

# NOTICE OF 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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060**

**POSTED**

## INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

FEB 27 2020

Deed of Trust dated July 31, 2017 and recorded under Clerk's File No. 1721687, in the real property records of Ellis County, Texas, with Clifford Tucker, an unmarried man as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for iFreedom Direct Corporation, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Clifford Tucker, an unmarried man securing payment of the indebtedness in the original principal amount of \$183,870.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Clifford Tucker. WinTrust Mortgage, a division of Barrington Bank & Trust Co., N.A. is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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 property securing the above referenced loan. WinTrust Mortgage is acting as the Mortgage Servicer for the Mortgagee. WinTrust Mortgage, is representing the Mortgagee, whose address is: 9700 W. Higgins Road, Suite 300, Rosemont, IL 60018.

### Legal Description:

**BEING A TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF ENNIS, ELLIS COUNTY, TEXAS AND BEING PART OF SUBDIVISION 1, DIVISION XVII OF THE ORIGINAL CITY OF ENNIS AND ALSO BEING THAT TRACT OF LAND CONVEYED TO WILLIAM J. HOWARD ET UX BY DEED RECORDED IN VOLUME 648, PAGE 575 OF THE DEED RECORDS OF ELLIS COUNTY AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES**

## SALE INFORMATION

**Date of Sale: 06/02/2020**

**Earliest Time Sale Will Begin: 1:00 PM**

**Location of Sale:** The place of the sale shall be: ELLIS County Courthouse, Texas at the following location: The southeast porch of the Ellis County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

## TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. 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.

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ELLIS



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The sale will begin at the earliest time stated above, or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:

Codilis & Moody, P.C.

400 N. Sam Houston Pkwy E, Suite 900A

Houston, TX 77060

(281) 925-5200



Tim Lewis, Denise Boerner, Brenda Wiggs, Donna Stockman, David Stockman, Guy Wiggs, Michelle Schwartz, Kathy Arrington, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ServiceLink Agency Sales And Posting, as Substitute Trustee

## EXHIBIT A

Being a tract or parcel of land situated in the City of Ennis, Ellis County, Texas and being part of Subdivision 1, Division XVII of the Original City of Ennis and also being that tract of land conveyed to William J. Howard et ux by deed recorded in Volume 648, Page 575 of the Deed Records of Ellis County and being more particularly described as follows:

Beginning at a point for corner at an iron rod set at the intersection of the northerly line of West Tyler Street and the westerly line of an alley said point also being South 60° West a distance 207.2 feet from the intersection of said northerly line and the westerly line of Preston Street;

Thence South 60° West along the northerly line of West Tyler Street a distance 75.0 feet to a point for corner at an iron rod set;

Thence North 27° 13' 50" West a distance 153.51 feet to a point for corner at an iron rod set;

Thence North 60° 00' 20" East a distance 70.48 feet to a point for corner at an iron rod set in the westerly line of an alley;

Thence South 28° 55' 05" East along the westerly line of said alley a distance 153.35 feet to the place of beginning.

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POSTED

MAR 18 2020

SCANNED

1220 W. Burnett, Ennis, TX 75119

COUNTY CLERK  
ELLIS COUNTY, TEXAS

20-005099

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: 06/02/2020

Time: Between 10:00 AM and beginning not earlier than 10:00 AM or not later than three hours thereafter.

Place: The area designated by the Commissioners Court of Ellis County, pursuant to §51.002 of the Texas Property Code as amended: if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

2. **Terms of Sale.** Highest bidder for cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated 04/08/1994 and recorded in the real property records of Ellis County, TX and is recorded under Clerk's File/Instrument Number, 01073, Page 0474, with Stephen R. Burr (grantor(s)) and Countrywide Funding Corporation mortgagee to which reference is herein made for all purposes.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by Stephen R. Burr, securing the payment of the indebtedness in the original amount of \$44,341.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. Bank of America, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to be Sold.** ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING LOT 11 IN BLOCK 1 OF JOLY ADDITION, AN ADDITION TO THE CITY OF ENNIS, ELLIS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN CABINET A SLIDE 348, ELLIS COUNTY, TEXAS.

