

NOTICE OF FORECLOSURE SALE

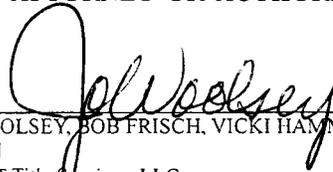
ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE 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: EXHIBIT A
- 2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 08/12/2008 and recorded in Document 301578 real property records of Aransas County, Texas.
- 3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:
Date: 05/03/2016
Time: The sale will begin no earlier than 10:00 AM or no later than three hours thereafter.
Place: Aransas County Courthouse, Texas, at the following location: THE FRONT STEPS TO THE EAST LOBBY ENTRANCE OF THE ARANSAS COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS 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 ADRIENNE A. ILES AND LARRY C ILES, provides that it secures the payment of the indebtedness in the original principal amount of \$139,200.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. BANK OF AMERICA, NATIONAL ASSOCIATION is the current mortgagee of the note and deed of trust and SHELLPOINT MORTGAGE SERVICING is mortgage servicer. A servicing agreement between the mortgagee, whose address is BANK OF AMERICA, NATIONAL ASSOCIATION c/o SHELLPOINT MORTGAGE SERVICING, 2020 S. Dairy Ashford #200, Houston, TX 77077 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. Order to Foreclose.** BANK OF AMERICA, NATIONAL ASSOCIATION obtained a Order from the 36th District Court of Aransas County on 10/28/2015 under Cause No. 15-0237. 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 JO WOOLSEY, BOB FRISCH, VICKI HAMMONDS OR JAMIE STEEN, 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
Tracey Midkiff, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254



JO WOOLSEY, BOB FRISCH, VICKI HAMMONDS OR JAMIE
STEEN
c/o AVT Title Services, LLC
13770 Noel Road #801529
Dallas, TX 75380-1529

FILED
AT 3:13 P. M.
MAY 11 2016

301578

File No. _____
County Clerk, Aransas County, Texas

EXHIBIT A

THE FOLLOWING DESCRIBED REAL PROPERTY SITUATE IN THE COUNTY OF ARANSAS, AND STATE OF TEXAS, TO WIT:

BEING 5.00 ACRES OF LAND OUT OF TRACTS TWENTY-TWO (22) AND TWENTY-THREE (23), COLEMAN-FULTON PASTURE COMPANY SUBDIVISION, CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGE 15, MAP RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 5.00 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN AT A 5/8" IRON ROD FOUND IN THE EAST R.O.W. LINE OF AN 80-FOOT COUNTY ROADWAY LYING BETWEEN TRACTS 22 AND 60, OF COLEMAN FULTON PASTURE COMPANY SUBDIVISION, AND BEING THE SOUTHWEST CORNER OF A 5.907 ACRE TRACT, OUT OF TRACTS 22 AND 23, OF SAID COLEMAN FULTON PASTURE COMPANY SUBDIVISION, AND BEING THE SOUTHWEST CORNER OF THE SAME 5.907 ACRE TRACT CONVEYED TO FRANK L. SIMMONS UNDER CLERK'S FILE NO. 214076, OFFICIAL PROPERTY RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING THE NORTHWEST CORNER AND PLACE OF BEGINNING OF THIS SURVEY;

THENCE, NORTH 88° 57' 42" EAST ALONG AND WITH THE SOUTH LINE OF SAID 5.907 ACRE TRACT AND CROSSING TRACTS 22 AND 23, A DISTANCE OF 831.49 FEET TO A 5/8" IRON ROD FOUND IN THE COMMON LINE BETWEEN TRACTS 23 AND 24, AND BEING THE SOUTHEAST CORNER OF SAID 5.907 ACRE TRACT AND BEING THE NORTHEAST CORNER OF THIS SURVEY;

THENCE, SOUTH 1° 00' 45" EAST ALONG AND WITH THE COMMON LINE BETWEEN TRACTS 23 AND 24 A DISTANCE OF 261.98 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THIS SURVEY;

THENCE, SOUTH 88° 56' 42" WEST ALONG A LINE PARALLEL AND 261.98 FEET SOUTH OF THE SOUTH LINE OF SAID 5.907 ACRE TRACT, A DISTANCE OF 831.37 FEET TO A 1/2" IRON ROD FOUND BENT AND RESET, WITH 5/8" IRON ROD IN THE EAST R.O.W. LINE OF SAID 80-FOOT WIDE COUNTY ROADWAY, AND BEING THE SOUTHWEST CORNER OF THIS SURVEY;

