

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Date: 08/25/2010
Grantor(s): HAROLD CLARK AND VIRGINIA KINGERY CLARK, HUSBAND AND WIFE
Original Mortgagee: WELLS FARGO BANK, N.A.
Original Principal: \$90,600.00
Recording Information: Instrument 01004865
Property County: Freestone
Property:

FIELD NOTES TO ALL THAT CERTAIN TO TRACT, OR PARCEL OF LAND SITUATED IN THE HUGH SHEPHERD SURVEY, A-34, FREESTONE COUNTY, TEXAS, BEING 1.00 ACRE MORE OR LESS, AND BEING THE SAME TRACT AS DESCRIBED IN A DEED DATED JANUARY 5, 2007 FROM WELL FARGO BANK, N.A. TO THE SECRETARY OF HOUSING URBAN DEVELOPMENT AND RECORDED IN VOLUME 1406, PAGE 460, DEED RECORDS, FREESTONE COUNTY, TEXAS, TO WHICH REFERENCE IS HEREBY MADE TO FOR ANY AND ALL PURPOSES. SAID TRACT DESCRIBED AS FOLLOWS, TO WIT;
BEGINNING AT AN IRON ROD FOUND IN THE NORTHERLY MARGIN OF FCR 1220 (50' R.O.W.) FOR THE SOUTHEAST CORNER OF THE REFERENCE TRACT AND THE SOUTHWEST CORNER OF A CALLED 0.501 ACRE TRACT CONVEYED TO GENARO M. AGUIREE, ET UX BY DEED OF RECORD IN VOLUME 1396, PAGE 721;
THENCE NORTH 89 DEGREES 08'08" WEST 168.05 FEET, (RECORD CALL IS N89 DEGREES 20' W 168.0 FEET) WITH THE SOUTHERLY LINE OF THE REFERENCED TRACT AND SAID NORTHERLY MARGIN, TO A 2' IRON PIPE FOUND FOR THIS SOUTHWEST CORNER AND THE SOUTHEAST CORNER OF A CALLED 0.554 ACRE TRACT CONVEYED TO KENNETH A. WAGNER, ET UX BY DEED OF RECORD IN VOLUME 734 PAGE 206. FROM SAID POINT A 3/8" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 0.554 ACRE TRACT BEARS N88 DEGREES 55'36"W 162.889 FEET (RECORD CALL IS N69 DEGREES 20' W 163.00)
THENCE NORTH 00 DEGREES 45'44" EAST, WITH THE COMMON LINE OF THE REFERENCE TRACT AND SAID 0.554 ACRE TRACT PICKING UP THE EASTERLY LINE OF A CALLED 1.000 ACRE TRACT CONVEYED TO KENNETH A. WAGNER, ET UX BY DEED OF RECORD IN VOLUME 1251, PAGE 886, CONTINUING WITH THE COMMON LINE OF THE REFERENCED TRACT AND SAID 1.00 ACRE TRACT A TOTAL DISTANCE OF 260.03 FEET (RECORD CALL IS N00 DEGREES 40' E260.30 FEET) TO A 2' IRON PIPE FOUND FOR THE NORTHWEST CORNER OF THE REFERENCED TRACT AND A TRACT REFERRED TO IN A AN AFFIDAVIT OF HEIRSHIP OF RECORD IN VOLUME 1271, PAGE 137. FROM SAID POINT A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 1.00 ACRE TRACT BEARS N00 DEGREES 46'48"E 130.69 FEET (RECORD CALL IS N00 DEGREES 40'E);
THENCE SOUTH 89 DEGREES 13'15" EAST 167.62 FEET, (RECORD CALL IS S89 DEGREES 20'E 168.0 FEET) WITH THE NORTHERLY LINE OF THE REFERENCE TRACT TO A 1/2" IRON ROD FOUND FOR THIS NORTHEAST CORNER AND THE NORTHWEST CORNER OF A CALLED 0.501 ACRE TRACT CONVEYED TO ROBERT SPEED BY DEED OF RECORD IN VOLUME 1398, PAGE 828;
THENCE SOUTH 00 DEGREES 40'00" WEST WITH THE COMMON LINE OF THE REFERENCED TRACT AND SAID 0.501 ACRE TRACT PASSING AT 130.21 FEET A 1/2" IRON ROD FOUND FOR THE COMMON WESTERN CORNER OF SAID 0.501 ACRE TRACT AND THE AFOREMENTIONED AGUREE TRACT CONTINUING WITH THE COMMON LINE OF THE REFERENCED TRACT AND SAID AGUIREE TRACT A TOTAL DISTANCE OF 250.28 FEET (RECORD CALL IS 260.30 FEET THIS LINE WAS USED AS THE BASIS OF BEARINGS) TO THE POINT OF BEGINNING AND CONTAINING 1.00 ACRE MORE OR LESS, AS SHOWN ON THE ACCOMPANYING SURVEY PLAT OF EVEN DATE HEREWITH.

