

BY *Sherry L. Griggs*  
LINDA WALLACE  
COUNTY CLERK  
RAINS COUNTY, TEXAS

2018 JUN 21 AM 11:31

FILED FOR RECORD

### Notice of [Substitute] Trustee 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:** 08/07/2018

**Time:** The sale will begin at 01:00 PM or not later than three hours after that time

**Place:** THE EASTMOST SIDE OF THE COURTHOUSE ANNEX WHICH IS LOCATED AT 220 WEST QUITMAN STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS

**Property Address:** 221 English Crossing, Point, TX 75472-7156

**2. 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. Any conveyance of the property is subject to all matters of record affecting the property.

**3. Instrument to be Foreclosed:** The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 03/05/1993 and recorded 03/08/1993 in Book 311 Page 696 Document 0400, real property records of Rains County, Texas, with **Kenneth H. Griggs and wife, Sherry L. Griggs** grantor(s) and FIRST AMERICAN MORTGAGE COMPANY as Lender, U.S. Bank National Association, as Trustee, Successor in Interest to Bank of America, National Association, as Trustee, Successor by Merger to LaSalle National Bank, as Trustee for BCF L.L.C. Mortgage Pass-Through Certificates, Series 1997-R3 as Beneficiary.

**4. Appointment of Substitute Trustee:** In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent 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.

**5. Obligation Secured:** Deed of Trust or Contract Lien executed by **Kenneth H. Griggs and wife, Sherry L. Griggs**, securing the payment of the indebtedness in the original principal amount of **\$55,362.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **U.S. Bank National Association, as Trustee, Successor in Interest to Bank of America, National Association, as Trustee, Successor by Merger to LaSalle National Bank, as Trustee for BCF L.L.C. Mortgage Pass-Through Certificates, Series 1997-R3** is the current mortgagee of the note and deed of trust or contract lien.

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6. **Default:** A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

7. **Property to be sold:** The property to be sold is described as follows:

All that certain lot, tract or parcel of land situated in the City of East Tawakoni, Rains County, Texas and being all of Lots 352, 353, and 354 of Whispering Oaks # 2, according to the plat thereof as recorded in Volume 136, Page 364, Rains County Deed Records, and being all of the two tracts described in deeds to Doris Seals as recorded in Volume 241, Page 818, and Volume 241, Page 822, Rains County Deed Records, and being more particularly described as follows: BEGINNING at a 1/2 inch iron rod found on the south line of English Crossing at the northeast corner of said lot 354 for a corner; THENCE S 00°45' 00" E a distance of 127.91 feet to a 1/2 inch iron rod set at the southeast corner of said lot 354 for a corner; THENCE S 89°06' 44" W along the south line of lots 354, 353 and 352 a distance of 156.85 feet to a 3/8 inch iron rod found on the curved northeast line of Briggs Blvd. at the southwest corner of lot 352 for a corner; THENCE along the northeast line of Briggs Blvd. and along said curve to the left an arc distance of 73.18 feet, said curve having a central angle of 26°09' 29", a radius of 160.30 feet, and a chord of N 48°36' 16" W - 72.55 feet, to a 3/8 inch iron rod found at the intersection of the northeast line of Briggs Blvd. and the east line of English Crossing for a corner; THENCE N 11°07' 13" W along the east line of English Crossing a distance of 35.00 feet to a point at the beginning of a curve to the right for a corner; THENCE along the southeast line of English Crossing and along said curve to the right an arc distance of 54.05 feet, said curve having a central angle of 85°50' 18", a radius of 36.08 feet, and a chord of N 35°34' 01" E - 49.14 feet, to a point for corner; THENCE N 87° 32' 48" E along the south line of English Crossing and along the north line of said lots 352, 353, and 354 a distance of 187.92 feet to the Point of Beginning and containing 0.572 acres of land and being known as 500 English Crossing.

8. **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. Ocwen Loan Servicing, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

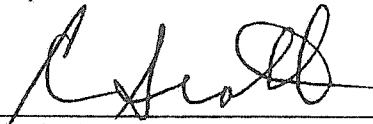
C/O Ocwen Loan Servicing, LLC  
1661 Worthington Rd., Suite 100  
West Palm Beach, FL 33409  
Phone: 1-800-746-2936

**Notice of [Substitute] Trustee Sale**

**9. Limitation of Damages:** 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.

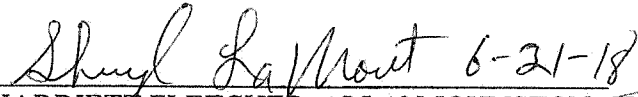
**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

Date: June 14, 2018



Stephanie Spurlock, Laterrika Thompkins, Camisha Scott, Iman Walcott, Tanesha Humphrey,  
Claire Buxton – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

C/O Power Default Services, Inc.  
Northpark Town Center  
1000 Abernathy Rd NE; Bldg 400, Suite 200  
Atlanta, GA 30328  
Telephone: 855-427-2204  
Fax: 866-960-8298



HARRIET FLETCHER, ALLAN JOHNSTON, SHERYL LAMONT, SHARON ST. PIERRE,  
ROBERT LAMONT, RONNIE HUBBARD OR DAVID SIMS - Substitute Trustee(s)

C/O AVT Title Services, LLC  
1101 Ridge Rd. Suite 222  
Rockwall, TX 75087

**POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR  
ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR  
THAT PURPOSE.**

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 Rains County Clerk and caused it to be posted at the location directed by the Rains County Commissioners Court.