

FILED

19 JUL -9 PM 1:19

NOTICE OF FORECLOSURE SALE

Bette Crane
CLERK, FRANKLIN COUNTY COURT

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: SEE EXHIBIT "A"
- 2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 12/11/2015 and recorded in Book 318 Page 118 Document 144073 real property records of Franklin County, Texas.
- 3. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:
Date: 09/03/2019
Time: 12:00 PM
Place: Franklin County, Texas, at the following location: THE SOUTH STEPS 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 WILLIAM M TOWNES, provides that it secures the payment of the indebtedness in the original principal amount of \$296,250.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. AMERICAN ADVISORS GROUP is the current mortgagee of the note and deed of trust and AMERICAN ADVISORS GROUP is mortgage servicer. A servicing agreement between the mortgagee, whose address is AMERICAN ADVISORS GROUP c/o AMERICAN ADVISORS GROUP, 3900 Capital City Blvd., Lansing, MI 48906 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 HARRIETT FLETCHER, ROBERT LAMONT, SHERYL LAMONT, SHARON ST. PIERRE, RONNIE HUBBARD OR ALLAN JOHNSTON, 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.

Bd ref

 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

[Signature]

 HARRIETT FLETCHER, ROBERT LAMONT, SHERYL LAMONT, SHARON ST. PIERRE, RONNIE HUBBARD OR ALLAN JOHNSTON, 7-9-19
 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, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on _____ I filed this Notice of Foreclosure Sale at the office of the Franklin County Clerk and caused it to be posted at the location directed by the Franklin County Commissioners Court.