FILED FOR RECORD IN
Freestone County
Linda Jarvis
COUNTY CLERK
ON: Jan 26, 2015 AT 12:31P
as Notice of Trustee Sale
Total Fees : 8.00
Receipt Number - 129314
By: Melissa Munoz, Deputy

Reported Address: 117 FCR 1220, FAIRFIELD, TX 75840

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: Wells Fargo Bank, N.A.
Mortgage Servicer: Wells Fargo Bank, N.A.
Current Beneficiary: Wells Fargo Bank, N.A.
Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

SALE INFORMATION:

Date of Sale: Tuesday, the 3rd day of March, 2015
Time of Sale: 10:00AM or within three hours thereafter.
Place of Sale: AT THE FRONT STEPS AT THE SOUTH ENTRANCE OF THE COURTHOUSE in Freestone County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Freestone County Commissioner's Court.

Substitute Trustee(s): Lori Garner or Sharon St. Pierre or Robert LaMont, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act
Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

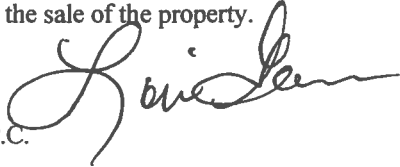
WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Lori Garner or Sharon St. Pierre or Robert LaMont, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Lori Garner or Sharon St. Pierre or Robert LaMont, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Very truly yours,



Buckley Madole, P.C.

CAUSE NO. 14-360-A

FILED
1:10 O'CLOCK A M
JAN 20 2015
TERESA BLACK
DISTRICT CLERK
FREESTONE COUNTY, TEXAS
BY: *[Signature]*

IN RE: ORDER FOR FORECLOSURE
CONCERNING: 117 FCR 1220
FAIRFIELD, TX 75840
UNDER TEX. R. CIV. PROC. 736

§
§
§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT
FREESTONE COUNTY, TEXAS

PETITIONER:
WELLS FARGO BANK, N.A.

FREESTONE COUNTY, TEXAS

RESPONDENTS:
HAROLD CLARK AND
VIRGINIA KINGERY CLARK

77TH DISTRICT COURT

DEFAULT ORDER ALLOWING FORECLOSURE

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited order under Rule 736. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.

2. The name and last known address of each Respondent subject to this order is

Harold Clark, whose last known address is
PO Box 1044, Fairfield, TX 75840

The Personal Representative Of The Estate Of Virginia Kingery Clark, Deceased whose last known address is PO Box 1044
Fairfield, TX 75840

The Unknown Heirs Of The Estate Of Virginia Kingery Clark, Deceased whose last known address is PO Box 1044
Fairfield, TX 75840

Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten days.

3. The property that is the subject of this foreclosure proceeding is commonly known as 117 FCR 1220, Fairfield, TX 75840 with the following legal description:

FIELD NOTES TO ALL THAT CERTAIN TO TRACT, OR PARCEL OF LAND SITUATED IN THE HUGH SHEPHERD SURVEY, A-34, FREESTONE COUNTY, TEXAS, BEING 1.00 ACRE MORE OR LESS, AND BEING THE SAME TRACT AS DESCRIBED IN A DEED DATED JANUARY 5, 2007 FROM WELL FARGO BANK, N.A. TO THE SECRETARY OF HOUSING URBAN DEVELOPMENT AND RECORDED IN VOLUME 1406, PAGE 460, DEED RECORDS, FREESTONE COUNTY, TEXAS, TO WHICH REFERENCE IS HEREBY MADE TO FOR ANY AND ALL PURPOSES. SAID TRACT DESCRIBED AS FOLLOWS, TO WIT;

