

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: October 02, 2018
Time: The sale will begin at 1:00PM or not later than three hours after that time.
Place: THE FRONT DOOR WHICH FACES STATE STREET OF THE LIMESTONE COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated August 26, 2008 and recorded in Document VOLUME 1294, PAGE 857; AS AFFECTED BY CLERK'S FILE NO. 20171226 real property records of LIMESTONE County, Texas, with BENJAMIN E WILLIAMS AND HELEN WILLIAMS, grantor(s) and BANK OF AMERICA, N.A., mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by BENJAMIN E WILLIAMS AND HELEN WILLIAMS, securing the payment of the indebtednesses in the original principal amount of \$217,500.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

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 § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. CHAMPION MORTGAGE COMPANY, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o CHAMPION MORTGAGE COMPANY
8950 CYPRESS WATERS BLVD.
COPPELL, TX 75019

BEATRICE CARRILLO, JOHN MCCARTHY, KEVIN MCCARTHY OR ZACH MCCARTHY
Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001



113 LCR WHITE ROCK
MEXIA, TX 76667

0000006766307
Date of Sale: 10/02/2018

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas. I declare under penalty of perjury that on _____ I filed at the office of the LIMESTONE County Clerk and caused to be posted at the LIMESTONE County courthouse this notice of sale.

Declarants Name: _____

Date: _____



BEING 8.205 ACRES OF LAND SITUATED IN THE P. VARELA SURVEY, ABST. NO. 30, IN LIMESTONE COUNTY, TEXAS, A PART OF THAT CALLED 78.603 ACRE TRACT CONVEYED FROM PHILLIP MILLER TO JOE L. ALLEN ET UX, BY DEED DATED APRIL 20, 1983, AND RECORDED IN VOL. 706, PAGE 651 OF THE DEED RECORDS OF LIMESTONE COUNTY, TEXAS, SAID 8.205 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT;

BEGINNING AT A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF THE JOE FORTSON 15.093 ACRE TRACT FOR SOUTHWEST CORNER OF THIS TRACT;

THENCE N. 44 DEGREES 23' E. 325.4 FEET TO A 1/2" IRON ROD SET IN THE WEST RIGHT-OF-WAY LINE OF FARM ROAD #2705 AT A HIGHWAY POINT OF CURVATURE;

THENCE N. 45 DEGREES 17' W. 724.1 FEET WITH SAID FARM ROAD WEST RIGHT-OF-WAY LINE TO A 1/2" IRON ROD SET AT A HIGHWAY POINT OF CURVATURE;

THENCE IN A NORTHWESTERLY DIRECTION WITH SAID WEST RIGHT-OF-WAY LINE AND 377.3 FEET ALONG THE ARC OF A ONE DEGREE CURVE WITH THE CENTRAL ANGLE OF 3 DEGREES 44' 24", RADIUS OF 5779.58 FEET AND LONG CHORD BEARING N. 43 DEGREES 35' W. 377.2 FEET TO A 1/2" IRON ROD SET THE INTERSECTION OF THE SOUTH MARGIN OF THE WHITE ROCK SUBDIVISION ROAD FOR NORTHEAST CORNER OF THIS TRACT;

THENCE S. 50 DEGREES 35' W. 65.3 FEET WITH SAID ROAD SOUTH MARGIN AND WITH A FENCE TO A 1/2" IRON ROD SET AT THE BASE OF A 6" WOOD FENCE CORNER POST;

THENCE S. 3 DEGREES 32' W. 125.5 FEET WITH SAID ROAD SOUTH MARGIN AND WITH A FENCE TO A 3/8" IRON ROD FOUND FOR CORNER;

THENCE S. 49 DEGREES 47' W. 314.7 FEET WITH SAID ROAD MARGIN TO A 1/2" IRON ROD SET IN THE EAST LINE OF SAID JOE FORTSON 15.093 ACRE TRACT;

THENCE S. 61 DEGREES 17' E. 743.9 FEET WITH SAID FORTSON TRACT EAST LINE TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE S. 33 DEGREES 48' E. 344.9 FEET WITH SAID FORTSON TRACT EAST LINE TO THE POINT OF BEGINNING, CONTAINING 8.205 ACRES, MORE OR LESS.

