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**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS

COUNTY OF HUNT

**NOTICE IS HEREBY GIVEN OF A PUBLIC NONJUDICIAL FORECLOSURE SALE**

**WHEREAS**, on June 6, 2008, the property to be sold was conveyed by Jo Ann Pulse to Harold Mumphrey and Dwana Mumphrey by a Warranty Deed with Vendor's Lien; and

**WHEREAS**, on August 29, 2011, the Real Estate Lien Note and Deed of Trust were transferred by Jo Ann Pulse to American Eagle Mortgage Management, LLC., and to American Eagle Mortgage 600, LLC., a Washing limited liability company on that same date. The transfer of lien was filed and recorded on September 2, 2011, in the real property records Hunt County, Texas, Instrument No. 2011-9629. American Eagle Mortgage remains the owner and holder of the Promissory Note; and

**WHEREAS**, Harold Mumphrey and Dwana Mumphrey has defaulted on the payments and terms of the Promissory Note, and notice of acceleration and demand for payment have been made. The balance due consisting of principal and interest is \$67,818.00; and

**WHEREAS**, American Eagle Mortgage is the owner and holder of the rights under the Real Estate Lien Note, Warranty Deed with Vendor's Lien and Deed of Trust; and has instructed Robert K. Frisch, Substitute Trustee, to sell the real estate pursuant to the Deed of Trust to satisfy the Note, and all other sums due and owing to it, including, without limitation, unpaid principal, accrued interest, fees and expenses incurred in the foreclosure,

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and a reasonable commission to the Trustee. The Substitute Trustee is Robert K. Frisch, Attorney at Law, 15150 Preston Road, Suite 240, Dallas, Texas 75248.

1. **Property To Be Sold.** The real property to be sold is described as follows:

Lot 1 in Block 2 of Adkisson, Bethel & Smithey Subdivision, Blocks 5, 6 and 8, Jones Brothers Addition and part of Block 1, Russell Addition to the City of Greenville, Hunt County, Texas, according the Map and Plat of such Subdivision recorded in Volume 400, Page 93, Plat Records Hunt County, Texas and having a street address of 4301 Bois d'Arc Street, Greenville, Hunt County, Texas 75402.

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

Date: April 3, 2018

Time: The sale shall begin no earlier than ten o'clock (10:00) a.m. and no later than two (2) hours thereafter or twelve o'clock (12:00 noon) Central Standard time. The sale shall be completed no later than one o'clock (1:00) p.m.

Place: At the Hunt County Courthouse at the base of the Central stairway on the 2<sup>nd</sup> floor inside the Courthouse, or, in the event the Courthouse is closed, the sale will take place on the North steps outside of the Courthouse, 2507 Lee Street, Greenville, Texas 75401. The Deed of Trust permits the beneficiary to postpone, withdraw or reschedule the sale for another day. In that case, the Trustee 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. Such re-posting or re-filing may be after the date originally scheduled for this sale.

3. **Terms of Sale.** The sale will be conducted as a public auction for \$71,209.00 payable in cash or other good funds, subject to the provisions of the Real Estate Lien Note, Warranty Deed with Vendor's Lien and Deed of Trust permitting the beneficiary thereunder to have the bid credited to the Note up to the amount of the unpaid debt due and owing on

the Real Estate Lien Note secured by both, Warranty Deed with Vendor's Lien and the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust. Prospective bidders are advised 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. **Type of Sale.** The sale is a nonjudicial Real Estate Lien Note and Deed of Trust sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by Harold Mumphrey and Dwana Mumphrey. The Real Estate Lien Note and Deed of Trust are dated February 23, 2009, and the Deed of Trust is recorded in the Hunt County, Texas Real Property Records on February 27, 2009 in Volume 1840, page 593.

5. **Obligations Secured.** 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:

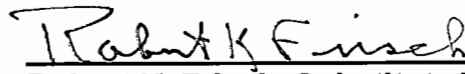
- (1) Principal balance due and owing on April 1, 2018;
- (2) Accrued interest through the date of sale;
- (3) Attorney's fees and costs of sale incurred after the date the Loan matured;
- (4) Substitute Trustee's commission of five percent (5%) of the bid price;
- (5) Hunt County fees filing and recording fees incurred.

6. **Default and Request to Act.** Default has occurred under the Note and Deed of Trust, and the beneficiary has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale, the beneficiary may appoint another Trustee to conduct the sale.

7. **Minimum Bid.** The minimum bid to be accepted is the sum of \$71,209.00 consisting of principal and interest due, attorney's fees, Hunt County fees, and the Trustee's Commission of 5% of the sale price.

Questions concerning the sale may be directed to Robert K. Frisch, Attorney at Law, Substitute Trustee for American Eagle Mortgage, 15150 Preston Road, Suite 240, Dallas, Texas 75248, 972-386-3940.

DATED THIS 9<sup>TH</sup> DAY OF MARCH, 2018.

  
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Robert K. Frisch, Substitute Trustee  
15150 Preston Road, Suite 240  
Dallas, Texas 75248  
(972) 386-3940 telephone  
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