

#46

**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE**

**DEED OF TRUST INFORMATION:**

Date: 03/20/2015  
 Grantor(s): LUIS PEREZ JR, A SINGLE MAN  
 Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR INTERLINC MORTGAGE SERVICES, L.L.C, A LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS  
 Original Principal: \$178,703.00  
 Recording Information: Instrument 2015-1859  
 Property County: Gaines  
 Property:

TRACT1: A 6.00 ACRE TRACT OF LAND LOCATED IN THE SW/4 OF SECTION 158, BLOCK G, W.T. RY. CO. SURVEY, GAINES COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN 6 ACRE TRACT OF LAND DESCRIBED IN DEED FROM JERRY L. TEFERTILLER, ET UX, TO JOHN FEHR, ET UX, DATED MAY 18, 1990, RECORDED IN VOLUME 544, PAGE 474, DEED RECORDS OF GAINES COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" FOUND IN THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 180 (RIGHT-OF-WAY - VOLUME 44, PAGE 59, DEED RECORDS) FOR THE SOUTHWEST CORNER OF SAID 6 ACRE TRACT, THE SOUTHEAST CORNER OF A 12.19 ACRE TRACT, AND FOR THE SOUTHWEST CORNER OF THIS TRACT, FROM WHICH A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID SECTION 158 BEARS S.2 DEGREES 09'25" W. 50.0 FEET AND N.87 DEGREES 40'53"W. 1677.42. FEET (ALL BEARING S ARE COMPARED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, ALL DISTANCES ARE TRUE AT AN AVERAGED SURFACE ELEVATION);

THENCE N.2 DEGREES 09'25"E., ALONG THE WEST LINE OF SAID 6 ACRE TRACT, AT 576.13 FEET TO A FOUND 4" IRON PIPE FENCE CORNER, IN ALL 1272.43 FEET TO A FOUND 1" IRON PIPE AT THE NORTHEAST CORNER OF SAID 12.19 ACRE TRACT AND THE NORTHWEST CORNER OF SAID 6.00 ACRE TRACT, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S.87 DEGREES 43'53"E. 206.13 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE NORTHEAST CORNER OF SAID 6.00 ACRE TRACT, AND FOR THE NORTEAST CORNER OF THIS TRACT;

THENCE S.2 DEGREES 12'23"W., ALONG THE EAST LINE OF SAID 6.00 ACRE TRACT, 1272.61 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET IN SAID NORTHERLY HIGHWAY RIGHT-OF-WAY LINE, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N.87 DEGREES 40'53"W., ALONG SAID HIGHWAY RIGHT-OF-WAY LINE, 205.04 FEET TO THE PLACE OF BEGINNING; SAVE AND EXCEPT ALL OIL, GAS AND OTHER MINERALS.

TRACT 2: A 3.33 ACRE TRACT OF LAND LOCATED IN THE SW/4 OF SECTION 18, BLOCK G, W.T.RY. CO. SURVEY, GAINES COUNTY, TEXAS, AND BEING THE NORTHEAST PART OF THAT CERTAIN 12.19 ACRE TRACT OF LAND DESCRIBED IN DEED FROM CORNELIUS W. LOEWEN, ET UX, TO JOHN K. FEHR, ET UX, DATED MARCH 1, 1979 AND RECORDED IN VOLUME 400, PAGE 643, DEED RECORDS OF GAINES COUNTY, TEXAS, SAID 3.33 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 4" IRON PIPE FENCE CORNER POST FOUND IN THE WEST LINE OF THAT CERTAIN 6 ACRE TRACT OF LAND DESCRIBED IN DEED FROM JERRY L. TEFERTILLER, ET UX, TO JOHN FEHR, ET UX, DATED MAY 18, 1990, RECORDED IN VOLUME 544, PAGE 474, DEED RECORDS OF GAINES COUNTY, TEXAS, AND IN THE EAST LINE OF SAID 12.19 ACRE TRACT, AND FOR THE SOUTHEAST CORNER OF THIS TRACT, FROM WHICH A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID SECTION 158 BEARS S.2 DEGREES 09'25"W. 626.13 FEET AND N.87 DEGREES 40'53"W. 1677.42 FEET (ALL BEARINGS ARE COMPARED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, ALL DISTANCES ARE TRUE AT AN AVERAGED SURFAC ELEVATION);

THENE N.87 DEGREES 40'53"W. 208.71 FEET TO A 1" IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N.2 DEGREES 09'25"E. 696.13 FEET TO A 1/2" IRON ROD, WITH CAP MARKED "NEWTON SURVEYING" SET IN THE NORTH LINE OF SAID 12.19 ACRE TRACT, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S.87 DEGREES 43'53"E., AT 208.71 FEET TO A FOUND 1" IRON PIPE AT THE NORTHWEST CORNER OF SAID 6.00 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 12.19 ACRE TRACT, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S.2 DEGREES 09'25"W., ALONG THE WEST LINE OF SAID 6.00 ACRE TRACT. 696.30 FEET OT THE PLACE OF BEGINNING; SAVE AND EXCEPT ALL OIL, GAS AND OTHER MINERALS.

#46

— FILED —  
 12-28-17 - 3:00 PM

Vicki Phillips, County Clerk  
 Gaines County, Texas

*Jackie Smith*

Reported Address: 241 US HIGHWAY 180 E, SEMINOLE, TX 79360

**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 6th day of March, 2018  
**Time of Sale:** 1:00PM or within three hours thereafter.  
**Place of Sale:** IN THE AREA BOUNDED BY THE WEST BY THE WEST EDGE OF THE WEST PORCH OF THE COURTHOUSE AND ON THE EAST BY THE MIDDLE LANDING OF THE INSIDE STAIRS LEADING INTO THE COURTHOUSE FROM THE WEST DOOR in

Gaines County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Gaines County Commissioner's Court.

**Substitute Trustee(s):** Jonathan Schendel, Ramiro Cuevas, Frederick Britton, Doug Woodard, Chris Demarest, Kristie Alvarez, Shelley Nail, Donna Trout, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, Suzanne Suarez, Jack Withem, or Alexander Wolfe, 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 Jonathan Schendel, Ramiro Cuevas, Frederick Britton, Doug Woodard, Chris Demarest, Kristie Alvarez, Shelley Nail, Donna Trout, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, Suzanne Suarez, Jack Withem, or Alexander Wolfe, 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. Jonathan Schendel, Ramiro Cuevas, Frederick Britton, Doug Woodard, Chris Demarest, Kristie Alvarez, Shelley Nail, Donna Trout, Michael Burns, Elizabeth Hayes, Michael Hupf, Marilyn Jones, Suzanne Suarez, Jack Withem, or Alexander Wolfe, 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,

Bonifat & Associates, P.C. f/k/a Buckley Madole, P.C.

