME 114, PAGE 585, SAID DEED RECORDS, BEARS S 21° 46' 21" E 1455.18 FEET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE S 69° 22' 40" W 132.58 FEET, TO A 1/2 INCH IRON ROD SET, N 43° 04' 03" W 73.83 FEET, TO A 1/2 INCH IRON ROD SET AND S 69° 22' 40" W 369.63 FEET, TO A 1/2 INCH IRON ROD SET, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 20° 37' 20" W 391.77 FEET, TO A 1/2 IRON ROD SET, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE N 69° 22' 40" E 530.40 FEET, TO A 1/2 INCH IRON ROD SET, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 20° 37' 20" E 460.00 FEET, TO THE POINT OF BEGINNING AND CONTAINING 5.00 ACRES OF LAND, MORE OR LESS.

TRACT 2 (ACCESS EASEMENT ONLY):

BEING A 0.98 ACRE 30 FOOT WIDE EASEMENT TRACT OF LAND, SITUATED IN MILLS COUNTY, TEXAS, OF WHICH 0.48 OF AN ACRE IS OUT OF THE HARRISON SCHROPSHIRE SURVEY NUMBER 584, AND THE REMAINING 0.50 OF AN ACRE OF LAND IS OUT OF THE T.W. HUCKABEE SURVEY, ABSTRACT 1465 AND BEING PART OF A 50 ACRE TRACT TWO AND PART OF A 152.9 ACRE TRACT SIX, THAT IS DESCRIBED IN A NON-HOMESTEAD AFFIDAVIT AND DESIGNATION OF HOMESTEAD, CLARENCE GLEN LOVE, ET UX, DATED SEPTEMBER 8, 1982, RECORDED IN VOLUME 169, PAGE 664, DEED RECORDS OF MILLS COUNTY, TEXAS AND FURTHER DESCRIBED AS FOLLOW:

BEGINNING AT A 1/2 INCH IRON ROD SET, FROM WHICH A 3 INCH PIPE POST FOUND IN A FENCE CORNER AT THE OCCUPIED SOUTHWEST CORNER OF SAID T.W. HUCKABEE SURVEY, AND BEING IN THE EAST LINE OF SAID SCHROPSHIRE SURVEY, AND BEING THE OCCUPIED NORTHWEST CORNER OF THE T & ST. L. RAILROAD SURVEY 7, ABSTRACT NUMBER 674 AND BEING THE SOUTHWEST CORNER OF SAID 152.9 ACRE TRACT SIX AND IN THE EAST LINE OF SAID 50 ACRE TRACT TWO AND BEING THE NORTHWEST CORNER OF A 259 ACRE TRACT OF LAND THAT IS DESCRIBED IN VOLUME 114 AT PAGE 585, SAID DEED RECORDS, BEARS S 21° 46' 21" E 1455.18 FEET, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 20° 37' 20" W AT 460 FEET PAST A 1/2 INCH IRON ROD SET AT THE NORTHEAST CORNER OF A 5.00 ACRE TRACT AND CONTINUE ON FOR A TOTAL DISTANCE OF 1238.54 FEET, TO A 1/2 INCH IRON ROD SET IN A FENCE ON THE NORTH LINE OF SAID 50 ACRE TRACT AND BEING IN THE SOUTH LINE OF A 15 ACRE TRACT OF LAND THAT IS DESCRIBED IN A DEED TO THE MT. OLIVE CHURCH, RECORDED IN VOLUME 4, PAGE 264, SAID DEED RECORDS, FOR A CORNER OF THIS TRACT;

THENCE N 70° 17' 20" E 30.00 FEET, WITH A FENCE, TO A 1/2 INCH IRON ROD FOUND IN A FENCE CORNER ON THE EAST SIDE OF A LANE, FOR A CORNER OF THIS TRACT;

