

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

2017-97

FILED FOR RECORD
AT 11:50 O'CLOCK A M.

DEED OF TRUST INFORMATION:

Date: 02/22/2005

Grantor(s): MITTIE LOUISE HAGGARD WIDOW

Original Mortgagee: WELLS FARGO BANK, N.A.

Original Principal: \$148,500.00

Recording Information: Book 1742 Page 267 Instrument 00001922

Property County: Navarro

Property:

AUG 28 2017

SHERRY DOWD, County Clerk
NAVARRO COUNTY, TEXAS

BY DR DEPUTY

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE WM. J. MOORE SURVEY ABSTRACT 558, NAVARRO COUNTY, TEXAS, BEING A PORTION OF A CALLED 5 ACRE TRACT DESCRIBED AS FIRST TRACT AND BEING A PORTION OF A CALLED 1 ACRE TRACT DESCRIBED AS SECOND TRACT BY DEED RECORDED IN VOLUME 1181, PAGE 202 OF THE DEED RECORDS OF NAVARRO COUNTY, TEXAS. SAID TRACT OR PARCEL OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FENCE CORNER POST FOR THE SOUTHEAST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF THE ABOVE MENTIONED SECOND TRACT; THENCE S 56 DEGREES 38'13" W 186.82 FEET TO A SET 1/2" IRON ROD FOR AN ELL CORNER OF THIS TRACT; THENCE N 31 DEGREES 53'02" W 75.13 FEET TO A SET 1/2" IRON ROD FOR AN ELL CORNER OF THIS TRACT; THENCE S 56 DEGREES 41'05" W 139.98 FEET TO THE MOST WESTERLY SOUTHWEST CORNER OF THIS TRACT LOCATED IN THE CENTER LINE OF PECAN STREET; WITNESS: N 56 DEGREES 41'05" E 17.0 FEET, A FOUND 3/4" IRON PIPE. THENCE WITH SAID STREET N 30 DEGREES 00'00" W 235.55 FEET TO THE NORTHWEST CORNER OF THIS TRACT; WITNESS: N 56 DEGREES 04'21" E 28.0 FEET, A SET 1/2" IRON ROD. THENCE N 56 DEGREES 04'21" E 320.77 FEET TO A SET 1/2" IRON ROD FOR THE NORTHEAST CORNER OF THIS TRACT; THENCE S 31 DEGREES 35'19" E 313.68 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.08 ACRES OF LAND.

Reported Address: 500 PECAN STREET, BLOOMING GROVE, TX 76626

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 October, 2017

Time of Sale: 10:00AM or within three hours thereafter.

Place of Sale: THE EAST ENTRANCE OF THE NAVARRO CENTER, 800 NORTH MAIN STREET, CORSICANA, NAVARRO COUNTY, TEXAS in Navarro County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Navarro County Commissioner's Court.

Substitute Trustee(s): Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Randy Daniel, Cindy Daniel, Allan Johnston, Lori Garner, Ronnie Hubbard, Braden Barnes, Michael Burns, Thuy Frazier, 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 Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Randy Daniel, Cindy Daniel, Allan Johnston, Lori Garner, Ronnie Hubbard, Braden Barnes, Michael Burns, Thuy Frazier, 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;

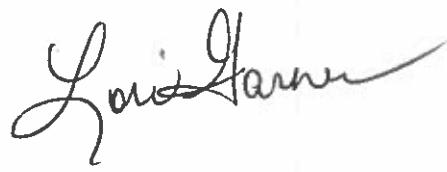
NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

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. Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Randy Daniel, Cindy Daniel, Allan Johnston, Lori Garner, Ronnie Hubbard, Braden Barnes, Michael Burns, Thuy Frazier, 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.

A handwritten signature in black ink, appearing to read "Lori L. Harron".

2017 FEB 21 PM 3:51

IN RE: ORDER FOR FORECLOSURE
CONCERNING
500 PECAN STREET, BLOOMING
GROVE, TX 76626
UNDER TEX. R. CIV. PROC. 736

JOSHUA B. TACKETT
IN THE COURT OF PLEAS
DISTRICT CLERK
NAVARRO COUNTY, TX
Kris D. Tackett DEPUTY

PETITIONER:

WELLS FARGO BANK, N.A.

AT LAW

RESPONDENT(S):

MITTIE LOUISE HAGGARD

NAVARRO COUNTY, TEXAS

AGREED ORDER ALLOWING FORECLOSURE

1. On this day, the Court considered Petitioner's application for an expedited order allowing foreclosure 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 Mittie Haggard, whose last known address is PO Box 31, Blooming Grove, TX 76626.
3. The property that is the subject of this foreclosure proceeding is commonly known as 500 Pecan Street, Blooming Grove, TX 76626 with the following legal description:

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE WM. J. MOORE SURVEY ABSTRACT 558, NAVARRO COUNTY, TEXAS, BEING A PORTION OF A CALLED 5 ACRE TRACT DESCRIBED AS FIRST TRACT AND BEING A PORTION OF A CALLED 1 ACRE TRACT DESCRIBED AS SECOND TRACT BY DEED RECORDED IN VOLUME 1181, PAGE 202 OF THE DEED RECORDS OF NAVARRO COUNTY, TEXAS. SAID TRACT OR PARCEL OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FENCE CORNER POST FOR THE SOUTHEAST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF THE ABOVE MENTIONED SECOND TRACT;

THENCE S 56 DEGREES 38'13" W 186.82 FEET TO A SET 1/2" IRON ROD FOR AN ELL CORNER OF THIS TRACT;

THENCE N 31 DEGREES 53'02" W 75.13 FEET TO A SET 1/2" IRON ROD FOR AN ELL CORNER OF THIS TRACT;

THENCE S 56 DEGREES 41'05" W 139.98 FEET TO THE MOST WESTERLY SOUTHWEST CORNER OF THIS TRACT LOCATED IN THE CENTER LINE OF PECAN STREET; WITNESS: N 56 DEGREES 41'05" E 17.0 FEET, A FOUND 3/4" IRON PIPE.

