

DN: Feb 27, 2017 AT 04:07P

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE Notice of Trustee Sale

Total Fees : 8.00
Receipt Number - 140287
By: Melissa Munoz, Deputy

DEED OF TRUST INFORMATION:

Date: 05/06/2014
Grantor(s): ROBERT E SHELTON, AN UNMARRIED MAN
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE
FOR AMERIPRO FUNDING, INC., ITS SUCCESSORS AND ASSIGNS
Original Principal: \$219,942.00
Recording Information: Book 01631 Page 00583 Instrument 01401461
Property County: Freestone
Property:

FIRST TRACT: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, PART OF THE HOPSON BURLESON SURVEY, ABSTRACT NO. 57, FREESTONE COUNTY, TEXAS, BEING PART OF THAT CERTAIN CALLED 2.50 ACRE TRACT CONVEYED TO ALAN J. CAMPBELL AND JOYCE STONE FROM NEAL AND COMPANY, INC., ON JULY 24, 2002 AND RECORDED IN VOLUME 1218, PAGE 65 OF THE OFFICIAL RECORDS OF FREESTONE COUNTY, TEXAS AND BEING MORE COMPLETELY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A 1/2" IRON ROD (FOUND) AT A T-POST FOR THE SOUTHEAST CORNER OF THE ABOVE MENTIONED 2.50 ACRE TRACT AND BEING IN THE WEST LINE OF A CALLED 1.897 ACRE EASEMENT DESCRIBED IN VOLUME 1079, PAGE 139;

THENCE NORTH 74 DEG. 01 MIN. 23 SEC. WEST WITH THE SOUTH LINE OF THE 2.50 ACRE TRACT, A DISTANCE OF 826.58 FT TO A 1/2" IRON ROD (FOUND) AT A T-POST FOR THE SOUTHWEST CORNER OF THE 2.50 ACRE TRACT, IN THE WEST LINE OF A CALLED 159.924 ACRE TRACT CONVEYED TO NEAL AND COMPANY, INC. FROM JON B. HOLLOWAY AND WIFE, MELANIE HOLLOWAY ON JUNE 1, 1988 AND RECORDED IN VOLUME 1046, PAGE 669, IN THE WEST LINE OF THE HOPSON BURLESON SURVEY, ABSTRACT NO. 57, IN THE EAST LINE OF A CALLED 50 ACRE FIRST TRACT DESCRIBED IN VOLUME 287, PAGE 233 AND BEING IN THE EAST LINE OF THE DANIEL L. MILLICAN SURVEY, ABSTRACT NO. 405;

THENCE NORTH 00 DEG. 51 MIN. 39 SEC. EAST WITH THE WEST LINE OF THE 2.50 ACRE TRACT, THE WEST LINE OF THE 159.924 ACRE TRACT, THE WEST LINE OF THE HOPSON BURLESON SURVEY, THE EAST LINE OF THE 50 ACRE TRACT AND THE EAST LINE OF THE DANIEL L. MILLICAN SURVEY, A DISTANCE OF 135.88 FT. TO A 1/2" IRON ROD (FOUND) AT A T-POST FOR THE NORTHWEST CORNER OF THE 2.50 ACRE TRACT AND BEING THE SOUTHWEST CORNER OF A 3.247 ACRE TRACT SURVEYED THIS DAY;

THENCE SOUTH 74 DEG. 01 MIN. 11 SEC. EAST WITH THE NORTH LINE OF THE 2.50 ACRE TRACT AND THE SOUTH LINE OF THE 3.247 ACRE TRACT, A DISTANCE OF 772.72 FT. TO A 1/2" IRON ROD (SET) FOR THE NORTHERLY NORTHEAST CORNER OF THIS TRACT, THE SOUTHERLY SOUTHEAST CORNER OF THE 3.247 ACRE TRACT AND BEING IN THE WEST LINE OF A 0.184 ACRE EASEMENT DESCRIBED THIS DAY FROM WHICH A 1/2" IRON ROD (FOUND) FOR THE NORTHEAST CORNER OF THE 2.50 ACRE TRACT BEARS SOUTH 74 DEG. 01 MIN. 11 SEC. EAST - 80.41 FT;

