

NOTICE OF PUBLIC SALE OF REAL ESTATE

THE STATE OF TEXAS §
 §
COUNTY OF FALLS §

In the name and by the authority of the State of Texas

Notice is hereby given that at 1:00 PM. on January 10th, 2019, Jonathan Shoemaker, Constable of Precinct 1, Falls County, Texas, did levy upon the following real property of, Twila McAllister and the Unknown Heirs of Samuel Palacios pursuant to a Writ of Execution issued by Judge Stem of Falls County, Texas on December 21, 2018, on a Judgment signed in the 82nd District Court of Falls County, Cause No. CV39526, Twila McAllister and the Unknown Heirs of Samuel Palacios:

LOT SEVEN (7) IN THE NEVILLE ADDITION IN THE CITY OF MARLIN, FALLS COUNTY, TEXAS, AND BEING THE SAME PROPERTY DESCRIBED IN A DEED TO L.D. MOORE, ET UX DATED OCT. 8, 1968 AND RECORDED IN VOL. 275, PG. 506, FALLS COUNTY DEED RECORDS, AS SHOWN ON THE PLAT OF SAID ADDITION RECORDED IN BOOK 1, PLAT #52, MAP AND PLAT RECORDS, IN THE OFFICE OF THE COUNTY CLERK, FALLS COUNTY, TEXAS.,

Also, generally known as: 440 Maryland, Marlin, Falls County, Texas

In accordance with Rule 646a and Rule 647 of the Texas Rules of Civil Procedure, the above-described real property shall be sold at public auction as follows:

1. Property To Be Sold. LOT SEVEN (7) IN THE NEVILLE ADDITION IN THE CITY OF MARLIN, FALLS COUNTY, TEXAS, AND BEING THE SAME PROPERTY DESCRIBED IN A DEED TO L.D. MOORE, ET UX DATED OCT. 8, 1968 AND RECORDED IN VOL. 275, PG. 506, FALLS COUNTY DEED RECORDS, AS SHOWN ON THE PLAT OF SAID ADDITION RECORDED IN BOOK 1, PLAT #52, MAP AND PLAT RECORDS, IN THE OFFICE OF THE COUNTY CLERK, FALLS COUNTY, TEXAS., Also generally known as; 440 Maryland, Marlin, Falls County, Texas.

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

Date: Tuesday, February 5, 2019.

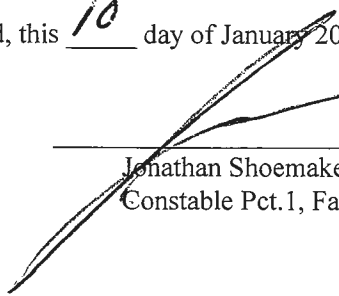
Time: The sale will be conducted at 10:00 a.m.

Place: The area of the Falls County Courthouse in Marlin, Texas, designated by the Commissioner’s Court as a place where such sales are to take place. (south side of Courthouse on the steps)

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash. Those desiring to purchase the property will need to demonstrate their ability to pay cash on the date the property is sold. The property will be transferred to the purchaser by Constable’s Deed. NO WARRANTIES OR REPRESENTATIONS, EITHER EXPRESS OR IMPLIED, HAVE BEEN MADE BY SELLER OR BY ANYONE ACTING ON ITS BEHALF, PARTICULARLY, BUT WITHOUT IN ANYWAY LIMITING THE GENERALITY OF THE FOREGOING, THAT NO WARRANTIES OR REPRESENTATION REGARDING VALUE HAVE BEEN MADE AND THAT THE PROPERTY IS SOLD AND TRANSFERRED “AS IS, WITH ALL FAULTS”, WITHOUT RECOURSE OR WARRANTY, EITHER EXPRESS OR IMPLIED. *ALL SALES CASH*

4. Type of Sale. This sale is being conducted pursuant to a Writ of Execution entered in the 82nd District Court Falls County, Texas.

5. Issued and given under my hand, this 10 day of January 2019.



Jonathan Shoemaker
Constable Pct.1, Falls County, Texas

Jonathan Shoemaker
Falls County Precinct 1 Constable's Office
P.O. BOX 458
125 Bridge
Marlin, Texas 76661
254-883-1412
constableshoemaker51@yahoo.com

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NOTICE OF LEVY

Under and by virtue of a certain writ of execution issued by the Judge Stem, 82 District Court of Falls County, Texas, on December 21, 2018, in Cause Number CV39526, Styled Ocwen Loan Servicing, LLC as Servicing Agent for Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2004-1, Asset-Backed Certificates, Series 2004-1 v. Twila McAllister and the Unknown Heirs of Samuel Palacios, Defendants, for a sum of 67,573.82 Dollars, together with interest and the costs of the suit, and further cost of executing the same until the judgment is satisfied, and commanding said sum to be made from the property of, Twila McAllister and the Unknown Heris of Samuel Palacios, subject to execution by law. Therefore I, Constable Jonathan Shoemaker, Constable of the Precinct 1 Constables office of Falls County, Texas on this 10 day of January, 2019, have levied on and have seized all rights, title, interest, and claim which said Twila McAllister and the Unknown Heris of Samuel Palacios have in the following described real property situated in Falls County, Texas: LOT SEVEN (7) IN THE NEVILLE ADDITION IN THE CITY OF MARLIN, FALLS COUNTY, TEXAS, AND BEING THE SAME PROPERTY DESCRIBED IN A DEED TO L.D. MOORE, ET UX DATED OCT. 8, 1968 AND RECORDED IN VOL. 275, PG. 506, FALLS COUNTY DEED RECORDS, AS SHOWN ON THE PLAT OF SAID ADDITION RECORDED IN BOOK 1, PLAT #52, MAP AND PLAT RECORDS, IN THE OFFICE OF THE COUNTY CLERK, FALLS COUNTY, TEXAS.,

Said property being more fully described as follows: 440 MARYLAND MARLIN, TEXAS 76661

Witness my hand this 10 day of January, 2018.

