

NO. \_\_\_\_\_ TIME 4:00pm

DEC 11 2018

C&S No. 44-18-1316 / FHA # No / RECORD NOS  
LoanCare, LLC

DONICE GREGORY, COUNTY CLERK  
TYLER COUNTY, TEXAS  
By [Signature]

### NOTICE OF 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. Sender is: Codilis & Stawiarski, PC, 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060**

Date of Security Instrument: December 15, 2014

- Grantor(s): Kelsey C. Garrick, a single woman
- Original Trustee: Michael L. Riddle
- Original Mortgagee: Mortgage Electronic Registration Systems, Inc., solely as nominee for American Financial Resources, Inc., its successors and assigns
- Recording Information: Vol. 1113, Page 403, or Clerk's File No. 14-4885, in the Official Public Records of TYLER County, Texas.
- Current Mortgagee: American Financial Resources, Inc.
- Mortgage Servicer: LoanCare, LLC, whose address is C/O 3637 Sentara Way, Virginia Beach, VA 23452 Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property.

**Legal Description:**

TRACT 1:  
FIELD NOTES DESCRIBING A 1.336 ACRE TRACT, MORE OR LESS, CALLED 1.29 ACRES, MORE OR LESS, OUT OF AND A PART OF THE V. WEISS SURVEY, (B.B.B. & C. SECTION NO. 16), ABSTRACT 968, TYLER COUNTY, TEXAS. SAID 1.29 ACRE TRACT IS MORE FULLY DESCRIBED AND RECORDED IN VOLUME 625, PAGE 24, OF THE OFFICAL PUBLIC RECORDS OF TYLER COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

TRACT 2:  
FIELD NOTES DESCRIBING A 14.965 ACRE TRACT BEING ALL OF CALLED 4.18 ACRE TRACT, RECORDED IN VOLUME 271, PAGE 263, A CALLED 8.99 ACRE TRACT, RECORDED IN VOLUME 276, PAGE 615 AND A CALLED 1.85 ACRE TRACT, RECORDED IN VOLUME 354, PAGE 581 OF THE DEED RECORDS OF TYLER COUNTY, TEXAS. SAME BEING OUT OF AND A PART OF THE BBB & CRR SURVEY, SECTION 16, ABSTRACT 968, TYLER COUNTY, TEXAS, CALLED TO BE 640 ACRES MORE FULLY DESCRIBED IN CERTIFICATE NO. 669 AND RECORDED IN VOLUME 7, PAGE 112 OF THE DEED RECORDS OF TYLER COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

Date of Sale: 02/05/2019 Earliest Time Sale Will Begin: 1:00 PM

### APPOINTMENT OF SUBSTITUTE TRUSTEE

**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.**



WHEREAS, the undersigned hereby APPOINTS AND DESIGNATES Tommy Jackson as Substitute Trustee, Ron Harmon as Successor Substitute Trustee, Tiffany Beggs as Successor Substitute Trustee, or Thomas Delaney as Successor Substitute Trustee or Lisa Cockrell as Successor Substitute Trustee


The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above, or within three (3) hours after that time. 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.

Place of Sale of Property: The foreclosure sale will be conducted in the area designated by the TYLER County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

Executed on this the 10th day of December, 2018.

**For Information:**

"Servicelink Default Abstract Solutions  
1320 Greenway Drive, Suite 300  
Irving, TX 75038

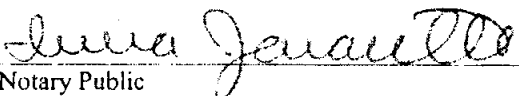
  
Annarose Harding, Attorney at Law  
Codilis & Stawiarski, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

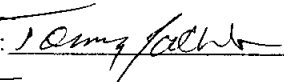
STATE OF TEXAS

COUNTY OF HARRIS

Before me, the undersigned Notary Public, on this day personally appeared Annarose Harding as Attorney for the Mortgagee and/or Mortgage Servicer known to me or proved to me through a valid State driver's license or other official identification described as Personal Knowledge, to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he/she executed the same for the purposes and consideration therein expressed.

Executed on this the 10th day of December, 2018.

  
Notary Public  
Signature

Posted and filed by:   
Printed Name: Tommy Jackson

C&S No. 44-18-1316 / FHA / No  
LoanCare, LLC

Field Notes describing a 1.336 acre tract, more or less, called 1.29 acres, more or less, out of and a part of the V. Weiss Survey, (B.R.B. & C. Section No. 16), Abstract 968, Tyler County, Texas. Said 1.29 acre tract is more fully described and recorded in Volume 625, Page 24, of the Official Public Records of Tyler County, Texas.

Beginning at a 5/8" Iron Rod found at the Southeast corner of said 1.29 acre tract in the West Right of Way line of F. M. Highway 92, recorded in File No. 38, of the Plat Files of Tyler County, Texas and Northeast corner of a 9.237 acre tract, recorded in Volume 93, Page 30, of the Deed Records of Tyler County, Texas.

Thence South  $89^{\circ} 39' 01''$  West along and with the South line of said 1.29 acre tract and North line of said 9.237 acre tract a distance of 313.18 feet to a 2" Pipe found at the Southwest corner of said 1.29 acre tract and the most Southern Southeast corner of a 1.85 acre tract, recorded in Volume 354, Page 581, of said records.

