

## 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 05/02/2008 and recorded in Book 01446 Page 00751 Document 00803140 real property records of Freestone County, Texas.

3. **Date, Time, and Place of Sale.**

Date: 05/05/2015

Time: The sale will begin no earlier than 10:00 AM or no later than three hours thereafter.

Place: Freestone County Courthouse, Texas, at the following location: THE FRONT STEPS OF THE COURTHOUSE (SOUTH ENTRANCE) 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 ROBERT E. HOLMES AND TINA K. GILLEY AND EULA ELLIOTT, provides that it secures the payment of the indebtedness in the original principal amount of \$61,534.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. MIDFIRST BANK is the current mortgagee of the note and deed of trust and MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK is mortgage servicer. A servicing agreement between the mortgagee, whose address is MIDFIRST BANK c/o MIDLAND MORTGAGE, A DIVISION OF MIDFIRST BANK, 999 N.W. Grand Blvd, Oklahoma City, OK 73118 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 the mortgagee has requested a Substitute Trustee conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

15-000032-365  
815 1/2 S 7TH AVENUE  
TEAGUE, TX 75860

  
LORI GARNER, SHARON ST. PIERRE OR ROBERT  
LAMONT  
c/o AVT Title Services, LLC  
13770 Noel Road #801529  
Dallas, TX 75380-1529

**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.**

FILED FOR RECORD IN  
Freestone County  
Linda Jarvis  
COUNTY CLERK  
DN: Mar 30, 2015 AT 11:32A  
as Notice of Trustee Sale

Total Fees : 8.00  
Receipt Number - 130361  
By: Sonoma Adkins, Deputy



4517985

00803140

**EXHIBIT 'A'**

FILED FOR RECORD IN  
Freestone County  
Harris Linn White  
COUNTY CLERK  
ON: May 07 2008 AT 04:11PP  
as RECEIVED  
Document Number: 00803140  
Tactical Fees: \$64.00  
Receipt Number - 86053  
By, Lisa Henderson, Deputy

BEING A TRACT OF LAND SITUATED IN THE G. BREWER LEAGUE, ABSTRACT NO. 6, FREESTONE COUNTY, TEXAS,  
IN THE CITY OF TEAGUE, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT 1/2" IRON ROD SET AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, OF THE COLONIAL HILL ADDITION  
TO THE CITY OF TEAGUE, SAID SUBDIVISION BEING RECORDED IN VOLUME 25, PAGE 636, PLAT RECORDS, FREESTONE  
COUNTY, TEXAS, IN THE EAST LINE OF S. 7TH AVENUE.

THENCE N00°30'11"W WITH THE EAST LINE OF SAID S. 7TH AVENUE A DISTANCE OF 95.0' TO A 1/2" IRON ROD SET.

THENCE S89°52'45"E A DISTANCE OF 163.40' TO 1/2" IRON ROD SET IN THE WEST LINE OF A TRACT OF LAND RECORDED  
IN VOL. 715 PG. 702, DEED RECORDS, FRANKLIN COUNTY, TEXAS;

THENCE SOUTH (REFERENCE BEARING PER DEED) A DISTANCE OF 110.29' TO A 1/2" IRON ROD SET FOR CORNER:

THENCE N84°30'11"W FEET WITH THE NORTH LINE OF SAID LOT 1, 163.32 FEET TO THE  
PLACE OF BEGINNING AND CONTAINING 0.38 ACRES OF LAND, MORE OR LESS.

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.**

1. **Date, Time, and Place of Sale.**

Date: May 05, 2015

Time: The sale will begin at 1:00PM or not later than three hours after that time.

Place: THE FRONT STEPS OF THE FREESTONE COUNTY COURTHOUSE (SOUTH ENTRANCE)  
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 February 22, 2012 and recorded in Document VOLUME 01571, PAGE 00770 real property records of FREESTONE County, Texas, with MARTIN D GALLEGOS, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by MARTIN D GALLEGOS, securing the payment of the indebtednesses in the original principal amount of \$101,850.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WELLS FARGO BANK, N.A. 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 as follows:

BEING LOT NUMBER NINETY-TWO (92) OF THE LITTLE OAKS ADDITION TO THE CITY OF FAIRFIELD, FREESTONE COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, ENVELOPE 70A, PLAT RECORDS OF FREESTONE COUNTY, TEXAS.

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. WELLS FARGO BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o WELLS FARGO BANK, N.A.  
3476 STATEVIEW BLVD.  
FORT MILL, SC 29715



BEATRICE CARRILLO, JOHN MCCARTHY, KEVIN MCCARTHY OR ZACH MCCARTHY

Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP

15000 Surveyor Boulevard, Suite 100  
Addison, Texas 75001

FILED FOR RECORD IN  
Freestone County  
Linda Jarvis  
COUNTY CLERK  
ON: Mar 31, 2015 AT 08:09A  
as Notice of Trustee Sale

Total Fees : 8.00  
Receipt Number - 130375  
By: Sonama Adkins, Deputy



NOS00000005051859