THENCE SOUTH 11 DEG. 42 MIN. 43 SEC. WEST ACROSS THE 2.50 ACRE TRACT AND WITH THE WEST LINE OF THE 0.184 ACRE EASEMENT TRACT, A DISTANCE OF 59.88 FT TO A 1/2" IRON ROD (SET) FOR THE SOUTHWEST CORNER OF SAME AND BEING AN ELL CORNER OF THIS TRACT;

THENCE SOUTH 74 DEG. 01 MIN. 11 SEC. EAST CONTINUING ACROSS THE 2.50 ACRE TRACT AND WITH THE SOUTH LINE OF THE 0.184 ACRE EASEMENT TRACT, A DISTANCE OF 80.00 FT TO A 1/2" IRON ROD (SET) FOR THE SOUTHEAST CORNER OF SAME, IN THE EAST LINE OF THE 2.50 ACRE TRACT AND BEING IN THE WEST LINE OF SAID 1.897 ACRE EASEMENT;

THENCE SOUTH 12 DEG. 06 MIN. 25 SEC. WEST WITH THE EAST LINE OF THE 2.50 ACRE TRACT AND THE WEST LINE OF THE 1.897 ACRE EASEMENT TRACT, A DISTANCE OF 71.58 FT. TO THE PLACE OF BEGINNING AND CONTAINING 2.419 ACRES OF LAND.

THE BEARINGS RECITED HEREIN ARE BASED ON THE SOUTH LINE OF A CALLED 2.50 ACRE TRACT AS DESCRIBED IN VOLUME 1218, PAGE 65, OF THE OFFICIAL RECORDS OF FREESTONE COUNTY, TEXAS.

SECOND TRACT:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, PART OF THE HOPSON BURLESON SURVEY, ABSTRACT NO. 57, FREESTONE COUNTY, TEXAS, BEING PART OF THAT CERTAIN CALLED 159.524 ACRE TRACT CONVEYED TO NEAL AND COMPANY, INC. FROM JON B. HOLLOWAY AND WIFE, MELANIE HOLLOWAY ON JUNE 1, 1998 AND RECORDED IN VOLUME 1046, PAGE 669 OF THE OFFICIAL RECORDS OF FREESTONE COUNTY, TEXAS AND BEING MORE COMPLETELY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A 1/2" IRON ROD (SET) AT A X-TIE FENCE CORNER IN THE WEST LINE OF THE ABOVE MENTIONED 159.924 ACRE TRACT, IN THE WEST LINE OF THE HOPSON BURLESON SURVEY, ABSTRACT NO. 57, IN THE EAST LINE OF A CALLED 50 ACRE FIRST TRACT DESCRIBED IN VOLUME 287, PAGE 233, IN THE EAST LINE OF THE DANIEL L. MILLICAN SURVEY, ABSTRACT NO. 405 AND BEING THE SOUTHWEST CORNER OF A CALLED 20.82 ACRE TRACT CONVEYED TO L. B. JONES FROM MITCHELL S. PUTZ AND WIFE, JENNE A. PUTZ, ON MARCH 31, 2006 AND RECORDED IN VOLUME 1357, PAGE 432:

