

NOTICE OF [SUBSTITUTE] 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.

1. **Date, Time, and Place of Sale.**

Date: October 03, 2017

Time: The sale will begin at 12:00PM or not later than three hours after that time.

Place: THE EAST ENTRANCE OF THE MILAM COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated March 14, 2006 and recorded in Document VOLUME 1003, PAGE 18 real property records of MILAM County, Texas, with JAMES WIMMER AND TAMMY WIMMER, grantor(s) and BANK OF AMERICA, N.A., mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by JAMES WIMMER AND TAMMY WIMMER, securing the payment of the indebtednesses in the original principal amount of \$166,750.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WILMINGTON SAVINGS FUND SOCIETY, FSB, DOING BUSINESS AS CHRISTIANA TRUST, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE FOR BCAT 2014-9TT is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

6. **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. NEW PENN FINANCIAL, LLC d/b/a SHELLPOINT MORTGAGE SERVICING, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o NEW PENN FINANCIAL, LLC d/b/a SHELLPOINT MORTGAGE SERVICING
55 BEATTIE PLACE MAILSTOP 015
GREENVILLE, SC 29601



JOHN LATHAM, JOHN W. LATHAM, BRETT ADAMS, TOBEY LATHAM, OR MICHAEL LATHAM
Substitute Trustee
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on _____ I filed at the office of the MILAM County Clerk and caused to be posted at the MILAM County courthouse this notice of sale.

Declarants Name: _____
Date: _____

Filed 11th day of September
in 2017, At 10:15 AM.
BARBARA VANSA
County Clerk, Milam County, Texas
By: Jancy Tucker
Deputy



NOS0000006900260

EXHIBIT "A"

5.00 ACRE TRACT

BEING A 5.00 ACRE TRACT OF LAND OUT OF THE S. C. ROBERTSON SURVEY, ABSTRACT NO. 51, MILAM COUNTY, TEXAS AND BEING OUT OF AND A PART OF THAT CERTAIN 80.22 ACRE TRACT OF LAND DESCRIBED AS FIRST TRACT, AND ALL THAT CERTAIN 1.411 ACRE TRACT OF LAND DESCRIBED AS SECOND TRACT IN A DEED TO JAMES WIMMER, ET UX, RECORDED IN VOLUME 959, PAGE 199, OF THE OFFICIAL RECORDS OF MILAM COUNTY, TEXAS, SAID 5.00 ACRE TRACT BEING SHOWN ON ATTACHED PLAT AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND BY A CORNER POST AT THE NORTHWEST CORNER OF THE ABOVE MENTIONED 1.411 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF A CALLED 2.66 ACRE TRACT OF LAND TO FERROL O. ANGELL, ET UX, (448/336), LOCATED IN THE EAST LINE OF COUNTY ROAD NO. 240 FOR THE NORTHWEST CORNER OF THIS;

THENCE DEPARTING COUNTY ROAD AND ALONG THE NORTH LINE OF SAID 1.411 ACRE TRACT, COMMON WITH THE SOUTH LINE OF SAID ANGELL TRACT, THE SOUTH LINE OF A CALLED 514.37 ACRE TRACT TO MARTHA CULPEPPER AND ALONG A FENCE LINE, AT SOUTH 71 DEGREES 39 MINUTES 15 SECONDS EAST A DISTANCE OF 1756.48 FEET PASSING A 5/8" IRON ROD FOUND ON LINE BY A CORNER POST AND CONTINUING A TOTAL DISTANCE OF 2056.55 FEET TO A 1/2" IRON ROD W/YELLOW CAP SET FOR THE NORTHEAST CORNER OF THIS;

THENCE THROUGH THE INTERIOR OF THE ABOVE MENTIONED 80.22 ACRE TRACT, SOUTH 19 DEGREES 03 MINUTES 33 SECONDS WEST A DISTANCE OF 515.91 FEET TO A 1/2" IRON ROD WITH YELLOW CAP SET IN THE NORTH LINE OF A CALLED 26.36 ACRE TRACT TO ROBERT MALER, ET UX, (982/200.), FOR THE SOUTHEAST CORNER OF THIS;

THENCE ALONG THE SOUTH LINE OF SAID 80.22 ACRE TRACT, COMMON WITH THE NORTH LINE OF SAID MALER TRACT AND GENERALLY ALONG A FENCE LINE, NORTH 72 DEGREES 44 MINUTES 07 SECONDS WEST A DISTANCE OF 301.28 FEET TO A 1/2" IRON ROD WITH YELLOW CAP FOUND BY A CORNER POST IN THE EAST LINE OF A CALLED 69.17 ACRE TRACT TO WILLIAM A. ROBINSON, ET UX, (98/672), FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF THIS;

THENCE ALONG THE WEST LINE OF SAID 80.22 ACRE TRACT, COMMON WITH THE EAST LINE OF SAID ROBINSON TRACT AND ALONG A FENCE LINE, NORTH 19 DEGREES 03 MINUTES 33 SECONDS EAST A DISTANCE OF 486.48 FEET TO A 5/8" IRON ROD FOUND BY A CORNER POST AT THE SOUTHEAST CORNER OF SAID 1.411 ACRE TRACT FOR AN INSIDE ELL CORNER OF THIS;

THENCE ALONG THE SOUTH LINE OF SAID 1.411 ACRE TRACT, COMMON WITH THE NORTH LINE OF SAID ROBINSON TRACT AND ALONG A FENCE LINE, NORTH 71 DEGREES 39 MINUTES 10 SECONDS WEST A DISTANCE OF 1754.09 FEET TO A 5/8" IRON ROD FOUND IN THE EAST LINE OF COUNTY ROAD NO. 240 FOR THE MOST WESTERLY SOUTHWEST CORNER OF THIS;

THENCE ALONG THE EAST LINE OF SAID COUNTY ROAD. NORTH 16 DEGREES 55 MINUTES 05 SECONDS EAST A DISTANCE OF 35.09 FEET TO THE POINT OF BEGINNING, AND CONTAINING 5.00 ACRES OF LAND, MORE OR LESS.



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