

NOTICE OF FORECLOSURE SALE


FILED FOR RECORD


2019 APR 11 PM 1:02  
RAINS COUNTY CLERK  
BY [Signature] DEPUTY

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 06/25/2008 and recorded in Book 503 Page 0371 Document 01273 real property records of Rains County, Texas.
- 3. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:  
Date: 06/04/2019  
Time: 01:00 PM  
Place: Rains County Courthouse, Texas, at the following location: THE EASTMOST SIDE OF THE COURTHOUSE ANNEX WHICH IS LOCATED AT 220 WEST QUITMAN STREET 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 TOMMY BUFFINGTON AND CHERYL BUFFINGTON, provides that it secures the payment of the indebtedness in the original principal amount of \$172,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY is the current mortgagee of the note and deed of trust and CHAMPION MORTGAGE COMPANY is mortgage servicer. A servicing agreement between the mortgagee, whose address is NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY c/o CHAMPION MORTGAGE COMPANY, 8950 Cypress Waters Blvd, Coppell, TX 75019 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. **Order to Foreclose.** NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY obtained a Order from the 354th District Court of Rains County on 04/02/2019 under Cause No. 10567. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.
- 7. **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, ALLAN JOHNSTON, SHERYL LAMONT, SHARON ST. PIERRE, ROBERT LAMONT, RONNIE HUBBARD OR DAVID SIMS, 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  
 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

  
 HARRIETT FLETCHER, ALLAN JOHNSTON, SHERYL LAMONT, SHARON ST. PIERRE, ROBERT LAMONT, RONNIE HUBBARD OR DAVID SIMS  
 c/o AVT Title Services, LLC  
 1101 Ridge Rd. Suite 222  
 Rockwall, TX 75087

I am Harriett Fletcher Certificate of Posting 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 4-11-19 I filed this Notice of Foreclosure Sale at the office of the Rains County Clerk and caused it to be posted at the location directed by the Rains County Commissioners Court.

Exhibit "A"

LEGAL DESCRIPTION:

ALL THAT CERTAIN TRACT LOT OR PARCEL OF LAND, A PART OF THE EMILY RIDMOND SURVEY, A-194, RAINS COUNTY, TEXAS, AND ALSO BEING PART OF THAT CERTAIN CALLED 23.27 ACRE TRACT OF LAND THAT IS DESCRIBED IN A PARTITION DEED DATED AUGUST 31, 1967 TO MARIE LOU SMITH THAT IS RECORDED IN VOLUME 162, PAGE 325 OF THE DEED RECORDS OF RAINS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A RAILROAD SPIKE SET FOR CORNER IN THE CENTERLINE OF COUNTY ROAD #3440 AND AT THE OCCUPIED S.W.C. OF SAID TRACT AND THE OCCUPIED S.E.C. OF THAT CERTAIN CALLED 12.00 ACRES (VOL 223 PG 803);

THENCE NORTH 01° 35' 35" WEST, ALONG THE OCCUPIED W.B.L. OF SAID TRACT AND THE OCCUPIED E.B.L. SAID CALLED 12.00 ACRES, FOR A DISTANCE OF 437.36 FEET TO A 1/2" IRON ROD SET FOR CORNER;

THENCE NORTH 88° 07' 13" EAST, ACROSS SAID TRACT, FOR A DISTANCE OF 199.20 FEET TO A 1/2" IRON ROD SET FOR CORNER;

THENCE SOUTH 01° 35' 35" EAST, FOR A DISTANCE OF 437.36 FEET TO A RAILROAD SPIKE SET FOR CORNER IN THE S.B.L. OF SAID TRACT AND THE CENTERLINE OF SAID COUNTY ROAD;

THENCE SOUTH 88° 07' 13" WEST, ALONG SAID CENTERLINE AND ALONG THE S.B.L. OF SAID TRACT, FOR A DISTANCE OF 199.20 FEET TO THE PLACE OF BEGINNING CONTAINING 2.0000 ACRES OF WHICH 0.1372 ACRES LIES IN THE R.O.W. OF COUNTY ROAD #3440.

APN: R10250

I hereby certify this instrument was filed and duly recorded in the Rains County, Texas, Official Public Records on the date and time stamped hereon by me.



*Melba Wiley*  
*Brenda Wallace* County Clerk  
Rains County, Texas