

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 OR 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: ~~BEING ALL THAT CERTAIN TRACT OF LAND BEING LOTS 3, OF THE HAPPY VALLEY ESTATES SUBDIVISION OF ERATH COUNTY, TEXAS, AS RECORDED IN VOL. 1, PAGE 56 OF THE PLAT OF RECORDS TO ERATH COUNTY, TEXAS.~~

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 10/29/2004 and recorded in Book 1202 Page 0075 real property records of Erath County, Texas.

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

Date:

08/02/2016

Time:

10:00 AM

Place:

Erath County Courthouse, Texas at the following location: SOUTH ENTRANCE OF THE 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 ~~NEAL JACKSON~~ provides that it secures the payment of the indebtedness in the original principal amount of \$70,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not in its individual capacity but as Trustee of ARLP Trust 5 is the current mortgagee of the note and deed of trust and BSI FINANCIAL SERVICES is mortgage servicer. A servicing agreement between the mortgagee, whose address is Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not in its individual capacity but as Trustee of ARLP Trust 5 c/o BSI FINANCIAL SERVICES, 314 South Franklin Street, 2nd Floor, Titusville, PA 16354 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Order to Foreclose.* Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not in its individual capacity but as Trustee of ARLP Trust 5 obtained a Order from the 266th District Court of Erath County on 07/06/2016 under Cause No. cv33744. 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 GUY WIGGS, BRENDA WIGGS, DENISE BOERNER, DONNA STOCKMAN, DAVID STOCKMAN, TIM LEWIS OR LORI MCCARTY, 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

GUY WIGGS, BRENDA WIGGS, DENISE BOERNER,
DONNA STOCKMAN, DAVID STOCKMAN, TIM LEWIS
OR LORI MCCARTY
c/o AVT Title Services, LLC
13770 Noel Road #801529
Dallas, TX 75380-1529

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 Erath County Clerk and caused it to be posted at the location directed by the Erath County Commissioners Court.

POSTED

10:30 A.M. _____ P.M.

JUL 12 2016

GWINDA JONES, COUNTY CLERK
ERATH COUNTY, TEXAS

By _____ Deputy