



\*VG-1443-2019-1902962\*

**Freestone  
County  
Linda Jarvis  
Freestone County  
Clerk**

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**Instrument Number: 1902962**

Foreclosure Posting  
NOTICE OF FORECLOSURE

Recorded On: September 10, 2019 02:51 PM

Number of Pages: 8

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**" Examined and Charged as Follows: "**

Total Recording: \$8.00

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**\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\***

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 1902962  
Receipt Number: 20190910000019  
Recorded Date/Time: September 10, 2019 02:51 PM  
User: LaVerne M  
Station: Clerk Station

**Record and Return To:**

Brady Law Firm PLLC  
6351 Preston Rd Ste 160  
FRISCO TX 75034



STATE OF TEXAS  
COUNTY OF FREESTONE

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Freestone County, Texas.

Linda Jarvis  
Freestone County Clerk  
Freestone County, TX

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

**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 on 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 military service to the sender of this notice immediately.**

STATE OF TEXAS            §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated December 1, 2008, Lola L. Jolliff and Arthur L. Jolliff conveyed to Tim Williams, as Trustee, the property situated in Freestone County, Texas, to wit:

Property:

See Exhibit "A" attached hereto, together with a 2009 Clayton manufactured home, Model 31VAL16723AH09, Serial Number CLW028370TX; HUD Label/Seal Number HWC0398365.

To secure that certain Note executed by Lola L. Jolliff and made payable to 21<sup>st</sup> Mortgage Corporation (hereinafter the "Note"), which such Deed of Trust filed and recorded on December 5, 2008 under Document Number: 00808025 in the Official Records of Freestone County, Texas and Corrected Deed of Trust filed and recorded on July 23, 2018 under Document Number: 01802409 in the Official Records of Freestone County, Texas (hereinafter "Deed of Trust"); and

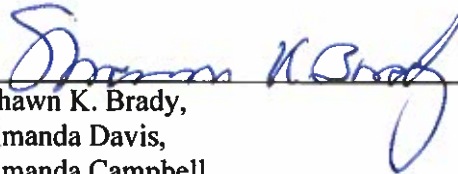
**WHEREAS**, the undersigned is the Substitute Trustee as appointed in the aforesaid Deed of Trust by a substitution, said appointment being in the manner authorized by the Deed of Trust; and

**WHEREAS**, default has occurred under the terms of the Note secured by the Deed of Trust, and the indebtedness evidenced therein is now wholly due, the owner and holder of said indebtedness has requested the undersigned Substitute Trustee to sell the Property to satisfy same.

**WHEREAS**, 21<sup>st</sup> Mortgage Corporation brought suit styled *21<sup>st</sup> Mortgage Corporation v. The Unknown Heirs at Law of Arthur L. Jolliff, Deceased, The Unknown Heirs at Law of Lola L. Jolliff, Deceased, Ronald Crofoot, Franklin Jolliff, and Ralph Vernon Jolliff*, under Cause No. CV 18-272-B in the 87<sup>th</sup> Judicial District Court of Freestone County, Texas and obtained a Final Judgment granting this non-judicial foreclosure sale to occur. A true and correct conformed copy of the Final Judgment is attached hereto as Exhibit "B".

**NOW, THEREFORE**, notice is hereby given that on Tuesday, the 1<sup>st</sup> day of October, 2019, the Property will be sold at auction at the earliest of 10:00 a.m. or no later than three (3) hours after that time at the front steps at the south entrance of the Freestone County Courthouse, 118 E. Commerce St., Fairfield, Freestone County, Texas 75840, or as designated by the County Commissioner, to the highest bidder for cash. The Trustee's sale will occur between the earliest time to begin the sale as specified above, and 1:00 p.m.

Witness my hand this the 9<sup>th</sup> day of September, 2019.