THENCE, NORTH 1° 02' 18" WEST ALONG AND WITH THE EAST LINE OF SAID 80-FOOT WIDE COUNTY ROADWAY A DISTANCE OF 261.98 FEET TO THE PLACE OF BEGINNING AND CONTAINING 5.00 ACRES OF LAND MORE OR LESS

TOGETHER WITH AND INCLUDING ALL OF THE GRANTOR'S RIGHT, TITLE AND INTEREST IN AND TO THE RIGHTS AND APPURTENANCES IN ANY WAY BELONGING OR APPURTENANT TO SAID LAND, INCLUDING, WITHOUT LIMITATION: (I) ANY IMPROVEMENTS ON SAID LAND; (II) STRIPS AND GORES, IF ANY, ADJACENT OR CONTIGUOUS TO THE LAND; (III) ANY LAND LYING IN OR UNDER THE BED OF ANY STREET, ALLEY, ROAD, CREEK OR STREAM RUNNING THROUGH, ABUTTING OR ADJACENT TO THE LAND; (IV) ANY RIPARIAN RIGHTS APPURTENANT TO THE LAND RELATING TO SURFACE OR SUBSURFACE WATERS; AND (V) EASEMENTS, RIGHTS OF INGRESS AND EGRESS AND REVERSIONARY INTERESTS BENEFITING OR SERVING THE LAND (THE LAND AND OTHER APPURTENANT RIGHTS BEING REFERRED TO HEREIN AS THE "PROPERTY").

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING MATTERS TO THE EXTENT THAT SUCH ARE PRESENTLY IN FORCE AND EFFECT AND AFFECT THE PROPERTY:

- (1) ALL EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIVE COVENANTS, IF ANY, OF RECORD WITH THE COUNTY CLERK OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED;
- (2) TAXES FOR THE CURRENT YEAR, THE PAYMENT OF WHICH GRANTEE ASSUMES;
- (3) ALL MINERAL ESTATE RESERVATIONS AND CONVEYANCES (INCLUDING ASSIGNMENTS OR RESERVATIONS OF ROYALTY INTERESTS) BY GRANTOR AND BY GRANTOR'S PREDECESSORS IN TITLE AS SHOWN BY THE RECORDS OF THE COUNTY CLERK OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED; AND THE RIGHTS OF THE OWNER OF ANY PORTION OF THE MINERAL ESTATE

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AND THE RIGHTS OF ANY LESSEE OR OTHER PERSON CLAIMING AN INTEREST IN OIL, GAS AND OTHER MINERAL UNDER OIL, GAS AND MINERAL LEASES OR OTHER DOCUMENTS AS SUCH IS SHOWN BY THE RECORDS OF THE COUNTY CLERK OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED.

FURTHER, PROVIDED, GRANTOR HEREBY RESERVES UNTO ITSELF AND ITS SUCCESSORS AND ASSIGNS A FIFTEEN FEET (15') WIDE EASEMENT OVER AND ACROSS THE NORTHERLY FIFTEEN FEET (15') OF THE LAND DESCRIBED ON EXHIBIT "A" TO PROVIDE FREE AND UNINTERRUPTED INGRESS AND EGRESS, AND UTILITIES, TO AND FROM AND BETWEEN THE COUNTY ROAD ADJACENT TO THE WESTERLY BOUNDARY OF THE LAND DESCRIBED ON EXHIBIT "A" AND THE LANDS AT THE EASTERLY END OF THE EASEMENT. THE WESTERLY END OF THE EASEMENT HEREIN RESERVED SHALL BE THE SAID COUNTY ROAD, AND THE EASTERLY END SHALL BE THE EASTERLY BOUNDARY OF THE LANDS DESCRIBED ON EXHIBIT "A". THE EASEMENT HEREIN RESERVED SHALL BE NON-EXCLUSIVE, AND THE GRANTEE SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY AND ALL PURPOSES WHICH DO NOT INTERFERE WITH THE USE OF THE EASEMENT FOR FREE AND UNINTERRUPTED INGRESS AND EGRESS, AND UTILITIES, BY GRANTOR, ITS SUCCESSORS AND ASSIGNS.

TAX ID #: R59364

BEING ALL AND THE SAME LANDS AND PREMISES CONVEYED TO ADRIENNE A. ILES BY WESTCOR LTD., INC. IN A WARRANTY DEED WITH VENDOR'S LIEN DEED EXECUTED 5/19/2000 AND RECORDED 5/19/2000 IN DOCUMENT NO. 233301 OF THE ARANSAS COUNTY, TEXAS LAND RECORDS