THENCE IN A SOUTHEASTERLY DIRECTION ACROSS THE 159.924 ACRE TRACT AND WITH THE SOUTH LINES OF THE 20.82 ACRE TRACT AS FOLLOWS:
SOUTH 67 DEG. 35 MIN. 57 SEC. EAST A DISTANCE OF 556.85 FT. TO A 1/2" IRON ROD (FOUND) AT A FENCE BREAK.
SOUTH 57 DEG. 02 MIN. 18 SEC. EAST A DISTANCE OF 283.57 FT. TO A 1/2" IRON ROD (SET) AT A FENCE BREAK AND
SOUTH 73 DEG. 47 MIN. 41 SEC. EAST A DISTANCE OF 62.12 FT. TO A 1/2" IRON ROD (FOUND) FOR A SOUTHEAST CORNER OF THE 20.82 ACRE TRACT, THE NORTHERLY NORTHEAST CORNER OF THIS TRACT AND BEING IN THE WEST LINE OF A 1.897 ACRE EASEMENT DESCRIBED IN VOLUME 1079, PAGE 139;
THENCE SOUTH 09 DEG. 18 MIN. 46 SEC. WES, CONTINUING ACROSS THE 159.924 ACRE TRACT AND WITH THE WEST LINE OF THE 1.897 ACRE EASEMENT, A DISTANCE OF 36.17 FT. TO A 1/2" IRON ROD (FOUND) FOR A SOUTHWEST CORNER OF SAME AND BEING AN ELL CORNER OF THIS TRACT;
THENCE SOUTH 67 DEG. 44 MIN. 03 SEC. EAST CONTINUING ACROSS THE 159.924 ACRE TRACT AND WITH A SOUTH LINE OF THE 1.897 ACRE EASEMENT, A DISTANCE OF 20.50 FT. TO A 1/2" IRON ROD (FOUND) FOR AN ELL CORNER OF SAME AND BEING THE EASTERLY NORTHEAST CORNER OF THIS TRACT;
THENCE SOUTH 09 DEG. 09 MIN. 27 SEC. WES, CONTINUING ACROSS THE 159.924 ACRE TRACT AND WITH A WEST LINE OF SAID 1.897 ACRE EASEMENT, A DISTANCE OF 7.53 FT. TO A 1/2" IRON ROD (SET) IN A FENCE FOR THE EASTERLY SOUTHEAST CORNER OF THIS TRACT AND BEING THE NORTHEAST CORNER OF A 0.184 ACRE EASEMENT TRACT DESCRIBED THIS DAY, FROM WHICH A 1/2" IRON ROD (FOUND) FOR AN ANGLE CORNER OF THE EASEMENT BEARS SOUTH 09 DEG. 09 MIN. 27 SEC. WEST - 12.80 FT;
THENCE NORTH 74 DEG. 01 MIN. 11 SEC. WES, CONTINUING ACROSS THE 159.924 ACRE TRACT AND WITH THE NORTH LINE OF THE 0.184 EASEMENT, A DISTANCE OF 80.00 FT. TO A 1/2" IRON ROD (SET) FOR THE NORTHWEST CORNER OF SAME AND BEING AN ELL CORNER OF THIS TRACT;
THENCE SOUTH 11 DEG. 42 MIN. 43 SEC. WES, CONTINUING ACROSS THE 159.924 ACRE TRACT AND WITH THE WEST LINE OF THE 0.184 ACRE EASEMENT, A DISTANCE OF 40.17 FT. TO A 1/2" IRON ROD (SET) FOR THE SOUTHERLY SOUTHEAST CORNER OF THIS TRACT, IN THE NORTH LINE OF A CALLED 2.50 ACRE TRACT CONVEYED TO ALAN J. CAMPBELL AND JOYCE STONE FROM NEAL AND COMPANY, INC. ON JULY 24, 2002 AND RECORDED IN VOLUME 1218, PAGE 65 AND BEING THE NORTHERLY NORTHEAST CORNER OF A 2.419 ACRE TRACT SURVEYED THIS DATE, FROM WHICH A 1/2" IRON ROD (FOUND) FOR THE NORTHEAST CORNER OF THE 2.50 ACRE TRACT BEARS SOUTH 74 DEG. 01 MIN. 11 SEC. EAST - 80.41 FT;
