

**NOTICE OF FORECLOSURE SALE**

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 09/25/2004 and recorded in Book 179 Page 158 Document 00020989 real property records of Refugio County, Texas.

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

Date: 01/05/2016

Time: The sale will begin no earlier than 01:00 PM or no later than three hours thereafter.

Place: Refugio County Courthouse, Texas, at the following location: THAT CERTAIN AREA ON THE EASTERLY SIDE OF THE COURTHOUSE FACING COMMERCE STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

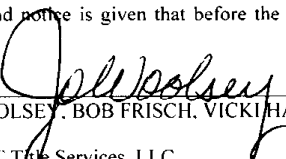
4. **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

5. **Obligations Secured.** The Deed of Trust executed by PAIGE LYNNE BURNS, provides that it secures the payment of the indebtedness in the original principal amount of \$27,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not in its individual capacity but as Trustee of ARLP Trust 5 is the current mortgagee of the note and deed of trust and FAY SERVICING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not in its individual capacity but as Trustee of ARLP Trust 5 c/o FAY SERVICING, LLC, 440 S. LaSalle, Suite 2000, Chicago, IL 60605 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. **Default and Request to Act.** Default has occurred under the deed of trust and Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not in its individual capacity but as Trustee of ARLP Trust 5 obtained an Order from the 267th District Court of Refugio County on 11/11/2015 under Cause No. 2015-09-12128. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order and notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

  
JO WOOLSEY, BOB FRISCH, VICKI HAMMONDS OR JAMIE  
STEEN  
c/o AVT Title Services, LLC  
13770 Noel Road #801529  
Dallas, TX 75380-1529

14-005093-670  
144 Old Beeville Hwy  
Refugio, TX 78377

**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.**

Customer Name: PAIGE L BURNS  
Application #: 009922403930

Exhibit A (Legal Description)

**FIRST TRACT:**

BEING A PART OF FARM LOT ONE (1) OF 40 ACRES, MORE OR LESS, IN BLOCK NINE (9), IN THE ORIGINAL FOUR LEAGUES GRANT IN THE TOWN OF REFUGIO, ABSTRACT NO. 345, IN REFUGIO COUNTY, TEXAS, AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A ¼" IRON PIPE SET IN THE SOUTH LINE OF SAID FARM LOT ONE, BLOCK NINE AND THE NORTH LINE OF A PUBLIC ROAD, FOR THE SOUTHEAST CORNER OF THIS SURVEY WHENCE A ¼" IRON PIPE AT THE SOUTHEAST CORNER OF SAID FARM LOT ONE, BLOCK NINE (9) BEARS NORTH 80° 55' WEST 434.24 FEET; THIS SOUTHEAST CORNER OF THIS SURVEY BEING ALSO THE EXTREME SOUTHWEST CORNER OF A CERTAIN TRACT OF 3.004 ACRES HERETOFORE CONVEYED TO GALE N. BRUNDRETT AND WIFE, MARY RUTH BRUNDRETT;

THENCE NORTH 80° 55' WEST 217.12 FEET WITH THE SOUTH LINE OF SAID FARM LOT ONE, BLOCK NINE AND NORTH LINE OF SAID PUBLIC ROAD TO A ¼" IRON PIPE, FOR THE SOUTHWEST CORNER OF THIS SURVEY;

THENCE NORTH 9° 05' EAST 200.63 FEET TO A POINT, FOR THE NORTHWEST CORNER OF THIS SURVEY;

THENCE SOUTH 80° 55' EAST 217.12 FEET TO A ¼" IRON PIPE FOR THE NORTHEAST CORNER OF THIS SURVEY AND BEING ALSO THE SOUTHERNMOST NORTHWEST CORNER OF SAID BRUNDRETT TRACT;

THENCE SOUTH 9° 05' WEST 200.63 FEET WITH THE EXTREME WESTERN LINE OF SAID BRUNDRETT TRACT TO THE PLACE OF BEGINNING, CONTAINING ONE (1) ACRE OF LAND.

**SECOND TRACT:**

BEING A PART OF FARM LOT ONE (1) OF 40 ACRES, MORE OR LESS, IN BLOCK NINE (9), IN THE ORIGINAL FOUR LEAGUES GRANT IN THE TOWN OF REFUGIO, ABSTRACT NO. 345, IN REFUGIO COUNTY, TEXAS, AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A ¼" IRON PIPE, THE NORTHEAST CORNER OF THE ABOVE-DESCRIBED "FIRST TRACT" FOR THE SOUTHEAST CORNER OF THIS SURVEY, WHENCE A ¼" IRON PIPE AT THE SOUTHEAST CORNER OF SAID FARM LOT ONE, BLOCK NINE BEARS SOUTH 9° 05' WEST, 200.63 FEET AND SOUTH 80° 55' WEST, 434.24 FEET TO THE PLACE OF BEGINNING, CONTAINING ONE (1) ACRE OF LAND.

FEET; THIS SOUTHEAST CORNER OF THIS SURVEY BEING ALSO THE SOUTHWEST CORNER OF A CERTAIN ONE ACRE TRACT HERETOFORE CONVEYED BY JOHN J. BUCKLEY, ET AL, TO GALE N. BRUNDRETT AND WIFE, MARY RUTH BRUNDRETT, BY DEED DATED AUGUST 5, 1968, OF RECORD IN VOLUME 151, ON PAGE 494, OF THE DEED RECORDS OF REFUGIO COUNTY, TEXAS;

THENCE NORTH 80° 55' WEST ALONG THE NORTH LINE OF SAID ABOVE-DESCRIBED "FIRST TRACT", 217.12 FEET TO A POINT, THE NORTHWEST CORNER OF SAID "FIRST TRACT" ABOVE-DESCRIBED, FOR THE SOUTHWEST CORNER OF THIS SURVEY; SAID POINT BEING ALSO THE SOUTHEAST CORNER OF A CERTAIN TWO-ACRE TRACT HERETOFORE CONVEYED BY JOHN J. BUCKLEY, ET AL, TO CHARLES B. DANIELS AND WIFE, CAROLYN L. DANIELS, BY DEED DATED JUNE 14, 1971;

THENCE NORTH 9° 05' EAST, ALONG THE EAST LINE OF SAID DANIELS TRACT, 200.63 FEET TO A POINT, THE NORTHEAST CORNER OF SAID DANIELS TRACT, FOR THE NORTHWEST CORNER OF THIS SURVEY;

THENCE SOUTH 80° 55' EAST, 217.12 FEET TO A ¾" IRON PIPE, THE NORTHWEST CORNER OF SAID ONE-ACRE BRUNDRETT TRACT HEREINABOVE REFERRED TO, FOR THE NORTHEAST CORNER OF THIS SURVEY;

THENCE SOUTH 9° 05' WEST, 200.63 FEET ALONG THE WEST LING OF SAID BRUNDRETT ONE-ACRE TRACT TO THE PLACE OF BEGINNING, CONTAINING ONE (1) ACRE OF LAND.

Being that parcel of land conveyed to Bert E. Burnas and wife, Paige Burns from J.W. Ellis and wife, Mary Ellis by that deed dated 06/13/1974 and recorded 06/13/1974 in Deed Book 191, at Page 164 of the REFUGIO County, TX Public Registry.

Being that parcel of land conveyed to Paige Lynne Burns by that affidavit dated 06/10/2004 and recorded 06/15/2004 in Deed Book 173, at page 80 of the REFUGIO County, TX Public Registry.

Tax Map Reference: 01 000 020 5602190 00000

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