Shawn K. Brady,  
Amanda Davis,  
Amanda Campbell,  
Rick Petersen, and/or  
Karen Petersen,  
any to act, Substitute Trustee

c/o BRADY LAW FIRM, PLLC  
6351 Preston Road, Suite 160  
Frisco, Texas 75034  
(972) 424-7200 Telephone  
(972) 424-7244 Facsimile

**GRANTEE'S MAILING ADDRESS:**

21<sup>st</sup> Mortgage Corporation  
620 Market Street  
One Center Square  
Knoxville, Tennessee 37902

# EXHIBIT "B"

Akewa Tieman

CAUSE NO. CV 18-272-B

21 <sup>ST</sup> MORTGAGE CORPORATION,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
V.	§	FREESTONE COUNTY, TEXAS
	§	
THE UNKNOWN HEIRS AT LAW OF	§	
ARTHUR L. JOLLIFF, DECEASED,	§	
THE UNKNOWN HEIRS AT LAW OF	§	
LOLA L. JOLLIFF, DECEASED,	§	
RONALD CROFOOT,	§	
FRANKLIN LEE JOLLIFF, and	§	
RALPH VERNON JOLLIFF,	§	
	§	
Defendants.	§	
	§	
IN RE: 213 County Road 540,	§	
Fairfield, Texas 75840	§	87 <sup>TH</sup> JUDICIAL DISTRICT

### FINAL JUDGMENT

CAME ON for consideration Plaintiff's Motion for Final Judgment against Ronald Crofoot, Franklin Lee Jolliff a/k/a Franklin Jolliff, Ralph Vernon Jolliff a/k/a Ralph Jolliff, The Unknown Heirs at Law of Arthur L. Jolliff, Deceased, and The Unknown Heirs at Law of Lola L. Jolliff, Deceased. The Court finds that the Motion is well taken and is of the opinion that said Motion should be granted.

The Court finds that Ronald Crofoot, Franklin Lee Jolliff a/k/a Franklin Jolliff, and Ralph Vernon Jolliff a/k/a Ralph Jolliff were served with citations and have not made an appearance herein. The Court further finds that The Unknown Heirs at Law of Arthur L. Jolliff, Deceased and The Unknown Heirs at Law of Lola L. Jolliff, Deceased, were served with citation by publication and have made an appearance herein through counsel. Attorney George Robinson was appointed by the Court to represent the interests of The Unknown Heirs at Law of Arthur L. Jolliff, Deceased and The Unknown Heirs at Law of Lola L. Jolliff, Deceased.

# EXHIBIT "A"

5.162 acres of land, more or less, situated in the JESSE KORN LEAGUE, Abstract No. 15, Freestone County, Texas and being part of a subdivision of a tract of land called 269.891 acres in deed from P. D. Browne to Neal Development Corp. dated Sept. 14, 1971 and of record in Vol. 409, pg. 806 of the Deed Records, Freestone County, Texas, said 269.891 acre tract also described in field notes from Richard J. Reed, registered public survey No. 1593, to C. E. Neal, Jr., dated August 27, 1971 and also being a part of a tract of land called 350 acres surveyed by Roger Steward, Licensed State Land Surveyor, on October 31, 1936 and said 5.162 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at the point of intersection of the North line of a 40 ft. wide public road running East and West and the East line of a 60 ft. wide road and pipeline right of way running North and South the same being; the Southwest corner of the said 5.162 acre tract, a T-Bar (6 ft. metal post, 2 ft. up) set for corner from whence found a 3/8 inch steel rod for the southernmost Southwest corner of the said 269.891 acre tract bears South 26 deg. 03' 45" West 3,338.60 ft.;

THENCE North 27 deg. 07' 30" West 216.24 ft. with the said East line of the 60 ft. wide road and pipeline right of way to the southernmost corner of a 4.822 acre tract surveyed out of the said 269.891 acre tract, a T-Bar set for corner from whence found a 3/8 inch steel rod for the Northwest corner of the said 269.891 acre tract bears North 32 deg. 22' 45" West 2,403.15 ft.;

THENCE North 57 deg. 22' 30" East 454.70 ft. with the Southeast line of the said 4.822 acre tract to the easternmost corner thereof, the same being on the South high bank of a tributary of Brown's Creek, a T Bar set for corner;

THENCE 86 deg. 14' 45" East 300.33 ft. with the said South high bank of a tributary of Brown's Creek to the Northeast corner of the said 5.162 acre tract, a 3/8 inch steel rod set for corner from whence found a 3/8 inch steel rod for the Northwest corner of a tract of land called 201.106 acres in deed from James F. Baker et ux to Neal Development Corp. dated June 6, 1972 and of record in Vol. 416, pg. 658 of the Deed Records, Freestone County, Texas, bears South 78 deg. 37' 45" East 271.28 ft.;

