

747 BEAYER LAKE DRIVE  
~~CALDWELL~~, TX 77836

20100031407474

### NOTICE OF SUBSTITUTE TRUSTEE SALE

Deed of Trust

Date: February 13, 2008

Grantor(s):

CHERYL LOVINGS  
RICHARD LOVINGS

Original Mortgagee:

BANK OF AMERICA, N.A.

Current Mortgagee:

BANK OF AMERICA, N.A.  
7015 CORPORATE DRIVE PTX - B - 35  
PLANO, TX 75024

Mortgage Servicer:

BAC HOME LOANS SERVICING, LP

Recorded in: VOLUME 750, PAGE 605

Property County: BURLIESON

Legal Description:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

Date of Sale: Tuesday, July 6, 2010

Earliest Time Sale will Begin: 1:00PM

Place of Sale of Property:

THE SOUTH STEPS OF THE BURLIESON COUNTY COURTHOUSE IN CALDWELL TEXAS OR AS DESIGNATED BY  
THE COUNTY COMMISSIONERS.

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

BAC HOME LOANS SERVICING, LP is acting as the Mortgage Servicer for BANK OF AMERICA, N.A., who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. BAC HOME LOANS SERVICING, LP, as Mortgage Servicer, is representing the Mortgagee, whose address is:

BANK OF AMERICA, N.A.  
c/o BAC HOME LOANS SERVICING, LP  
PTX-C-32 7105 CORPORATE  
PLANO, TX 75024

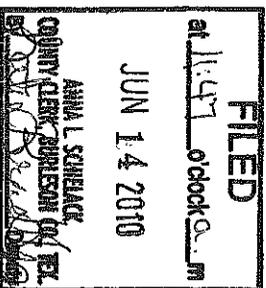
The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

Dated this June 14, 2010.

  
JOHN LATHAM, JOBEY LATHAM OR JOHN W. LATHAM

Substitute Trustee

c/o BARRETT DAFIN FRAPIER TURNER & ENGEL, LLP  
15000 Surveyor Boulevard, Suite 100  
Addison, Texas 75001



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## EXHIBIT "A"

SURFACE ONLY OF 2.34 ACRES OUT OF TRACT 150, SECTION ONE (1), BEAVER CREEK SUBDIVISION, A SUBDIVISION IN BURLESON COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 140, PAGE 380 OF THE DEED RECORDS OF BURLESON COUNTY, TEXAS, JAMES W. BELL SURVEY, A-3, BURLESON COUNTY TEXAS, AND FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED HERETO.

AND BEING THE SAME PROPERTY DESCRIBED IN A WARRANTY DEED DATED JULY 24, 1995 FROM JUANITA P. BENARD TO RICHARD LOVINGS AND CHERYL LOVINGS, RECORDED IN VOLUME 457, PAGE 273 OF THE DEED RECORDS OF BURLESON COUNTY, TEXAS.

BEING A TRACT OR PARCEL OF LAND LOCATED IN BURLESON COUNTY, TEXAS, BEING OUT OF THE JAMES W. BELL SURVEY, A-3, AND BEING PART OF TRACT 150, SECTION 1, BEAVER CREEK, ACCORDING TO THE PLAT OF SAID SUBDIVISION AS RECORDED IN VOLUME 140, PAGE 380, DEED RECORDS OF BURLESON COUNTY, TEXAS, AS DESCRIBED IN DEED DATED OCTOBER 8, 1992, FROM HAZEL W. OGDEN, TO J.P. BENARD, RECORDED IN VOLUME 425, PAGE 803, DEED RECORDS OF BURLESON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2" IRON ROD FOR THE SOUTHWEST CORNER OF SAID TRACT 150 AND THE NORTHWEST CORNER OF TRACT 151-A (JANET F. LOVINGS 0.6232 ACRE TRACT, V. 384, P. 555) IN THE EAST RIGHT-OF-WAY LINE OF BEAVER LAKE DRIVE;

THENCE N 29 DEG 45' 56" W, WITH SAID RIGHT-OF-WAY LINE, AT 229.84 FEET A FOUND 1/2" IRON ROD BEARS N 60 DEG 14' 04" E A DISTANCE OF 0.56 FEET, A TOTAL DISTANCE OF 299.43 FEET TO A 5/8" IRON ROD WITH AN ALUMINUM SURVEY MARKER CAP SET FOR AN ANGLE POINT, AND N 16 DEG 57' 40" W A DISTANCE OF 174.27 FEET TO A FOUND 1/2" IRON ROD FOR THE NORTHWEST CORNER OF SAID TRACT 150 AND THE SOUTHWEST CORNER OF TRACT 149 (JESSE N. BURDITT, JR., 1,000 ACRE TRACT, V. 442, P. 617);

THENCE N 76 DEG 54' 45" E, WITH THE NORTH LINE OF SAID TRACT 150 AND THE SOUTH LINE OF SAID TRACT 149, A DISTANCE OF 247.16 FEET TO A 5/8" IRON ROD WITH AN ALUMINUM SURVEY MARKER CAP SET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 22 DEG 15' 05" E, SEVERING SAID TRACT 150, A DISTANCE OF 354.61 FEET TO A 5/8" IRON ROD WITH AN ALUMINUM SURVEY MARKER CAP SET FOR THE SOUTHEAST CORNER OF THIS TRACT IN THE SOUTHEAST LINE OF SAID TRACT 150 AND THE NORTHWEST LINE OF TRACT 151-D (JANET F. LOVINGS 0.9162 ACRE TRACT, V. 384, P. 555);

THENCE S 48 DEG 40' 09" W, WITH SAID SOUTHEAST AND NORTHWEST LINE, PASS A FOUND 1/2" IRON ROD FOR THE SOUTHWEST CORNER OF SAID TRACT 151-D AND THE NORTH CORNER OF SAID TRACT 151-A AT 23.76 FEET, A TOTAL DISTANCE OF 233.76 FEET TO THE PLACE OF BEGINNING, CONTAINING 2.34 ACRES OF LAND, AS SURVEYED ON THE GROUND UNDER MY SUPERVISION IN MAY, 1995. ALL BEARINGS ARE REFERENCED FROM THE NORTH LINE OF SAID TRACT 150. ALL ALUMINUM SURVEY MARKER CAPS ARE MARKED "HANCOCK & ASSOCIATES RPLS 3281".



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