Cause No. 31204-B

FILED

IN THE DISTRICT COURT
2018 JUL 26 PM 2:14

NATIONSTAR MORTGAGE LLC
D/B/A CHAMPION MORTGAGE
COMPANY,

Plaintiff,

BENJAMIN E. WILLIAMS, JERI
LYNN MOSES, TIMOTHY
ANDREW WILLIAMS, AND THE
UNKNOWN HEIRS AT LAW OF
HELEN WILLIAMS, DECEASED,

Defendants.

In Re: 113 LCR WHITE ROCK,
MEXIA, TEXAS 76667

CLERK OF DISTRICT COURT
LIMESTONE COUNTY
OF LIMESTONE COUNTY, TEXAS

87TH JUDICIAL DISTRICT

FINAL JUDGMENT

On this day, the Court determined it had jurisdiction over the subject matter and the parties to this proceeding. After considering plaintiff, Nationstar Mortgage LLC d/b/a Champion Mortgage Company, its successors or assigns, motion for final judgment, pleadings, and evidence on file the Court GRANTS the motion and finds:

1. Citation properly served on defendant(s) according to law and remained on file with the Clerk of this Court for the time prescribed by law.
2. Defendant, Benjamin E. Williams was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit. The last known address for defendant, Benjamin E. Williams is as follows: 3176 Grove View Road, Melissa, Texas 75454.
3. Defendant, Jeri Lynn Moses was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit. The last known address for defendant, Jeri Lynn Moses is as follows: 222 S. Magnolia Avenue #203, Hobbard, Texas 76648.

Final Judgment
BDFE No. 6862676

4. Defendant, the Unknown Heirs at Law of Helen Williams, was properly served citation and filed an answer by and through the Attorney Ad Litem appointed to represent these parties, interests herein. As the Unknown Heirs at Law of Helen Williams, deceased are an unidentified class of persons, no certificate of last known address can be provided nor can an affidavit of current utility status.

5. None of the defendant(s) who were personally served are in active military service.

6. Plaintiff is the current "mortgagee" as that term is defined in THE PROP CODE § 51.001, of a valid Texas reverse mortgage "loan agreement" as that term is defined in (TEX. BUS. & COM. CODE § 26.02, ("Loan Agreement"), that was created in accordance with TEX. CONST. art. XVI § 50a(7) and secured by the real property and improvements commonly known as 113 LCR White Rock, Mecca, Texas 76667 ("Property") and legally described as:

BEING 8.205 ACRES OF LAND SITUATED IN THE E VARELA SURVEY, ABST. NO. 30, IN LIMESTONE COUNTY, TEXAS, A PART OF THAT CERTAIN 78.603 ACRE TRACT CONVEYED FROM PHILIP MILLER TO JOE E. ALLEN, 1ST UX, BY DEED DATED APRIL 23, 1983, AND RECORDED IN VOL. 76, PAGE 651 OF THE DEED RECORDS OF LIMESTONE COUNTY, TEXAS, SAID 8.205 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF THE JOE FORTSON 10.03 ACRE TRACT FOR SOUTHWEST CORNER OF THIS TRACT;

THENCE N. 44 DEGREES 23' E. 325.4 FEET TO A 1/2" IRON ROD SET IN THE WEST RIGHT-OF-WAY LINE OF FARM ROAD #2705 AT A HIGHWAY POINT OF CURVATURE;

THENCE N. 46 DEGREES 17' W. 224.1 FEET WITH SAID FARM ROAD WEST RIGHT-OF-WAY LINE TO A 1/2" IRON ROD SET AT A HIGHWAY POINT OF CURVATURE;

THENCE IN A NORTHWESTERLY DIRECTION WITH SAID WEST RIGHT-OF-WAY LINE AND 377.3 FEET ALONG THE ARC OF A ONE DEGREE CURVE WITH THE CENTRAL ANGLE OF 3 DEGREES 41' 24", RADIUS OF 577.58 FEET AND LONG CHORD BEARING N. 43 DEGREES 35' W. 377.2 FEET TO A 1/2" IRON ROD SET THE INTERSECTION OF THE SOUTH MARGIN OF THE WHITE ROCK SUBDIVISION ROAD FOR NORTHEAST CORNER OF THIS TRACT;

