

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.

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1. Date, Time, and Place of Sale.

Date: March 06, 2018

Time: The sale will begin at 10:00AM or not later than three hours after that time.

Place LOCATION DESIGNATED BY THE COMMISSIONER'S COURT DATED AUGUST 14, 2000, BOOK 893, PAGE 644 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 December 29, 2010 and recorded in Document CLERK'S FILE NO. 2011000287 real property records of SHELBY County, Texas, with DWAYNE DOCKENS AND HEATHER KELLY-DOCKENS, grantor(s) and PHH MORTGAGE CORPORATION, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by DWAYNE DOCKENS AND HEATHER KELLY-DOCKENS, securing the payment of the indebtednesses in the original principal amount of \$123,556.60, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. PROF-2013-S3 LEGAL TITLE TRUST II, BY U.S. BANK NATIONAL ASSOCIATION, AS LEGAL TITLE TRUSTEE 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. FAY SERVICING LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o FAY SERVICING LLC
440 S. LASALLE ST. 20TH FLOOR
CHICAGO, IL 60605

ZACH MCCARTHY
BEATRICE CARRILLO, JOHN MCCARTHY, KEVIN MCCARTHY OR ZACH MCCARTHY
Substitute Trustee
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

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 SHELBY County Clerk and caused to be posted at the SHELBY County courthouse this notice of sale.

Certificate of Posting

Declarants Name: _____
Date: _____

JENNIFER L. FURMAN
COUNTY CLERK
BY [Signature] DEPUTY



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EXHIBIT "A"

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF TEXAS, COUNTY OF SHELBY DESCRIBED AS FOLLOWS:

BEING 0.85 ACRE OF LAND, MORE OR LESS, A PART OF THE JESSE AMASON SURVEY, A-10, SHELBY COUNTY, TEXAS, AND BEING ALL OF LOTS 6, 7 AND 24 OF PINE TERRACE SUBDIVISION, SECTION 1, CENTER, SHELBY COUNTY, TEXAS, AND BEING THE LAND DESCRIBED IN THE WARRANTY DEED FROM TERRY DENNIS AND WIFE, STELLA L. TERRY, TO DWAYNE L. DOCKENS AND WIFE, HEATHER L. DOCKENS, DATED JUNE 30, 1999, RECORDED IN VOLUME 861, PAGE 20, OFFICIAL PUBLIC RECORDS, SHELBY COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT A 3/8 INCH IRON ROD SET AT THE INTERSECTION OF THE S. MARGIN OF ARCADIA COURT (60 FT. STREET) AND THE WEST MARGIN OF PINE TERRACE (60 FT. STREET) FOR THE NEC OF THE ABOVE REFERENCE LOT 6;

THENCE S. 12 DEG. 40 MIN. 00 SEC. W. (CALLED S. 12 DEG. 10 MIN. W. 140 FT.) WITH THE WEST MARGIN OF PINE TERRACE FOR A DISTANCE OF 140.01 FT. TO A 3/4 INCH PIPE FOUND FOR THE NEC OF LOT 24 AND FOR THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE NW, HAVING A RADIUS OF 323.72 FT. AND A CENTRAL ANGLE OF 24 DEG. 53 MIN. 36 SEC;

THENCE SOUTHWESTERLY ALONG SAID CURVE AND WITH THE W. MARGIN OF SAID STREET FOR A DISTANCE OF 140.65 FT. TO A 5/8 INCH IRON ROD FOUND FOR THE SEC OF LOT 24 AND FOR THE NEC OF LOT 25;

THENCE N. 52 DEG. 09 MIN. 36 SEC 2. (CALLED N. 52 DEG, 25 MIN. W. 145.74 FT.) WITH THE COMMON LINE OF LOT 24 AND LOT 25 FOR A DISTANCE OF 145.58 FT. TO A 3/4 INCH PIPE FOUND NEAR A CHAIN LINK FENCE CORNER FOR THE COMMON CORNER OF LOTS 24, 25, 7 AND 8;

THENCE N. 3 DEG. 06 MIN. 00 SEC, W. (CALLED N. 3 DEG. 06 MIN. W. 140 FT. BEARING BASE) WITH THE COMMON LINE OF LOT 7 AND LOT 8 FOR A DISTANCE OF 139.76 FT. TO A 3/4 INCH IRON PIPE FOUND IN THE SOUTH MARGIN OF THE AFOREMENTIONED ARCADIA COURT, SAID PIPE IS ALSO THE NEC OF LOT 8 AND THE NWC OF LOT 7;

THENCE N. 80 DEG. 52 MIN, 54 SEC. E. (CALLED N. 80 DEG. 54 MIN. E. 100.10 FT. & 115.06 FT.) ALONG THE S. MARGIN OF SAID STREET AND WITH THE NORTH MARGIN OF LOT 7, AT 100.10 FT. PASS A 3/4 INCH PIPE FOUND FOR THE NEC OF LOT 7, THEN CONTINUE ON THE SAME BEARING WITH THE N. LINE OF LOT 6 FOR A DISTANCE OF 115.06 FT. FOR A TOTAL DISTANCE OF 215.17 FT. TO THE POINT OF BEGINNING, CONTAINING 0.85 ACRE OF LAND, MORE OF LESS.

SURVEYED BY SCOTT MORRIS, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5076, ON JUNE 26, 1999, OF THE STATE OF TEXAS.



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