LEGAL DESCRIPTION

File No: 08-01134038

BEING A LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE BIVEN BROOKS SURVEY, ABSTRACT NO. 55, FRANKLIN COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN CALLED 20.949 ACRE TRACT OF LAND CONVEYED FROM JERRY HOLLEY, INDEPENDENT EXECUTOR TO JERRY HOLLEY, BY WARRANTY DEED, AS RECORDED IN VOLUME 209, PAGE 908, OFFICIAL PUBLIC RECORDS, FRANKLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID 20.949 ACRE TRACT, THE NORTHWEST CORNER OF A CALLED 27.484 ACRE TRACT OF LAND CONVEYED TO THE FRANKLIN COUNTY WATER DISTRICT, BY DEED RECORDED IN VOLUME 97, PAGE 84, DEED RECORDS, FRANKLIN COUNTY, TEXAS, THE NORTHEAST CORNER OF A CALLED 42.529 ACRE TRACT OF LAND CONVEYED TO THE FRANKLIN COUNTY WATER DISTRICT, BY DEED RECORDED IN VOLUME 97, PAGE 361, DEED RECORDS, FRANKLIN COUNTY, TEXAS, AND THE SOUTHEAST CORNER OF A 7.73 ACRE TRACT OF LAND CONVEYED TO HOLLEY CLAY, BY DEED RECORDED IN VOLUME 187, PAGE 831, DEED RECORDS, FRANKLIN COUNTY, TEXAS, FROM SAID POINT, A 1/2 INCH IRON PIPE FOUND, BEARS SOUTH 05 DEGREES 03 MINUTES 13 SECONDS WEST, A DISTANCE OF 172.09 FEET;
THENCE, NORTH 05 DEGREES 27 MINUTES 26 SECONDS EAST, ALONG THE WEST LINE OF SAID 20.949 ACRE TRACT, AND THE EAST LINE OF SAID 7.73 ACRE TRACT, A DISTANCE OF 1,011.85 FEET TO A 1/2 INCH IRON ROD SET WITH A PLASTIC CAP MARKED (CBG INC) AT THE NORTHWEST CORNER OF SAID 20.949 ACRE TRACT, AND THE NORTHEAST CORNER OF SAID 7.73 ACRE TRACT, SAID POINT LYING IN THE SOUTH LINE OF F. M. ROAD NO. 3122, FROM SAID POINT, A CONCRETE MONUMENT FOUND, BEARS SOUTH 81 DEGREES 20 MINUTES 11 SECONDS WEST, A DISTANCE OF 95.94 FEET;
THENCE, NORTH 81 DEGREES 20 MINUTES 11 SECONDS EAST, ALONG THE NORTH LINE OF SAID 20.949 ACRE TRACT, AND THE SOUTH LINE OF SAID F. M. ROAD NO. 3122, A DISTANCE OF 208.10 FEET TO A 1/2 INCH IRON ROD SET WITH A PLASTIC CAP MARKED (CBG INC) AT AN ANGLE POINT IN THE NORTH LINE OF SAID 20.949 ACRE TRACT, AND THE WEST POINT OF A TRACT OF LAND CONVEYED TO R. P. CAMPBELL ET UX, BY DEED RECORDED IN VOLUME 102, PAGE 284, DEED RECORDS, FRANKLIN COUNTY, TEXAS, FROM SAID POINT, A CONCRETE MONUMENT FOUND AT AN ANGLE POINT IN THE NORTH LINE OF SAID CAMPBELL TRACT, AND AN ANGLE POINT IN THE SOUTH LINE OF SAID F. M. ROAD NO. 3122, BEARS NORTH 81 DEGREES 20 MINUTES 11 SECONDS EAST, A DISTANCE OF 3.88 FEET;
THENCE, NORTH 88 DEGREES 47 MINUTES 28 SECONDS EAST, CONTINUING ALONG THE NORTH LINE OF SAID 20.949 ACRE TRACT, AND THE SOUTH LINE OF SAID CAMPBELL TRACT, A DISTANCE OF 498.14 FEET TO A 1/2 INCH IRON ROD SET WITH A PLASTIC CAP MARKED (CBG INC) AT THE NORTHEAST CORNER OF SAID 20.949 ACRE TRACT, THE SOUTHEAST CORNER OF SAID CAMPBELL TRACT, AND A NORTHWEST CORNER OF A 42.05 ACRE TRACT OF LAND, CALLED TRACT ONE, CONVEYED TO JOHN HUBBARD REVOCABLE TRUST, BY DEED RECORDED IN VOLUME 255, PAGE 283, DEED RECORDS, FRANKLIN COUNTY, TEXAS;
THENCE, SOUTH 02 DEGREES 15 MINUTES 57 SECONDS EAST, ALONG THE EAST LINE OF SAID 20.949 ACRE TRACT, AND A WEST LINE OF SAID 42.05 ACRE TRACT, A DISTANCE OF 1,283.67 FEET TO A 1/2 INCH IRON ROD FOUND WITH A PLASTIC CAP MARKED (BLAIR 5139) AT THE SOUTHEAST CORNER OF SAID 20.949 ACRE TRACT, THE SOUTHWEST CORNER OF SAID 42.05 ACRE TRACT, AND THE NORTHWEST CORNER OF A 22.359 ACRE TRACT OF LAND, CALLED TRACT TWO, CONVEYED TO JOHN HUBBARD REVOCABLE TRUST, BY DEED RECORDED IN VOLUME 255, PAGE 283, DEED RECORDS, FRANKLIN COUNTY, TEXAS, THE NORTHEAST CORNER OF A 0.849 ACRE TRACT OF LAND, AS SHOWN ON THAT PLAT RECORDED AT PLAT CABINET SLIDE NO. 275A, PLAT RECORDS, FRANKLIN COUNTY, TEXAS, AND THE NORTHEAST CORNER OF SAID 27.484 ACRE TRACT;
THENCE, NORTH 74 DEGREES 38 MINUTES 57 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 20.949 ACRE TRACT, THE NORTH LINE OF SAID 27.484 ACRE TRACT, AND THE NORTH LINE OF SAID 0.849 ACRE TRACT, PASSING THE NORTHWEST CORNER OF SAID 0.849 ACRE TRACT, AND CONTINUING THE SAME COURSE ALONG THE SOUTH LINE OF SAID 20.949 ACRE TRACT, AND A NORTH LINE OF SAID 27.484 ACRE TRACT IN ALL A TOTAL DISTANCE OF 882.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 898,818 SQUARE FEET OR 20.63 ACRES OF LAND.

BEING THE SAME PROPERTY CONVEYED TO WILLIAM M. TOWNES AND DEBRA HOLLEY BY DEED FROM JERRY HOLLEY, A SINGLE MAN, RECORDED 03/09/2015 IN VOLUME 306 PAGE 684, IN THE REGISTER'S

OFFICE OF FRANKLIN COUNTY, TEXAS.

APN 01008-00000-00030-000000