THENCE S. 50 DEGREES 35' W. 653 FEET WITH SAID ROAD SOUTH MARGIN AND WITH A FENCE TO A 1/2" IRON ROD SET AT THE BASE OF A 6" WOOD FENCE CORNER POST;

THENCE S. 3 DEGREES 32' W. 1255 FEET WITH SAID ROAD SOUTH MARGIN AND WITH A FENCE TO A 3/8" IRON ROD FOUND FOR CORNER;

THENCE S. 49 DEGREES 47' W. 347 FEET WITH SAID ROAD MARGIN TO A 1/2" IRON ROD SET IN THE EAST LINE OF SAID JOE FORTSON 15.28 ACRE TRACT;

THENCE S. 61 DEGREES 17' E. 743.9 FEET WITH SAID FORTSON TRACT EAST LINE TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE S. 33 DEGREES 45' E. 344.9 FEET WITH SAID FORTSON TRACT EAST LINE TO THE POINT OF BEGINNING, CONTAINING 8.25 ACRES, MORE OR LESS.

7. Under TEX. CONST. art. XVI, § 50(k)(6)(C), the abandonment of the Property for more than 12 consecutive months by the borrowers qualified as a default event which required the payment of all principal and interest owed under the Loan Agreement. The necessary conditions precedent for plaintiff to exercise its rights under the security instrument by proceeding with a non-judicial foreclosure against the Property have been accomplished. Plaintiff will enforce its security interest by conducting a non-judicial foreclosure of its lien created under TEX. CONST. art. XVI §§ 50(a)(2) and 50(k) according to TEX. CONST. art. XVI § 50(k)(11), TEX. PROC. CODE § 51.002, and the terms of the Loan Agreement.

IT IS THEREFORE ORDERED plaintiff has a valid lien on the Property by way of a security instrument dated September 26, 2008 and filed under Document # 00086364 Volume 1294 Page 857 of the Limestone County Real Property Records.

IT IS FURTHER ORDERED that plaintiff, or its successors or assigns or interest, according to TEX. CONST. art. XVI, § 50(k)(11) shall enforce the Loan Agreement default by foreclosing the security interest encumbering the Property pursuant to the Loan Agreement or TEX. PROC. CODE § 51.002.

Fatal Judgment
BIDPE No. 6867676

IT IS FURTHER ORDERED that this judgment serve as an Order of Foreclosure of a Reverse Mortgage Loan in accordance with Tex. Const. Art. XVI, §§ 50(a)(7) and (b)(1).

IT IS FURTHER ORDERED that a copy of this judgment shall be sent to defendant(s) with the notice of the date, time and place of the foreclosure sale.

IT IS FURTHER ORDERED if a person occupying the Property fails to surrender the possession of the premises after foreclosure, plaintiff, or its successor in interest, shall be entitled to a Writ of Possession issued in accordance with Tex. R. Civ. P. 310; and

IT IS FURTHER ORDERED as part of the costs of court, and payable by Plaintiff, the Attorney Ad Litem is hereby granted the sum of \$ 400.00. All other costs of court are noted against the party incurring same.

All relief not granted herein is denied. This judgment disposes of all parties and all claims and is appealable.

SIGNED this 26 day of July, 2018.
[Signature]
RESIDING JUDGE

APPROVED AS TO FORM & SUBSTANCE

[Signature]
Thomas L. Brackett
State Bar No. 24034337
4004 Belt Line Road, Suite 100
Addicks, Texas 75001-4323
(972) 386-5044
(972) 347-0734 (fax only)
tbrackett@bdlgroup.com

ATTORNEY FOR PLAINTIFF

Final Judgment:
BDR1111 No. 6862676

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Filed for Record in:
Limestone County

On: Sep 10, 2018 at 02:43P

By: Delores Crabb

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.

Sep 10, 2018

Peggy Beck, County Clerk
Limestone County