

#24

NOTICE OF ACCELERATION AND NOTICE OF 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.

DEED OF TRUST INFORMATION:

Date: 05/09/2016
Grantor(s): STEVE H. MIRANDA AND AMY M. FREEMAN, HUSBAND AND WIFE
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR AFR HOME LOANS, LLC, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$246,028.00
Recording Information: Instrument 2016-5511
Property County: Gaines
Property: (See Attached Exhibit "A")
Reported Address: 620 COUNTY ROAD 204, 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: NewRez LLC d/b/a Shellpoint Mortgage Servicing
Mortgage Servicer: Shellpoint Mortgage Servicing
Current Beneficiary: NewRez LLC d/b/a Shellpoint Mortgage Servicing
Mortgage Servicer Address: 55 Bcattic Place, Suite 110, Greenville, SC 29601

SALE INFORMATION:

Date of Sale: Tuesday, the 7th day of January, 2020
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.

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 Shelley Nail, Kristina McCrary, Donna Trout, Cassie Martin, Charles Green, Kristie Alvarez, Kristopher Holub, Ramiro Cuevas, Patrick Zwiers, Shawn Schiller, Michael Burns, Bradley Conway, Tori Jones, or Suzanne Suarez, 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. Shelley Nail, Kristina McCrary, Donna Trout, Cassie Martin, Charles Green, Kristie Alvarez, Kristopher Holub, Ramiro Cuevas, Patrick Zwiers, Shawn Schiller, Michael Burns, Bradley Conway, Tori Jones, or Suzanne Suarez, 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.

Substitute Trustee(s): Shelley Nail, Kristina McCrary, Donna Trout, Cassie Martin, Charles Green, Kristie Alvarez, Kristopher Holub, Ramiro Cuevas, Patrick Zwiers, Shawn Schiller, Michael Burns, Bradley Conway, Tori Jones, or Suzanne Suarez, any to act. #24

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

— FILED —
10/24/19 . 11:30 a m
Terri Berry, County Clerk
Gaines County, Texas
BY Amelia D. Greas
Deputy

9624-0131

2147026593

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POSTPKG

Certificate of Posting

I am Shelley Nail whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254, I declare under penalty of perjury that on 10-24-19 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Gaines County Clerk and caused it to be posted at the location directed by the Gaines County Commissioners Court.

By: Shelley Nail

Exhibit "A"

A 9.61 ACRE TRACT OF LAND OUT OF THAT PARTICULAR 15.00 ACRE TRACT DEEDED FROM VICTOR CUEVAS AND YOLANDA CUEVAS TO GARY M. PARKER, RECORDED IN VOL. 2009, PAGE 1581, OFFICIAL PUBLIC RECORDS OF GAINES COUNTY, TEXAS, AND THAT PARTICULAR 11.83 ACRE TRACT DEEDED FROM GARY M. PARKER AND KARLENE J. PARKER TO JOHN P. FEHR AND JENNIFER FEHR, RECORDED IN VOL. 2010, PAGE 3634, OFFICIAL PUBLIC RECORDS OF GAINES COUNTY, TEXAS, LOCATED IN THE SOUTHEAST CORNER OF SECTION 264, BLOCK G, W.T.R.R. CO. SURVEY, GAINES COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" FOUND FOR THE SOUTHEAST CORNER OF SAID 15.00 ACRE TRACT AND FOR THE SOUTHEAST CORNER OF SAID SECTION 264, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N. 87 DEGREES 42' 10" W., ALONG THE SOUTH LINE OF SAID 15.00 ACRE TRACT AND SAID SECTION 264, A DISTANCE OF 471.87 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET FOR THE SOUTHEAST CORNER OF AN 8.39 ACRE TRACT, AND FOR THE SOUTHWEST CORNER OF THIS TRACT (BEARINGS COMPARED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, DISTANCES ARE TRUE AT AN AVERAGED SURFACE ELEVATION);

THENCE N. 02 DEGREES 17' 08" E., ALONG THE EAST LINE OF SAID 8.39 ACRE TRACT, AT 50.00 FEET PASS A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET IN THE NORTH LINE OF PUBLIC ROAD RIGHT-OF-WAY, IN ALL 887.20 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET IN THE SOUTH LINE OF AN 8.83 ACRE TRACT AND FOR THE NORTHEAST CORNER OF SAID 8.39 ACRE TRACT, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S. 87 DEGREES 42' 10" E., ALONG THE SOUTH LINE OF SAID 8.83 ACRE TRACT, 471.97 FEET TO A 1/2" IRON ROD WITH CAP MARKED "NEWTON SURVEYING" SET IN THE EAST LINE OF SAID 11.83 ACRE TRACT AND SAID SECTION 264 FOR THE SOUTHEAST CORNER OF SAID 8.83 ACRE TRACT, AND FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S.02 DEGREES 17' 30" W., ALONG THE EAST LINE OF SAID SECTION 264, A DISTANCE OF 887.20 FEET TO THE PLACE OF BEGINNING; SAVE AND EXCEPT ALL OIL, GAS AND OTHER MINERALS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254