THENCE NORTH 74 DEG. 01 MIN. 11 SEC. WES WITH THE NORTH LINE OF THE 2.419 ACRE TRACT, THE NORTH LINE OF THE 2.50 ACRE CAMPBELL TRACT AND ACROSS THE 159.924 ACRE TRACT, A DISTANCE OF 772.72 FT. TO A 1/2" IRON ROD (FOUND) AT A T-POST IN THE WEST LINE OF THE 159.924 ACRE TRACT, IN THE WEST LINE OF SAID HOPSON BURLESON SURVEY, IN THE EAST LINE OF SAID 50 ACRE TRACT, IN THE EAST LINE OF SAID DANIEL L. MILLICAN SURVEY, THE NORTHWEST CORNER OF THE 2.419 ACRE TRACT AND BEING THE NORTHWEST CORNER OF THE 2.50 ACRE CAMPBELL TRACT;
THENCE NORTH 00 DEG. 51 MIN. 39 SEC. EAST WITH THE WEST LINE OF THE 159.924 ACRE TRACT, THE WEST LINE OF THE HOPSON BURLESON SURVEY, THE EAST LINE OF THE 50 ACRE TRACT AND THE EAST LINE OF THE DANIEL L. MILLICAN SURVEY, A DISTANCE OF 239.32 FT. TO THE PLACE OF BEGINNING AND CONTAINING 3.247 ACRES OF LAND.
THE BEARINGS RECITED HEREIN ARE BASED ON THE SOUTH LINE OF A CALLED 2.50 ACRE TRACT AS DESCRIBED IN VOLUME 1218, PAGE 65 OF THE OFFICIAL RECORDS OF FREESTONE COUNTY, TEXAS.
THIRD TRACT:
EASEMENT TRACT
ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, PART OF THE HOPSON BURLESON SURVEY, ABSTRACT NO. 57, FREESTONE COUNTY, TEXAS, BEING PART OF THAT CERTAIN CALLED 2.50 ACRE TRACT CONVEYED TO ALAN J. CAMPBELL AND JOYCE STONE FROM NEAL AND COMPANY, INC. ON JULY 24, 2002 AND RECORDED IN VOLUME 1218, PAGE 65 AND PART OF THAT CERTAIN CALLED 159.924 ACRE TRACT CONVEYED TO NEAL AND COMPANY, INC. FROM JON B. HOLLOWAY AND WIFE, MELANIE HOLLOWAY ON JUNE 1, 1998 AND RECORDED IN VOLUME 1046, PAGE 669 OF THE OFFICIAL RECORDS OF FREESTONE COUNTY, TEXAS AND BEING MORE COMPLETELY DESCRIBED AS FOLLOWS, TO-WIT:
BEGINNING AT A 1/2" IRON ROD (SET) IN THE EAST LINE OF THE ABOVE MENTIONED 2.50 ACRE TRACT, IN THE WEST LINE OF A CALLED 1.897 ACRE EASEMENT TRACT DESCRIBED IN VOLUME 1079, PAGE 139 AND BEING THE EASTERLY NORTHEAST CORNER OF A 2.419 ACRE TRACT SURVEYED THIS DAY, FROM WHICH A 1/2" IRON ROD (FOUND) AT A T-POST FOR THE SOUTHEAST CORNER OF THE 2.50 ACRE TRACT BEARS SOUTH 12 DEG. 06 MIN. 25 SEC. WEST - 71.58 FT.;
THENCE NORTH 74 DEG. 01 MIN. 11 SEC. WEST ACROSS THE 2.50 ACRE TRACT, WITH THE SOUTH LINE OF THIS TRACT AND THE EASTERLY NORTH LINE OF THE 2.419 ACRE TRACT, A DISTANCE OF 80.00 FT. TO A 1/2" IRON ROD (SET) FOR THE SOUTHWEST CORNER OF THIS TRACT AND BEING AN ELL CORNER OF THE 2.419 ACRE TRACT;

