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TS#: TX1500266489
LOAN TYPE: Conventional

NOTICE OF TRUSTEE'S 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 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:

TRACT ONE: BEING LOT 4 IN BLOCK 7 OF DIVISION "T" IN THE CITY OF MEXIA, LIMESTONE COUNTY, TEXAS, BEING THAT PROPERTY MORE PARTICULARLY DESCRIBED IN VOL. 563, PAGE 957, OF THE DEED RECORDS OF LIMESTONE COUNTY, TEXAS, AND BEING THE SAME PROPERTY ACQUIRED BY THE TAX AUTHORITIES BY SHERIFF'S DEED RECORDED IN VOLUME 1021, PAGE 417, OFFICIAL PUBLIC RECORDS OF LIMESTONE COUNTY, TEXAS.

TRACT TWO: BEING LOT 5 IN BLOCK 7 OF DIVISION "T" IN THE CITY OF MEXIA, LIMESTONE COUNTY, TEXAS, ACCORDING TO THE OFFICIAL MAP OF SAID CITY OF MEXIA OF RECORD IN VOL. 2, PAGE 17, PLAT RECORDS OF LIMESTONE COUNTY, TEXAS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded as instrument , in Book **1166**, Page **52**, of the real property records of **LIMESTONE County, TX.**

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

Dated: **02/02/2016**

Time: The sale will begin no earlier than 01:00 P.M. or no later than three hours thereafter.

Place **THE FRONT DOOR WHICH FACES STATE STREET OF THE LIMESTONE COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS.**

The Deed of Trust permits the Mortgagee 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 refiling may be after the date originally scheduled for this sale.

4. *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 beneficiary 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 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, 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.

Pursuant to the Deed of Trust, the beneficiary 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. 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.

5. *Type of Sale.* The sale is a non-judicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by

YOLANDA M. GARDNER, UNMARRIED

6. *Obligations Secured.* The Deed of Trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of **\$66,300.00**, and payable to the order of **WELLS FARGO BANK, N.A.**; (b) all renewals and extensions of the note, if applicable; (c) any and all present and future indebtednesses owed to **EMC Mortgage LLC** who is the current owner and holder of the "Obligations" and is the current Mortgagee under the Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the mortgagee, **EMC Mortgage LLC c/o at 866-429-5179, 6 CAMPUS CIRCLE**

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2ND FLOOR, WESTLAKE, TX, 76262.

Mortgage Servicing 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 Sec. 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the property referenced above.

RESIDENTIAL CREDIT SOLUTIONS, INC. as Mortgage Servicer, is representing the current mortgagee whose address is:

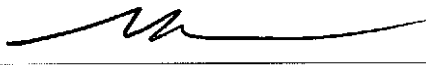
4708 MERCANTILE DRIVE, FT WORTH, TX 76137

7. Default and Request to Act. Default has occurred under the Deed of Trust, and the Mortgagee has requested me, as **CHET SCONYERS, DEE ANN GREGORY, BEATRICE CARRILLO, JOHN MCCARTHY, KEVIN MCCARTHY OR ZACH MCCARTHY**

8.

9. , to conduct this sale. Notice is given that before the sale the Mortgagee may appoint another person substitute trustee to conduct the sale.

Date: 1-11-2016



**CHET SCONYERS, DEE ANN GREGORY,
BEATRICE CARRILLO, JOHN MCCARTHY,
KEVIN MCCARTHY OR ZACH MCCARTHY**

**6 CAMPUS CIRCLE
2ND FLOOR
WESTLAKE, TX 76262
Telephone: 866-429-5179
Fax: (817) 699-1487**

Filed for Record in:
Limestone County

On: Jan 11, 2016 at 03:40P

By: Olga Guzman

STATE OF TEXAS

COUNTY OF LIMESTONE

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the named records of: Limestone County as stamped hereon by me.

Jan 11, 2016

Peggy Beck, County Clerk
Limestone County