

NOTICE OF FORECLOSURE SALE

State of Texas §
County of Hunt §

FILE FOR RECORD
JENNIFER LINDENZWEIG
COUNTY CLERK HUNT CO. TX
18 FEB 12 PM 12:45
BY: DEPUTY

Notice is hereby given of a public non-judicial foreclosure sale.

1. Property To Be Sold. The property to be sold is described as follows:
SEE ATTACHED EXHIBIT "A"

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

Date: **March 6, 2018**
Time: The sale shall begin no earlier than **01:00 PM** or no later than three hours thereafter.
Place: **Hunt** County Courthouse in **Greenville, Texas**, at the following location: the area designated by the Commissioners Court of **Greenville, Hunt County, Texas**, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

The deed of trust permits the Mortgagee of Record to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the Mortgagee of Record thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

4. Type of Sale. The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by **Norman L Eakin, Debera K Eakin.**
5. Obligations Secured. The Deed of Trust is dated **June 3, 1999**, and is recorded in the office of the County Clerk of **Hunt County, Texas**, in/under **007934, Book 0573, Page 159, Official Public Records of Hunt County, Texas.** The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to the promissory note in the original principal amount of **\$83,971.70**, executed by **Norman L Eakin, Debera K Eakin**, and payable to the order of **GREEN TREE FINANCIAL SERVICING CORPORATION.**


Original Mortgagee: GREEN TREE FINANCIAL SERVICING CORPORATION .

Current Mortgagee of Record: Ditech Financial LLC whose address is **7360 S. Kyrene Road, Tempe, AZ 85283.**

6. Default and Request To Act. Default has occurred under the deed of trust, and the beneficiary has requested me, as Substitute Trustee, to conduct this public sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.
7. **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.**

Sent by: Timothy J. Swanson
Robertson Anschutz Vettors
1500 CityWest Blvd., Suite 700
Houston, TX 77042

DATED February 12, 2018.



Robert LaMont, Harriet Fletcher, Ronnie Hubbard Jack Beckman or David Garvin, Substitute Trustee
c/o Robertson Anschutz Vettors
1500 CityWest Blvd., Suite 700
Houston, TX 77042
Phone: 713-244-1360

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.

EXHIBIT "A"

Being a tract or parcel of land situated in Hunt County, of the State of Texas, being part of the H. Weatherford Survey, Abstract No. 1109, being part of a 50 acre tract of land conveyed from Clyde Gilliam, et ux, to C.W. McKinney by deed recorded in Volume 424 at Page 534 of the Deed Records of Hunt County and being further described as follows:

Beginning at a 1/2 inch iron rod set in the centerline of Hunt County Road No. 3513, being the intersection of the south line of said 50 acre tract and the west right-of-way line of Farm to Market No. 2101;

Thence N 85 deg. 31'00" W along the center line of said Hunt County Road No. 3513 and the south line of said 50 acre tract, a distance of 667.68 feet to a 1/2 inch iron rod set for corner in the center line of said Hunt County Road No. 3513;

Thence N 05 deg. 22'26" E a distance of 314.46 feet to a 1/2 inch iron rod set for corner;

Thence S 83 deg. 14'57" E a distance of 760.47 feet to a 1/2 inch iron rod set for corner in the west right-of-way of said Farm to Market No. 2101 in a curve to the left having a central angle of 04 deg. 19'40", a radius of 1687.02 feet and a chord bearing of S 06 deg. 30'01" W, at 127.39 feet;

Thence in a southerly direction, along said west right-of-way and curve to the left, an arc distance of 127.42 feet to a concrete highway monument found for corner, being the beginning of a right-of-way flare at the northwest corner of said Hunt County Road No. 3513;

Thence S 43 deg. 46'09" W along said right-of-way flare, a distance of 151.56 feet to a concrete highway monument found on the north line of said Hunt County Road No. 3513 for corner;

Thence S 00 deg. 21'08" E along said west right-of-way, a distance of 39.86 feet returning to the Point of Beginning containing 5.000 acres of land.

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FILED FOR RECORD
LINDA BROOKS
COUNTY CLERK HUNT CO. TX
99 JUN 10 PM 3:30
BY: *[Signature]*
DEPUTY

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