

original

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 OR 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: BEING LOTS 1 AND 2, MUTUAL LUMBER COMPANY ADDITION NO.1, AN ADDITION IN FREDERICKSBURG, GILLESPIE COUNTY, TEXAS, ACCORDING TO THE MAP OF PLAT OF RECORD IN VOLUME 60, PAGE 617, DEED RECORDS OF GILLESPIE COUNTY, TEXAS.

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 11/14/2002 and recorded in Book 481 Page 928 real property records of Gillespie County, Texas.

3. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:

Date: 10/02/2018

Time: 10:00 AM

Place: Gillespie County Courthouse, Texas at the following location: AT THE MAIN FRONT DOOR FACING MAIN STREET OF THE COUNTY COURTHOUSE IN FREDRICKSBURG, GILLESPIE COUNTY TEXAS 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 ALICE M. JOHNSON AND CAROL A. JOHNSON, provides that it secures the payment of the indebtedness in the original principal amount of \$146,250.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust is the current mortgagee of the note and deed of trust and RUSHMORE LOAN MANAGEMENT SERVICES, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust c/o RUSHMORE LOAN MANAGEMENT SERVICES, LLC, 15480 Laguna Cyn Road, Suite 100, IRVINE, CA 92618 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. **Order to Foreclose.** Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust obtained a Order from the US District Court, Western District on 02/14/2017 under Cause No. 1:15-cv-00788-RP. 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 THOMAS ROSSINGTON, MARTHA ROSSINGTON, JUANITA COX, JIMMY CARROLL BREWER OR STEPHEN RAWLINGS, 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
Marissa Sibal, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254

THOMAS ROSSINGTON, MARTHA ROSSINGTON,
JUANITA COX, JIMMY CARROLL BREWER OR
STEPHEN RAWLINGS
c/o AVT Title Services, LLC
1101 Ridge Rd. Suite 222
Rockwall, TX 75087

Certificate of Posting

I am Thomas Rossington 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 9-6-18 I filed this Notice of Foreclosure Sale at the office of the Gillespie County Clerk and caused it to be posted at the location directed by the Gillespie County Commissioners Court.

SEP 06 2018

posted @
8:48
am

FILED
MARY LYNN RUCHE
COUNTY CLERK - Gillespie Co., Texas
By Judrey Brown
Deputy