BEGINNING AT AN IRON ROD FOUND IN THE NORTHERLY MARGIN OF FCR 1220 (50'R.O.W.) FOR THE SOUTHEAST CORNER OF THE REFERENCE TRACT AND THE SOUTHWEST CORNER OF A CALLED 0.501 ACRE TRACT CONVEYED TO GENARO M. AGUIREE, ET UX BY DEED OF RECORD IN VOLUME 1396, PAGE 721;

THENCE NORTH 89 DEGREES 08'08" WEST 168.05 FEET, (RECORD CALL IS N89 DEGREES 20'W 168.0 FEET) WITH THE SOUTHERLY LINE OF THE REFERENCED TRACT AND SAID NORTHERLY MARGIN, TO A 2' IRON PIPE FOUND FOR THIS SOUTHWEST CORNER AND THE SOUTHEAST CORNER OF A CALLED 0.554 ACRE TRACT CONVEYED TO KENNETH A. WAGNER, ET UX BY DEED OF RECORD IN VOLUME 734 PAGE 206. FROM SAID POINT A 3/8" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 0.554 ACRE TRACT BEARS N88 DEGREES 55'36"W 162.889 FEET (RECORD CALL IS N69 DEGREES 20'W 163.00)

THENCE NORTH 00 DEGREES 45'44" EAST, WITH THE COMMON LINE OF THE REFERENCE TRACT AND SAID 0.554 ACRE TRACT PICKING UP THE EASTERLY LINE OF A CALLED 1.000 ACRE TRACT CONVEYED TO KENNETH A. WAGNER, ET UX BY DEED OF RECORD IN VOLUME 1251, PAGE 886, CONTINUING WITH THE COMMON LINE OF THE REFERENCED TRACT AND SAID 1.00 ACRE TRACT A TOTAL DISTANCE OF 260.03 FEET (RECORD CALL IS N00 DEGREES 40'E260.30 FEET) TO A 2' IRON PIPE FOUND FOR THE NORTHWEST CORNER OF THE REFERENCED TRACT AND A TRACT REFERRED TO IN A AN AFFIDAVIT OF HEIRSHIP OF RECORD IN VOLUME 1271, PAGE 137. FROM SAID POINT A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 1.00 ACRE TRACT BEARS N00 DEGREES 46'48"E 130.69 FEET (RECORD CALL IS N00 DEGREES 40'E);

THENCE SOUTH 89 DEGREES 13'15" EAST 167.62 FEET, (RECORD CALL IS S89 DEGREES 20'E 168.0 FEET) WITH THE NORTHERLY LINE OF THE REFERENCE TRACT TO A 1/2" IRON ROD FOUND FOR THIS NORTHEAST CORNER AND THE NORTHWEST CORNER OF A CALLED 0.501 ACRE TRACT CONVEYED TO ROBERT SPEED BY DEED OF RECORD IN VOLUME 1398, PAGE 828;

THENCE SOUTH 00 DEGREES 40'00" WEST WITH THE COMMON LINE OF THE REFERENCED TRACT AND SAID 0.501 ACRE TRACT PASSING AT 130.21 FEET A 1/2" IRON ROD FOUND FOR THE COMMON WESTERN CORNER OF SAID 0.501 ACRE TRACT AND THE AFOREMENTIONED AGUREE TRACT CONTINUING WITH THE COMMON LINE OF THE REFERENCED TRACT AND SAID AGUIREE TRACT A TOTAL DISTANCE OF 250.28 FEET (RECORD CALL IS 260.30 FEET THIS LINE WAS USED AS THE BASIS OF BEARINGS) TO THE POINT OF BEGINNING AND CONTAINING 1.00 ACRE MORE OR LESS, AS SHOWN ON THE ACCOMPANYING SURVEY PLAT OF EVEN DATE HEREWITH.

4. The lien to be foreclosed is indexed or recorded at Instrument Number: 01004865 and recorded in the real property records of Freestone County, Texas.
5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this order.
6. Based on the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 et seq.
7. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the loan agreement, contract, or lien sought to be foreclosed.

8. This order is not subject to a motion for rehearing, a new trial, a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this do day of June, 2015



JUDGE PRESIDING