Jonathan Shoemaker, Constable
Falls County Precinct 1

By: _____
Constable Jonathan Shoemaker

STATE OF TEXAS COUNTY OF FALLS
I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
in Official Public Records of Falls County
Falls County Jan 19 2019 at 01:31P

STATE OF TEXAS COUNTY OF FALLS
I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
in Official Public Records of Falls County
Falls County Jan 19 2019 at 01:31P

stacy maxwell

ORDER OF SALE

THE STATE OF TEXAS §
 §
COUNTY OF FALLS §

TO ANY SHERIFF OF ANY CONSTABLE OF THE STATE OF TEXAS – GREETING:

WHEREAS on the 11th day of December, A.D. 2018, in Cause No. CV39526 in the 82 District Court of Falls County, Texas styled *Ocwen Loan Servicing, LLC as Servicing Agent for Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2004-1, Asset-Backed Certificates, Series 2004-1 v. Twila McAllister and the Unknown Heirs of Samuel Palacios*, by Final Judgment (the “Judgment”), an *in rem* judgment was entered in favor of Ocwen Loan Servicing LLC, as servicing agent for Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2004-1, Asset-Backed Certificates, Series 2004-1, for the sum of \$67,573.82 along with (1) pre-judgment interest accruing on such amount at 4.852713 per day beginning July 16, 2018, and continuing through the date of sale; costs of court; and any charges which Ocwen Loan Servicing LLC as Servicing Agent for Deutsche Bank National Trust Company as Trustee for Long Beach Mortgage Loan Trust 2004-1, Asset-Backed Certificates, Series 2004-1 may incur in accordance with the deed of trust beginning July 16, 2018; and

WHEREAS such judgment is a foreclosure of the lien on the property with the address of 440 Maryland Street, Marlin, TX 76661 (the “Property”); and more particularly described below, as such lien existed on July 29, 2003.

LOT SEVEN (7) IN THE NEVILLE ADDITION IN THE CITY OF MARLIN, FALLS COUNTY, TEXAS, AND BEING THE SAME PROPERTY DESCRIBED IN A DEED TO L.D. MOORE, ET UX DATED OCT. 8, 1968 AND RECORDED IN VOL. 275, PG. 506, FALLS COUNTY DEED RECORDS, AS SHOWN ON THE PLAT OF SAID ADDITION RECORDED IN BOOK 1, PLAT #52, MAP AND PLAT RECORDS, IN THE OFFICE OF THE COUNTY CLERK, FALLS COUNTY, TEXAS.,

THEREFORE, you are hereby commanded that you proceed to seize the Property, that you sell the Property as under execution, and that you apply the proceeds thereof to governmental fees and costs and then to the payment and full satisfaction of the sum of (1) the total amount of \$67,573.82 along with (1) pre-judgment interest accruing on such amount at 4.852713 per day beginning July 16, 2018 and continuing through the date this judgment is signed; (2) post – judgment interest accruing on such amount at 5.375 percent per annum or the highest rate permitted by law (whichever is lowest) from the date the default judgment is entered until the same is paid in full; (3) cost of court; and (4) any charges which Plaintiff may incur in accordance with the deed of trust beginning July 16, 2018 and continuing through the date of sale. Ocwen Loan Servicing LLC as Servicing Agent for Deutsche Bank National Trust Company as Trustee for Long Beach Mortgage Loan Trust 2004-1, Asset-Backed Certificates, Series 2004-1 may credit bid up to the amount of its charge against the Property as such amount is quantified above. If the Property shall sell for an amount more than sufficient to satisfy said quantification, then you are hereby directed to pay over the excess thereof to the defendants named in therein.

GIVEN UNDER MY HAND, the Seal of the District Court of Falls County, Texas, at my office in

the City of Marlin, Texas, this the 21 day of Dec., A.D. 2018.

ATTEST: Christy, DISTRICT CLERK, FALLS, COUNTY, TEXAS

Wideman

BY:

Stacy Maxwell
DEPUTY DISTRICT CLERK
FALLS COUNTY, TEXAS

BILL OF COSTS

SUIT NO. CV39526

OCWEN LOAN SERVICING LLC AS SERVICING AGENT FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, ~~AS~~ TRUSTEE FOR LONG BEACH MORTGAGE LOAN TRUST 2004-1, ASSET-BACKED CERTIFICATES, SERIES 2004-1

District Clerk's Costs To fees allowed in suit:	\$ <u>369.00</u>
Sheriff's Fees To serving all process	\$ <u>0</u>
Attorney's Fees (See Judgment) Attorney for Defendants Cited by posting	\$ <u>750.00</u>
Abstractor's Costs (See Judgment)	
Printer's Fees To publishing citation to unknown or non-resident owners, etc.	\$ <u>0</u>
Other Fees: _____	\$ <u>0</u>
BALANCE DUE	\$ <u>1094.00</u>

I hereby certify that the above is a true and correct Bill of Costs in the above entitled cause up to and including this writ.

Christy Wideman
Clerk of the District Court
Falls County, Texas

Stacy Maxwell
Deputy