

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: SEE EXHIBIT "A"
- 2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 10/23/2004 and recorded in Book 1313 Page 0102 real property records of Hill County, Texas.
- 3. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:
 Date: 03/01/2016
 Time: The sale will begin no earlier than 12:00 PM or no later than three hours thereafter.
 Place: Hill County Courthouse, Texas, at the following location: EAST DOOR OF THE HILL COUNTY COURTHOUSE 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 GLORIA RODRIGUEZ AND MARTIN RODRIGUEZ, provides that it secures the payment of the indebtedness in the original principal amount of \$50,400.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. U.S. BANK N.A., IN ITS CAPACITY AS TRUSTEE FOR CSFB HOME EQUITY PASS-THROUGH CERTIFICATES, SERIES 2005-FIX1 TRUST, CSFB HOME EQUITY PASS-THROUGH CERTIFICATES, SERIES 2005-FIX1 is the current mortgagee of the note and deed of trust and OCWEN LOAN SERVICING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is U.S. BANK N.A., IN ITS CAPACITY AS TRUSTEE FOR CSFB HOME EQUITY PASS-THROUGH CERTIFICATES, SERIES 2005-FIX1 TRUST, CSFB HOME EQUITY PASS-THROUGH CERTIFICATES, SERIES 2005-FIX1 c/o OCWEN LOAN SERVICING, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. **Order to Foreclose.** U.S. BANK N.A., IN ITS CAPACITY AS TRUSTEE FOR CSFB HOME EQUITY PASS-THROUGH CERTIFICATES, SERIES 2005-FIX1 TRUST, CSFB HOME EQUITY PASS-THROUGH CERTIFICATES, SERIES 2005-FIX1 obtained a Order from the 66th District Court of Hill County on 01/11/2016 under Cause No. 52850. 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 TIM LEWIS, DENISE BOERNER, BRENDA WIGGS, DONNA STOCKMAN, DAVID STOCKMAN, GUY WIGGS, ANGELA LEWIS, JUANITA COX, JIMMY CARROLL BREWER, STEPHEN RAWLINGS, DIASHA PERKINS, MICHAEL W. ZIENTZ, OR CARL NIENDORFF, 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
Lori Liane Long, Attorney at Law
Tracey Midkiff, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254

TIM LEWIS, DENISE BOERNER, BRENDA WIGGS, DONNA STOCKMAN, DAVID STOCKMAN, GUY WIGGS, ANGELA LEWIS, JUANITA COX, JIMMY CARROLL BREWER, STEPHEN RAWLINGS, DIASHA PERKINS, MICHAEL W. ZIENTZ, OR CARL NIENDORFF
c/o AVT Title Services, LLC
13770 Noel Road #801529
Dallas, TX 75380-1529

FILED
NICOLE TANNER, COUNTY CLERK
HILL COUNTY, TEXAS
2016 FEB - 8 A 10: 37



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EXHIBIT "A"

All that certain lot, tract or parcel of land containing 0.321 acres being all of Lots Eleven (11) and Twelve (12), Block Ten (10), of the Original Town of Itasca in Hill County, Texas. Said land in all part of that certain tract described in a deed from Nettie Williamson to Ronald Keith Upchurch, et ux, as recorded in Volume 517, Page 533 of the Deed Records of Hill County, and is more particularly described by metes and bounds as follows:

BEGINNING at an iron stake set in the intersection of the west line of Lamar Street and the south line of Adams Street for the northeast corner of said Block 10;

THENCE-- N. 90° 0' 0" W., 100.00 feet along said south line to an iron stake set for the northwest corner of said Lot 11;

THENCE-- S. 0° 0' 0" E., 140.00 feet to an iron stake set in the north line of an alley for the southwest corner of said Lot 11;

THENCE-- N. 90° 0' 0" E. 100.00 feet along said north line to an iron stake set in the west line of Lamar Street for the southeast corner of said Lot 12;

THENCE-- N. 0° 0' 0" E. 140.00 feet along said West line to the PLACE OF BEGINNING, containing 0.321 acres of land.

~~10266~~

10267

FILED
AT 11:45 O'CLOCK A M
ON THE 3 DAY OF Nov
A.D., 2004

STATE OF TEXAS
COUNTY OF HILL

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the Official Public Records of Hill County, Texas.



Ruth Pelham
County Clerk, Hill County, Texas

BY *J. Damahan* DEPUTY

RECORDED 11-3-04

Ruth Pelham

COUNTY CLERK, HILL CO TEXAS

BY

DEPUTY

BOOK 1313 PAGE 0119