A



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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 §51.002, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. Bank of America, N.A., as Mortgage Servicer, is representing the current Mortgagee whose address is:

Bank of America, N.A.  
7105 Corporate Dr.  
Plano, TX 75240

Donna Stockman

SUBSTITUTE TRUSTEE  
Michelle Schwartz, Tim Lewis, Brenda Wiggs,  
Denise Boerner, David Stockman, Guy Wiggs,  
Donna Stockman, Kathy Arrington  
1320 Greenway Drive, Suite 300  
Irving, TX 75038

STATE OF Texas  
COUNTY OF Parker

Before me, the undersigned authority, on this day personally appeared Donna Stockman, as Substitute Trustee, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and who acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 19 day of March, 2020.

David Russell

NOTARY PUBLIC in and for

Parker

COUNTY

My commission expires: 12-12-21

Print Name of Notary:

David Russell Stockman

**CERTIFICATE OF POSTING**

My name is \_\_\_\_\_, and my address is 1320 Greenway Drive, Suite 300, Irving, TX 75038. I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the Ellis County Clerk and caused to be posted at the Ellis County courthouse this notice of sale.

Declarants Name: \_\_\_\_\_

Date: \_\_\_\_\_

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SCANNED

POSTED

MAR 26 2020

COUNTY CLERK  
ELLIS COUNTY, TEXAS

**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: LOT 10, BLOCK 2, OF MIDLOTHIAN MEADOWS, AN ADDITION TO THE CITY OF MIDLOTHIAN, ELLIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET B, SLIDE 232, OF THE PLAT RECORDS OF ELLIS COUNTY, TEXAS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 04/05/2005 and recorded in Book 02116 Page 1318 real property records of Ellis County, Texas.

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

Date: 06/02/2020

Time: 01:00 PM

Place: Ellis County, Texas at the following location: THE SOUTH PORCH OF THE COURTHOUSE OF ELLIS COUNTY 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 ROCKY D WILLIAMS AND GINA WILLIAMS, provides that it secures the payment of the indebtedness in the original principal amount of \$113,600.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. The Bank of New York Mellon as Trustee for CWABS, Inc. Asset-Backed Certificates, Series 2005-4 is the current mortgagee of the note and deed of trust and SELECT PORTFOLIO SERVICING, INC. is mortgage servicer. A servicing agreement between the mortgagee, whose address is The Bank of New York Mellon as Trustee for CWABS, Inc. Asset-Backed Certificates, Series 2005-4 c/o SELECT PORTFOLIO SERVICING, INC., 3217 S. Decker Lake Dr., Salt Lake City, UT 84119 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *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 TIM LEWIS, BRENDA WIGGS, DENISE BOERNER, JACK BECKMAN, DAVID STOCKMAN, GUY WIGGS, DONNA STOCKMAN, MICHELLE SCHWARTZ, KATHY ARRINGTON, CARL NIENDORFF, MICHAEL W. ZIENTZ, WES WEBB OR ERICA HALL, 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  
Michael Zientz, 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

TIM LEWIS, BRENDA WIGGS, DENISE BOERNER,  
JACK BECKMAN, DAVID STOCKMAN, GUY WIGGS,  
DONNA STOCKMAN, MICHELLE SCHWARTZ, KATHY  
ARRINGTON, CARL NIENDORFF, MICHAEL W.  
ZIENTZ, WES WEBB OR ERICA HALL  
c/o AVT Title Services, LLC  
5177 Richmond Avenue Suite 1230  
Houston, TX 77056

**Certificate of Posting**

I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the Ellis County Clerk and caused it to be posted at the location directed by the Ellis County Commissioners Court.