THENCE N 20° 33' 08" W 152.82 FEET, WITH A FENCE ALONG THE EAST SIDE OF SAID LANE, TO A 1/2 INCH IRON ROD FOUND IN A FENCE CORNER ON THE SOUTH LINE OF MILLS COUNTY ROAD NUMBER 237, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE N 70° 01' 47" E 30.0 FEET, WITH A FENCE ALONG THE SOUTH LINE OF SAID COUNTY ROAD 237, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 20° 33' 08" E 182.96 FEET, TO A 1/2 INCH IRON ROD SET, S 70° 17' 20" W 29.97 FEET, TO A 1/2 INCH IRON ROD SET IN A FENCE AND S 20° 37' 20" E 1208.06 FEET, WITH A FENCE, TO A 1/2 INCH IRON ROD SET, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE S 69° 22' 40" W 30.00 FEET, TO THE POINT OF BEGINNING AND CONTAINING 0.98 OF AN ACRE OF LAND, MORE OR LESS.

CAUSE NO. 16-06-6772

IN RE: ORDER FOR FORECLOSURE
CONCERNING 80 COUNTRY ROAD 237
GOLDTHWAITE, TX 76844
UNDER TEX. R. CIV. PROC. 736

§ IN THE DISTRICT COURT OF
§
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§
§
§ MILLS COUNTY, TEXAS
§
§
§
§
§
§
§
§
§ 35th JUDICIAL DISTRICT

PETITIONER:

NATIONSTAR MORTGAGE LLC D/B/A
CHAMPION MORTGAGE COMPANY

RESPONDENT(S):

PATRICIA JACOBY

DEFAULT ORDER

1. On this date the Court considered Petitioner's Motion for Default Order granting its application for an expedited order under Rule 736. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.
2. The name and last known address of each Respondent subject to this order is:

PATRICIA JACOBY
80 COUNTRY ROAD 237
GOLDTHWAITE, TX 76844

PATRICIA JACOBY
3400 CRAIG DR APT 817
MCKINNEY, TX 75070

PATRICIA JACOBY
1209 8TH STREET APT #110
GOLDTHWAITE, TX 76844

Each respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten days.

3. The Property that is the subject of this foreclosure proceeding is commonly known as 80 COUNTRY ROAD 237, GOLDTHWAITE, TX 76844 with the following legal description:

SEE EXHIBIT "A"

4. The lien sought to be foreclosed is indexed or recorded at Book 298, Page 446 and recorded in the real property records of Mills County, Texas.

FILED FOR RECORD

At 8:45 O'Clock PM M

SEP 21 2015

CAROLYN FOSTER County & District Clerk
Mills County, Texas

By _____ Deputy

EXHIBIT "A"

TRACT 1:

BEING 5.00 acres of land situated in Mills County, Texas, out of the Harrison Schropshire Survey, Abstract No. 584 and being part of a 50 acre Tract Two, that is described in a Non-Homestead Affidavit and Designation of Homestead, Clarence Glen Love, et ux, dated September 8, 1982, recorded in Volume 169 at Page 664, Deed Records of Mills County, Texas, and further described as follows:

BEGINNING at a 1/2 iron rod set, from which a 3 inch pipe post found in a fence corner at the occupied Southwest corner of the T.W. Huckabee Survey, A-1465 and being in the East line of said Schropshire Survey and being the occupied Northwest corner of the T. & St. L. Railroad Survey 7, Abstract Number 674, and being the Southwest corner of a 152.9 acre Tract Six and in the East line of said 50 acre Tract Two that is described in said Volume 169, Page 664, said Deed Records, and being the Northwest corner of a 259 acre tract of land that is described in Volume 114, Page 585, said Deed Records, bears S 21° 46' 21" E 1455.18 feet for the Southeast corner of this tract;

THENCE S 69° 22' 40" W 132.58 feet, to a 1/2 inch iron rod set, N 43° 04' 03" W 73.83 feet, to a 1/2 inch iron rod set and S 69° 22' 40" W 369.63 feet, to a 1/2 inch iron rod set, for the Southwest corner of this tract;

THENCE N 20° 37' 20" W 391.77 feet, to a 1/2 iron rod set, for the Northwest corner of this tract;

THENCE N 69° 22' 40" E 530.40 feet, to a 1/2 inch iron rod set, for the Northeast corner of this tract;

THENCE S 20° 37' 20" E 460.00 feet, to the point of BEGINNING and containing 5.00 acres of land.

