

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Matter No.: 049519-TX

Date: November 29, 2016

County where Real Property is Located: Freestone

ORIGINAL MORTGAGOR: BRENT GILLIAM HOLMES AND LORI ANN HOLMES, HUSBAND AND WIFE

ORIGINAL MORTGAGEE: CITIZENS NATIONAL BANK, TEAGUE, TEXAS

CURRENT MORTGAGEE: U.S. BANK NATIONAL ASSOCIATION

MORTGAGE SERVICER: U.S. BANK NATIONAL ASSOCIATION

DEED OF TRUST DATED 7/6/2005, RECORDING INFORMATION: Recorded on 7/11/2005, as Instrument No. 05004771, in Book 01326, Page 00612,

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE MARIA DE CANTUN SURVEY, A-7, FREESTONE COUNTY, TEXAS, MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT "A"

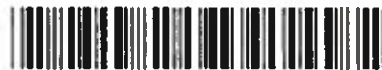
NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **1/3/2017**, the foreclosure sale will be conducted in Freestone County in the area of the courthouse designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than **10:00 AM**, or not later than three (3) hours after that time, by one of the Substitute Trustees who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness superior to the Deed of Trust.

U.S. BANK NATIONAL ASSOCIATION is acting as the Mortgage Servicer for U.S. BANK NATIONAL ASSOCIATION who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. U.S. BANK NATIONAL ASSOCIATION, as Mortgage Servicer, is representing the Mortgagee, whose address is:

U.S. BANK NATIONAL ASSOCIATION
4801 FREDERICA STREET
OWENSBORO, KY 42301


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 property securing the above referenced loan.

FILED FOR RECORD IN
Freestone County
Linda Jarvis
COUNTY CLERK
ON: Dec 12, 2016 AT 01:22P
as Notice of Trustee Sale
Total Fees : 8.00
Receipt Number - 139225
By: Wayna Sue Shaw, Deputy



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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.

By:  Substitute Trustee
IORI GARNER, ALLAN JOHNSTON, ROBERT LAMONT,
SHERYL LAMONT, HARRIETT FLETCHER, DAVID SIMS,
PAUL A. HOEFKER, ROBERT L. NEGRIN

Return to:
ALDRIDGE PITE, LLP
4375 JUTLAND DR., SUITE 200
P.O. BOX 17935
SAN DIEGO, CA 92177-0935
FAX #: 619-590-1385
866-931-0036

EXHIBIT A

All that certain lot, tract or parcel of land situated in the Maria De Cantun Survey, A-7, Freestone County, Texas. Being 1.50 acre of land and being part of a called 51.0 acre tract, Tract One, described in a deed from William DeVillier to Helen Mulina DeVillier, filed March 13, 1985 and recorded in Volume 634, Page 558, Official Records Freestone County, Texas. Said 1.50 acre tract described to wit.

Beginning at a ½" iron rod and cap, RPLS/1858/MJR found at a 3" iron pipe corner post in the east fence of the Arthur Fulton, 300.0 acre tract, said point being the southwest corner of the Larry DeVillier, 29.0 acre tract, Vol. 1315, Pg. 756. Said 29.0 acre tract also being part of said 51.0 acre tract. Said point also being the northwest corner of a 36.56 acre tract to be sold to Brent Holmes;

THENCE North 74 degrees 57 minutes 36 seconds East, (Basis of Bearing per deed) 280.66 feet along an existing fence to a 2" iron pipe ell corner post in fence for the true point of beginning;

THENCE South 14 degrees 40 minutes 36 seconds East, 134.84 feet partly along a pipe and wire fence to a ½" iron rod and cap set for this southwest corner in field;

THENCE North 77 degrees 11 minutes 48 seconds East, 261.16 feet across field to a ½" iron rod and cap set for this southeast corner;

THENCE North 14 degrees 51 minutes West, 113.70 feet, partly along a pipe and wire fence to a 3" iron pipe corner post at ell corner of fence;