THENCE WITH SAID STREET N 30 DEGREES 00'00" W 235.55 FEET TO THE NORTHWEST CORNER OF THIS TRACT; WITNESS: N 56 DEGREES 04'21" E 28.0 FEET, A SET 1/2" IRON ROD.

THENCE N 56 DEGREES 04'21" E 320.77 FEET TO A SET 1/2" IRON ROD FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 31 DEGREES 35'19" E 313.68 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.08 ACRES OF LAND.

4. The lien to be foreclosed is indexed or recorded at Volume: 1742, Page: 267, Instrument Number: 00001922 and recorded in the real property records of Navarro 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 order under Texas Rules of Civil Procedure 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, *but not prior to May 2, 2017.* *mc* 

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 21 day of February, 2011



JUDGE PRESIDING

AGREED AS TO FORM AND
SUBSTANCE:

Cox M. Cox

Roxie M. Cox, local counsel
for petitioner

SB NO 04956350

email: roxiecoxassociates@sbclglobal.net
817-295-1345 (o)



John Jackson, attorney
for Respondent

AFFIDAVIT OF POSTING

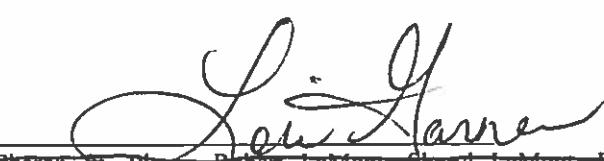
THE STATE OF TEXAS

§
§
§

COUNTY OF NAVARRO

§

Pursuant to the applicable provisions of Texas law, I, Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Randy Daniel, Cindy Daniel, Allan Johnston, Lori Garner, Ronnie Hubbard, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack on the 28th day of August, 2017 on behalf of and at the specific instruction and request of Wells Fargo Bank, N.A. did file a Notice of Trustees Sale with the County Clerk of Navarro County, Texas and did post a like Notice at the designated location at the Courthouse of Navarro County, Texas. The land described in the Notice of Trustee's Sale is located in Navarro County, Texas and is described in Exhibit "A" set out below/attached hereto and incorporated herein by reference for all purposes.

DATED: 8-28, 2017


Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Randy Daniel, Cindy Daniel, Allan Johnston, Lori Garner, Ronnie Hubbard, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, on this day personally appeared Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Randy Daniel, Cindy Daniel, Allan Johnston, Lori Garner, Ronnie Hubbard, Braden Barnes, Michael Burns, Thuy Frazier, Alexander Wolfe, Suzanne Suarez or Adam Womack 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 posted and filed this notice in accordance with the requirements of the Texas Property Code and the applicable security instrument.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the 28th day of August, 2017


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 WM. J. MOORE SURVEY ABSTRACT 558, NAVARRO COUNTY, TEXAS, BEING A PORTION OF A CALLED 5 ACRE TRACT DESCRIBED AS FIRST TRACT AND BEING A PORTION OF A CALLED 1 ACRE TRACT DESCRIBED AS SECOND TRACT BY DEED RECORDED IN VOLUME 1181, PAGE 202 OF THE DEED RECORDS OF NAVARRO COUNTY, TEXAS. SAID TRACT OR PARCEL OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FENCE CORNER POST FOR THE SOUTHEAST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF THE ABOVE MENTIONED SECOND TRACT; THENCE S 56 DEGREES 38'13" W 186.82 FEET TO A SET 1/2" IRON ROD FOR AN ELL CORNER OF THIS TRACT; THENCE N 31 DEGREES 53'02" W 75.13 FEET TO A SET 1/2" IRON ROD FOR AN ELL CORNER OF THIS TRACT; THENCE S 56 DEGREES 41'05" W 139.98 FEET TO THE MOST WESTERLY SOUTHWEST CORNER OF THIS TRACT LOCATED IN THE CENTER LINE OF PECAN STREET; WITNESS: N 56 DEGREES 41'05" E 17.0 FEET, A FOUND 3/4" IRON PIPE. THENCE WITH SAID STREET N 30 DEGREES 00'00" W 235.55 FEET TO THE NORTHWEST CORNER OF THIS TRACT; WITNESS: N 56 DEGREES 04'21" E 28.0 FEET, A SET 1/2" IRON ROD. THENCE N 56 DEGREES 04'21" E 320.77 FEET TO A SET 1/2" IRON ROD FOR THE NORTHEAST CORNER OF THIS TRACT; THENCE S 31 DEGREES 35'19" E 313.68 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.08 ACRES OF LAND.

Return to: Buckley Madole, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254