THENCE with the West high bank of the said tributary of Brown's Creek as follows:

South 30 deg. 28' 30" East 102.27 ft. to a 3/8 inch steel rod set for a bend in line,

South 12 deg. 42' 45" East 156.02 ft. to the Southeast corner of the said 5.162 acre tract, the same being in the aforesaid North line of the public road running East and West, a T Bar set for corner;

THENCE with the said North line of the public road running East and West as follows:

South 42 deg. 05' 30" West 96.28 ft. to a 3/8 inch steel rod set for a bend in line;

South 70 deg. 14' 00" West 114.74 ft. to a 3/8 inch steel rod set for a bend in line,

South 77 deg. 54' 00" West 509.02 ft. to the Place of Beginning and containing 5.162 acres of land, more or less.

And being the same land described in Deed dated Aug. 21, 1978, from Alphreda Bailey et al, to Wayne Hardin et ux, recorded in Vol. 511, pg. 515, Deed Records of Freestone County, Texas.

Being the same land described in Deed dated Jan. 15, 1981 from Robert G. Speed and wife, Cynthia A. Speed, to Larry H. Maze and Sue Ann Maze, recorded in Vol. 580, pg. 445, Deed Records, Freestone County, Texas.

# EXHIBIT "A"

The claims in Plaintiff's Original Petition are proven by a written instrument. The Court grants Plaintiff's Motion for Final Judgment against Defendants Ronald Crofoot, Franklin Lee Jolliff a/k/a Franklin Jolliff, Ralph Vernon Jolliff a/k/a Ralph Jolliff, The Unknown Heirs at Law of Arthur L. Jolliff, Deceased, and The Unknown Heirs at Law of Lola L. Jolliff, Deceased.

IT IS THEREFORE ORDERED that:

All of Arthur L. Jolliff and Lola L. Jolliff's ("Decedents") heirs-at-law, including, but not limited to, Ronald Crofoot, Franklin Lee Jolliff a/k/a Franklin Jolliff, and Ralph Vernon Jolliff a/k/a Ralph Jolliff, have been made Defendants to this suit and are vested with all of their rights, title and interests in the real property and improvements legally described as follows:

See Exhibit "A" attached hereto, together with a 2009 Clayton manufactured home, Model 31VAL16723AH09, Serial Number CLW028370TX; HUD Label/Seal Number HWC0398365.

Arthur L. Jolliff and Lola L. Jolliff granted a Deed of Trust lien which is currently held by 21<sup>st</sup> Mortgage Corporation but defaulted under the terms of the Note and Deed of Trust, and therefore it is ordered that a non-judicial foreclosure sale occur in accordance with the terms and conditions of Deed of Trust and Tex. Prop. Code §51.002.

One of the effects of the non-judicial foreclosure shall be that Defendants, including any unknown heirs at law of Arthur L. Jolliff and Lola L. Jolliff, are divested of all rights, title, and interest to the property, and the purchaser of the property at the non-judicial foreclosure sale is vested with all rights, title and interests to the property.

After the non-judicial foreclosure is held, if the property remains occupied after this judgment becomes final, and the Plaintiff is the purchaser of the property at the non-judicial foreclosure sale, a writ of possession shall issue against any occupant of the property in accordance with Tex. R. Civ. P. 310.

As part of costs of court, and payable by Plaintiff, George Robinson, the Attorney Ad Litem, is hereby granted reasonable attorney's fees and costs in the amount of \$ 550. All other costs of court are taxed against the party by whom incurred.

All relief not expressly granted is denied.

SIGNED this the 15 day of July, 2019.

  
PRESIDING JUDGE

APPROVED AS TO FORM:

/s/Shawn K. Brady  
SHAWN K. BRADY  
Texas Bar No. 00787126  
BRADY LAW FIRM, PLLC  
6351 Preston Road, Suite 160  
Frisco, Texas 75034  
(972) 424-7200 Telephone  
(972) 424-7244 Facsimile  
E-Mail: sbrady@brady-law-firm.com

Attorney for Plaintiff 21<sup>st</sup> Mortgage Corporation

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