TRACT 2 (Access Easement Only):

BEING a 0.98 acre, 30 foot wide Easement Tract of land, situated in Mills County, Texas, of which 0.48 of an acre is out of the Harrison Schropshire Survey Number 584, and the remaining 0.50 of an acre of land is out of the T.W. Huckabee Survey, Abstract 1465 and being part of a 50 acre Tract Two and part of a 152.9 acre Tract Six, that is described in a Non-Homestead Affidavit and Designation of Homestead, Clarence Glen Love, et ux, dated September 8, 1982, recorded in Volume 169, Page 664, Deed Records of Mills County, Texas and further described as follow:

BEGINNING at a 1/2 inch iron rod set, from which a 3 inch pipe post found in a fence corner at the occupied Southwest corner of said T.W. Huckabee Survey, and being in the

East line of said Schropshire Survey, and being the occupied Northwest corner of the T & ST. L. Railroad Survey 7, Abstract Number 674 and being the Southwest corner of said 152.9 acre TRact Six and in the East line of said 50 acre Tract Two and being the Northwest corner of a 259 acre tract of land that is described in Volume 114 at page 585, said Deed Records, bears S 21° 46' 21" E 1455.18 feet, for the Southwest corner of this tract;

THENCE N 20° 37' 20" W at 460 feet past a 1/2 inch iron rod set at the Northeast corner of a 5.00 acre tract and continue on for a total distance of 1238.54 feet, to a 1/2 inch iron rod set in a fence on the North line of said 50 acre tract and being in the South line of a 15 acre tract of land that is described in a deed to the Mt. Olive Church, recorded in Volume 4, Page 264, said Deed Records, for a corner of this tract;

THENCE N 70° 17' 20" E 30.00 feet, with a fence, to a 1/2 inch iron rod found in a fence corner on the East side of a Lane, for a corner of this tract;

THENCE N 20° 33' 08" W 152.82 feet, with a fence along the East side of said lane, to a 1/2 inch iron rod found in a fence corner on the South line of Mills County Road Number 237, for the Northwest corner of this tract;

THENCE N 70° 01' 47" E 30.0 feet, with a fence along the South line of said County Road 237, for the Northeast corner of this tract;

THENCE S 20° 33' 08" E 182.96 feet, to a 1/2 inch iron rod set, S 70° 17' 20" W 29.97 feet, to a 1/2 inch iron rod set in a fence and S 20° 37' 20" E 1208.06 feet, with a fence, to a 1/2 inch iron rod set, for the Southeast corner of this tract;

THENCE S 69° 22' 40" W 30.00 feet, to the point of BEGINNING and containing 0.98 of an acre of land.

5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this order.
6. Based on the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App § 501 et seq.
7. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the loan agreement sought to be foreclosed.
8. This Order is not subject to a motion for rehearing, a new trial, a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this 15 day of SEPTEMBER, 2016.

JUDGE PRESIDING

Approved and Entry Requested:


MACKIE WOLF ZIENTZ & MANN, P.C.
Tracey Midkiff
Attorney, State Bar No. 24076558
tmidkiff@mwzmlaw.com
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254
(214) 635-2650 (Phone)
(214) 635-2686 (Fax)

FILED FOR RECORD
At 2:01 O'Clock PM

JUN 25 2020

CAROLYN FOSTER County & District Clerk
Mills County, Texas
By Haraco Deputy