THENCE North 50 degrees 07 minutes 26 seconds East, 187.71 feet along a pipe and wire fence on the southeasterly line of an approximate 30 foot wide driveway to a 2" iron pipe fence post at angle point;

THENCE North 58 degrees 30 minutes East, 90.53 feet, continuing along said fence to a ½" iron rod and cap found in fence for corner;

THENCE North 20 degrees 32 minutes 11 seconds West, 32.38 feet across said driveway to a ½" iron rod and cap found for this most northeasterly corner in pipe and wire fence;

THENCE South 62 degrees 04 minutes 49 seconds West, 49.81 feet along a pipe and wire fence on the northwesterly side of said driveway to a 2" iron pipe post at angle point;

THENCE South 54 degrees 57 minutes 35 seconds West, 48.93 feet, continuing along fence to a 2" iron pipe fence post at angle point;

THENCE South 50 degrees 29 minutes 53 seconds West, 37.46 feet, continuing along fence to a ½" iron rod and cap set for angle point;

THENCE South 75 degrees 08 minutes 47 seconds West, 125.14 feet across field to a 2" iron pipe ell corner of yard fence;

THENCE South 75 degrees 21 minutes 04 seconds West, along a pipe and wire fence, 92.0 feet to a ½" iron rod and cap found at the southwest corner of the Larry DeVillier, 10.58 acre tract, continuing a total distance of 260.50 feet along said pipe and wire fence to a 2" iron pipe fence corner, an ell corner in yard fence;

THENCE South 14 degrees 40 minutes 36 seconds East, 64.3 feet along a pipe and wire fence to the true point of beginning, containing 1.50 acre of land, more or less.

EXHIBIT B

EASEMENT

Legal description to a 30 foot wide, more or less, ingress and egress easement situated partly in the James Dunn Survey, A-207, and the Maria De Cantun Survey, A-7, Freestone County, Texas. Being on and over a called 35.0 acre tract and a 51.0 acre tract, described in a deed from William DeVillier to Helen Mulina DeVillier, filed March 13, 1985 and recorded in Volume 684, Page 558, Official Records Freestone County, Texas. Said 30 foot easement described to wit.

Beginning at a ½" iron rod and cap, RPLS/1858/MJR found at the southeasterly corner of a 30 foot pipe and wire fence driveway leading into a 36.56 acre tract to be sold to Mr. Brent Holmes, said point being in the west r.o.w. of Farm Market Road 80. Said point also being the northeast corner of said 36.56 acre tract;

THENCE along the southerly and southwesterly fence of said driveway as follows:

1. South 72 degrees 47 minutes 42 seconds West, 30.97 feet, a 3" iron pipe;
2. South 63 degrees 04 minutes 32 seconds West, 23.07 feet, a 3" iron pipe;
3. South 57 degrees 24 minutes 14 seconds West, 17.44 feet, a 3" iron pipe;
4. South 43 degrees 03 minutes 51 seconds West, 36.38 feet, a 3" iron pipe;
5. South 19 degrees 26 minutes 49 seconds West, 17.00 feet, a 3" iron pipe;
6. South 25 degrees 06 minutes 51 seconds West, 18.04 feet, a 3" iron pipe;
7. South 19 degrees 29 minutes 33 seconds West, 63.22 feet, a 3" iron pipe;
8. South 21 degrees 36 minutes 14 seconds West, 27.67 feet, a 3" iron pipe;
9. South 31 degrees 43 minutes 39 seconds West, 30.55 feet, a 3" iron pipe;
10. South 47 degrees 33 minutes 32 seconds West, 29.63 feet, a 3" iron pipe;
11. South 59 degrees 53 minutes 21 seconds West, 33.83 feet, a 3" iron pipe;
12. South 72 degrees 10 minutes 50 seconds West, 32.73 feet, a 3" iron pipe;
13. South 84 degrees 13 minutes 18 seconds West, 76.56 feet, a 3" iron pipe;
14. South 82 degrees 18 minutes 40 seconds West, 33.14 feet, a 3" iron pipe;
15. South 74 degrees 31 minutes 42 seconds West, 36.49 feet, a 3" iron pipe;
16. South 76 degrees 45 minutes 32 seconds West, 19.06 feet, a 3" iron pipe;
17. South 39 degrees 34 minutes West, 28.33 feet, a 3" iron pipe;
18. North 63 degrees 09 minutes 49 seconds West, 26.98 feet, a 3" iron pipe;
19. South 72 degrees 25 minutes 22 seconds West, 18.42 feet to a ½" iron rod and cap set for this southwest corner, terminating said easement;