THENCE NORTH 11 DEG. 42 MIN. 43 SEC. EAST ACROSS THE 2.50 ACRE TRACT, WITH THE NORTHERLY EAST LINE OF THE 2.419 ACRE TRACT, THE SOUTHERLY EAST LINE OF A 3.247 ACRE TRACT SURVEYED THIS DAY AND THE WEST LINE OF THIS TRACT, AT 59.88 FT. PASS A 1/2" IRON ROD (SET) FOR THE NORTHERLY NORTHEAST CORNER OF THE 2.419 ACRE TRACT AND BEING THE SOUTHERLY SOUTHEAST CORNER OF THE 3.247 ACRE TRACT AND CONTINUE A TOTAL DISTANCE OF 100.05 FT. TO A 1/2" IRON ROD (SET) FOR THE NORTHWEST CORNER OF THIS TRACT AND BEING AN ELL CORNER OF THE 3.246 ACRE TRACT;

THENCE SOUTH 74 DEG. 01 MIN. 11 SEC. EAST WITH THE EASTERLY SOUTH LINE OF THE 3.247 ACRE TRACT AND WITH THE NORTH LINE OF THIS TRACT, A DISTANCE OF 80.00 FT. TO A 1/2" IRON ROD (SET) IN A FENCE FOR THE NORTHEAST CORNER OF THIS TRACT, THE EASTERLY SOUTHEAST CORNER OF THE 3.247 ACRE TRACT AND BEING IN THE WEST LINE OF SAID 1.897 ACRE EASEMENT TRACT, FROM WHICH A 1/2" IRON ROD (FOUND) FOR AN ANGLE CORNER OF SAME BEARS NORTH 09 DEG. 09 MIN. 27 SEC. EAST - 7.53 FT.;

THENCE SOUTH 09 DEG. 09 MIN. 27 SEC. WEST WITH THE EAST LINE OF THIS TRACT AND THE WEST LINE OF THE 1.897 ACRE EASEMENT TRACT, A DISTANCE OF 12.80 FT. TO A 1/2" IRON ROD (FOUND) AT A T-POST FOR AN ANGLE CORNER OF SAME;

THENCE SOUTH 12 DEG. 02 MIN. 30 SEC. WEST WITH THE EAST LINE OF THIS TRACT AND THE WEST LINE OF THE 1.897 ACRE EASEMENT TRACT, A DISTANCE OF 27.41 FT. TO A 1/2" IRON ROD (FOUND) AT A T-POST FOR THE NORTHEAST CORNER OF SAID 2.50 ACRE TRACT;

THENCE SOUTH 12 DEG. 06 MIN. 25 SEC. WEST WITH THE EAST LINE OF THE 2.50 ACRE TRACT AND THE WEST LINE OF THE 1.897 ACRE EASEMENT TRACT, A DISTANCE OF 59.85 FT. TO THE PLACE OF BEGINNING AND CONTAINING 0.184 ACRE OF LAND.

THE BEARINGS RECITED HEREIN ARE BASED ON THE SOUTH LINE OF A CALLED 2.50 ACRE TRACT AS DESCRIBED IN VOLUME 1218, PAGE 65 OF THE OFFICIAL RECORDS OF FREESTONE COUNTY, TEXAS.

Reported Address: 175 PRIVATE ROAD 944, 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, NA

Mortgage Servicer: Wells Fargo Bank, N. A.

Current Beneficiary: Wells Fargo Bank, NA

Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

SALE INFORMATION:

Date of Sale: Tuesday, the 2nd day of May, 2017

Time of Sale: 11:00AM 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, Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Harriett Fletcher, David Sims, Aurora Campos, Jonathan Harrison, Markcos Pineda, Ramiro Cuevas, Patrick Zwiars, Kristopher Holub, Frederick Britton, Allan Johnston, Braden Barnes, Michael Burns, Thuy Frazier, Elizabeth Hayes, 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, Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Harriett Fletcher, David Sims, Aurora Campos, Jonathan Harrison, Markcos Pineda, Ramiro Cuevas, Patrick Zwiars, Kristopher Holub, Frederick Britton, Allan Johnston, Braden Barnes, Michael Burns, Thuy Frazier, Elizabeth Hayes, 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, Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Harriett Fletcher, David Sims, Aurora Campos, Jonathan Harrison, Markcos Pineda, Ramiro Cuevas, Patrick Zwiars, Kristopher Holub, Frederick Britton, Allan Johnston, Braden Barnes, Michael Burns, Thuy Frazier, Elizabeth Hayes, 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.