

JUN 27 2019


NOTICE OF FORECLOSURE SALE

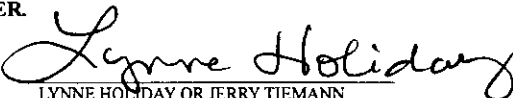
SASHA KELTON
County Clerk, Clay County, Texas

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: EXHIBIT A
- 2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 09/19/2008 and recorded in Document 64324 real property records of Clay County, Texas.
- 3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:
Date: 08/06/2019
Time: 10:00 AM
Place: Clay County, Texas, at the following location: WEST DOOR OF THE CLAY 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 ANDREA PHARRIES AND DARWIN PHARRIES, provides that it secures the payment of the indebtedness in the original principal amount of \$170,250.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY is the current mortgagee of the note and deed of trust and CHAMPION MORTGAGE COMPANY is mortgage servicer. A servicing agreement between the mortgagee, whose address is NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY c/o CHAMPION MORTGAGE COMPANY, 8950 Cypress Waters Blvd, Coppell, TX 75019 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. Order to Foreclose.** NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY obtained a Order from the 97th District Court of Clay County on 06/11/2019 under Cause No. 2019-0044C-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 LYNNE HOLIDAY OR JERRY TIEMANN, 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
Chelsea Schneider, Attorney at Law
Ester Gonzales, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254


LYNNE HOLIDAY OR JERRY TIEMANN
c/o AVT Title Services, LLC
5177 Richmond Avenue Suite 1230
Houston, TX 77056

I am Lynne Holiday Certificate of Posting 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 6/27/19 I filed this Notice of Foreclosure Sale at the office of the Clay County Clerk and caused it to be posted at the location directed by the Clay County Commissioners Court.



Exhibit A

3.97 ACRES OUT OF B.B.B. & C. RR. COMPANY SURVEY NUMBER 16, ABSTRACT 124, CLAY COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD SET IN THE CENTER OF OLD T-BONE ROAD AND ON THE SOUTH LINE OF B.B.B. & C. RR. COMPANY SURVEY NUMBER 16, ABSTRACT 124 THAT IS S 89°14'36" E 1564.05 FEET FROM ITS SOUTHWEST CORNER;

THENCE N 01°14'30" W AT 30.0 FEET PASS A 1/2 INCH IRON ROD SET AT A LARGE WOODEN FENCE CORNER ON THE NORTH SIDE OF THE ROAD, IN ALL A TOTAL DISTANCE OF 351.24 FEET TO A 1/2 INCH IRON ROD SET AT A LARGE WOODEN FENCE CORNER POST FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 89°14'36" E 492.0 FEET TO A 5/8 INCH IRON FOUND ON FOOT SOUTH OF A LARGE WOODEN FENCE CORNER AT THE NORTHWEST CORNER OF A TRACT OWNED BY EDDY COPE, VOLUME 287, PAGE 636;

THENCE S 01°14'30" E AT 322.27 FEET PASS A 5/8 INCH IRON ROD FOUND ON THE NORTH LINE OF THE ROAD, IN ALL A TOTAL DISTANCE OF 351.24 FEET TO A 1/2 INCH IRON ROD SET IN THE CENTER OF THE ROAD AND ON THE SOUTH LINE OF SURVEY NO. 16:

THENCE N 89°14'36" W 492.0 FEET ALONG THE SOUTH LINE OF SURVEY NO. 16 AND THE CENTER OF THE ROAD TO THE PLACE OF BEGINNING AND CONTAINING 3.97 ACRES OF LAND.

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 for informational purposes only.

64324 X

FILED FOR RECORD
At 11:55 o'clock A
M

OCT 02 2008

KAY HUTCHISON
County Clerk, Clay County, TX

1/2

Tracy Waddell

4016 Gateway Dr Ste 120

Colleyville TX 76034

CLERK'S NOTICE: ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE, IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

FILED
AT 11:55 O'CLOCK a M
ON THE 2 DAY OF Oct
A.D., 2008

Kay Hutchison
Kay Hutchison
COUNTY CLERK, CLAY CO., TEXAS
BY Amicee Parson
DEPUTY

STATE OF TEXAS
COUNTY OF CLAY
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
Book 219 Records of Clay
County, Texas.



Kay Hutchison
Kay Hutchison
County Clerk, Clay County, Texas
VOL. 219 PAGE 290
RECORDED Oct 3, 2008
at 8:25 a.m.