20. THENCE North 20 degrees 32 minutes 11 seconds West, 32.38 feet, a 3" iron pipe, being the northwesterly termination of said easement;

THENCE in a northeasterly direction parallel with and concentric to the southerly fence to a ½" iron rod and cap set at the northeast corner of said driveway, said point being in the west r.o.w. of F.M.R. 80;

THENCE South 11 degrees 18 minutes 30 seconds East, 30.0 feet along said r.o.w. to the point of beginning.

PREPARED IN THE LAW OFFICE OF RICKY SIMS, 720 MAIN STREET, P. O. BOX 299, TEAGUE, TEXAS 75860, FROM INFORMATION FURNISHED BY THE PARTIES AND NO EXAMINATION HAS BEEN MADE AND NO OPINION HAS BEEN GIVEN BY THE FIRM PREPARING THIS INSTRUMENT AS TO THE TITLE TO OR THE DESCRIPTION OF THE PROPERTY INVOLVED

AFFIDAVIT OF POSTING

THE STATE OF TEXAS

§


COUNTY OF Freestone

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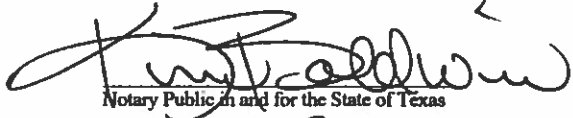
Pursuant to the applicable provisions of Texas law, I, LORI GARNER, ALLAN JOHNSTON, ROBERT LAMONT, SHERYL LAMONT, HARRIETT FLETCHER, DAVID SIMS, PAUL A. HOEFKER, ROBERT L. NEGRIN on December 12, 2016, on behalf of and at the specific instruction and request of U.S. BANK NATIONAL ASSOCIATION did file a Notice of Trustees Sale with the County Clerk of Freestone County, Texas and did post a like Notice at the door of the Courthouse of Freestone County, Texas. The land described in the Notice of Trustee's Sale is located in Freestone County, Texas and is described in Exhibit "A" set out below/attached hereto and incorporated herein by reference for all purposes.

DATED: December 12, 2016


~~LORI GARNER, ALLAN JOHNSTON, ROBERT LAMONT,
SHERYL LAMONT, HARRIETT FLETCHER, DAVID SIMS,
PAUL A. HOEFKER, ROBERT L. NEGRIN~~

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, on this day personally appeared Lori Garner, Allan Johnston, Robert LaMont, Sheryl LaMont, Harriett Fletcher, David Sims, Paul A. Hoefker, Robert L. Negrin who, if not a substitute trustee, is acting as their agent and is known to me personally or through state-issued identification and acknowledged to me that he or she recorded and posted this notice in compliance with Texas Property Code §51.002.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the 12th day of December, 2016


Notary Public in and for the State of Texas

My commission expires: 9-6-18



Exhibit "A"

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE MARIA DE CANTUN SURVEY, A-7, FREESTONE COUNTY, TEXAS, MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT "A"

Return to:
ALDRIDGE PITE, LLP
4375 Jutland Drive, Suite 200
P.O. Box 17935
San Diego, CA 92117
T.S. No.: 049519-TX