Thence North  $0^{\circ} 32' 35''$  West along and with the West line of said 1.29 acre tract and the most Southern East line of said 1.85 acre tract a distance of 181.08 feet to a 2" Pipe found at the Northwest corner of said 1.29 acre tract and an "ELL" corner of said 1.85 acre tract.

Thence North  $89^{\circ} 47' 00''$  East along and with the North line of said 1.29 acre tract and most Northern South line of said 1.85 acre tract a distance of 303.67 feet to a 2" Pipe found at the Northeast corner of said 1.29 acre tract and most Northern Southeast corner of said 1.85 acre tract in the West Right of Way line of said Highway.

Thence South  $03^{\circ} 24' 50''$  East along and with the East line of said 1.29 acre tract and West Right of Way line of said Highway a distance of 196.55 feet to the Place of Beginning, containing 1.336 acres of land, more or less.

Readings are in relation to the North line of said 1.29 acre tract called South  $86^{\circ} 47' 00''$  West in said Deed of Record.

Exhibit "A"  
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STATE OF TEXAS )

COUNTY OF TYLER )

Field notes describing a 14.965 acre tract being all of a called 4.18 acre tract, recorded in Volume 271, Page 263, a called 8.99 acre tract, recorded in Volume 276, Page 615 and a called 1.85 acre tract, recorded in Volume 354, Page 581 of the Deed Records of Tyler County, Texas, same being out of and a part of the BBB & CRR Survey, Section 16, Abstract 900, Tyler County, Texas, called to be 640 acres more fully described in Certificate No. 649 and recorded in Volume 7, Page 112 of the Deed Records of Tyler County, Texas.

BEGINNING at a 3" X 3" concrete monument found at the southwest corner of said 8.99 acre tract, northwest corner of a 9.237 acre tract, recorded in Volume 93, Page 30 of said records and in a east line of the residue of said 640 acre tract, from which we found a 17" Post Oak bears N 20 deg. 13 min. W 43.35 feet, 27" Pine bears N 28 deg. W 22.95 feet and a 26" Pine bears N 57 deg. W 17.00 feet.

THENCE N 89 deg. 34 min. 34 sec. E along and with the south line of said 8.99 acre tract and north line of said 9.237 acre tract at 734.86 feet pass a 3/4" iron rod found at the most southern southeast corner of said 8.99 acre tract, southwest corner of said 1.85 acre tract and at a total distance of 877.17 feet to a 2" pipe found at the most southern southeast corner of said 1.85 acre tract and southwest corner of a 1.29 acre tract, recorded in Volume 625, Page 24 of said records.

THENCE N 0 deg. 34 min. 27 sec. W along and with the most southern east line of said 1.85 acre tract and west line of said 1.29 acre tract a distance of 181.09 feet to a 2" pipe found at the northwest corner of said 1.29 acre tract and an "ell" corner of said 1.85 acre tract.

THENCE N 86 deg. 45 min. 00 sec. E along and with the north line of said 1.29 acre tract and most northern south line of said 1.85 acre tract a distance of 303.67 feet to a 2" pipe found at the northeast corner of said 1.29 acre tract and most eastern southeast corner of said 1.85 acre tract in the west right-of-way line of F. M. Highway No. 92, recorded in Plat File No. 38 of the Plat Records of Tyler County, Texas.

THENCE N 03 deg. 29 min. 40 sec. W along and with the most eastern east line of said 1.85 acre tract and west right-of-way line of said highway parallel to its centerline at 112.21 feet pass a 3/4" iron rod found at the northeast corner of

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said 1.85 acre tract and most eastern southeast corner of said 8.99 acre tract, at 250.13 feet pass a 3/4" iron rod found at the northeast corner of said 8.99 acre tract and southeast corner of said 4.18 acre tract and at a total distance in all of 407.94 feet to a 3/4" iron rod found at the northeast corner of said 4.18 acre tract, southeast corner of a 1.07 acre tract, recorded in Volume 415, Page 865 of said records.

THENCE N 89 deg. 54 min. 12 sec. W along and with the north line of said 4.18 acre tract and south line of said 1.07 acre tract a distance of 283.71 feet to a 1" pipe found at the southwest corner of said 1.07 acre tract, southeast corner of a 8.045 acre tract.

THENCE S 89 deg. 58 min. 49 sec. W continuing along and with the north line of said 4.18 acre tract and south line of said 8.045 acre tract a distance of 865.94 feet to a 3/4" iron pipe found at the northwest corner of said 4.18 acre tract and southwest corner of said 8.045 acre tract in a east line of said residue.

THENCE South along and with the west line of said 4.18 acre tract and east line of said residue at 157.85 feet pass a 3/4" iron rod found at the southwest corner of said 4.18 acre tract, northwest corner of said 8.99 acre tract and continue with the west line of said 8.99 acre tract a distance of 612.12 feet to the PLACE OF BEGINNING, containing 14,967 acres of land.

Bearings are in relation to the west line of said 8.99 acre tract called North in said deed of record. This field note description is accompanied with a plat.

Surveyed June of 2000, by John H. Means, Registered Professional Land Surveyor No. 4221.

  
John H. Means, R.P.L.S. No. 4221

Mean's Services  
P. O. Box 368  
Spurger, Texas 77660  
(409) 429-5097  
(409) 429-3192 FAX

Exhibit "B"  
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