

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: 09/26/2007
Grantor(s): MONICA C. MICAN
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR CAPITAL ONE HOME LOANS, LLC, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$74,250.00
Recording Information: Book 576 Page 167 Instrument 6018
Property County: Colorado
Property: (See Attached Exhibit "A")
Reported Address: 402 N MECHANIC STREET, WEIMAR, TX 78962

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: MCLP Asset Company, Inc.
Mortgage Servicer: Selene Finance, LP
Current Beneficiary: MCLP Asset Company, Inc.
Mortgage Servicer Address: 3501 Olympus Boulevard, 5th Floor, Suite 500, Dallas, TX 75019

SALE INFORMATION:

Date of Sale: Tuesday, the 4th day of June, 2024
Time of Sale: 10:00 AM or within three hours thereafter.
Place of Sale: AT THE SOUTH VESTIBULE ON THE FIRST FLOOR OF THE COURTHOUSE in Colorado County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Colorado County Commissioner's Court, at the area most recently designated by the Colorado 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 Megan Randle, Ebbie Murphy, Aarti Patel, Kristopher Holub, Patrick Zwiers, Katherine Adkins, Amy Oian, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, 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. Megan Randle, Ebbie Murphy, Aarti Patel, Kristopher Holub, Patrick Zwiers, Katherine Adkins, Amy Oian, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, 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.

FILED FOR RECORD
COLORADO COUNTY, TX
2024 MAY -9 AM 8:43
KIMBERLY MENKE
COUNTY CLERK
D.H.

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): Megan Randle, Ebbie Murphy, Aarti Patel, Kristopher Holub, Patrick Zwiers, Katherine Adkins, Amy Oian, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

Document Prepared by:

Bonial & Associates, P.C.

14841 Dallas Parkway, Suite 350, Dallas, TX 75254

AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am _____ whose address is 14841 Dallas Parkway, Suite 350, Dallas, TX 75254. I declare under penalty of perjury that on _____ I filed and / or recorded this Notice of Foreclosure Sale at the office of the Colorado County Clerk and caused it to be posted at the location directed by the Colorado County Commissioners Court.

By: _____

Exhibit "A"

THE FOLLOWING DESCRIBED LAND AND PREMISES SITUATED IN COLORADO COUNTY, TEXAS, TO-WIT:

BEING A TRACT OR PARCEL CONTAINING 0.2447 ACRES OF LAND SITUATED IN COLORADO COUNTY, TEXAS AND BEING A PART OF LOT 3 IN BLOCK 35 OF THE CITY OF WELMAR ALSO BEING A PORTION THAT LAND DESCRIBED IN DEED DATED DECEMBER 28, 1954 FROM EMIL C. VACEK, ET UX TO GILBERT E. RODGERS, ET UX, RECORDED IN VOLUME 112 PAGE 255 COLORADO COUNTY DEED RECORDS SAID 0.2447 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CAPPED 3/8" IRON ROD ACT FOR SOUTHWEST CORNER OF BLOCK 35 AND THE SOUTHWEST CORNER OF LOT 3, LOCATED WHERE THE NORTH RIGHT OF WAY LINE OF EAST CONVERSE STREET INTERSECTS THE EAST RIGHT OF WAY LINE OF NORTH MECHANIC STREET, SAID IRON ROD ALSO BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT

THENCE ALONG THE EAST LINE OF NORTH MECHANIC STREET, N 06 DEGREES 30' 00" E A DISTANCE OF 52.00 FEET TO A CAPPED 3/8" IRON ROD SET FOR THE SOUTHWEST CORNER OF THE GOCE VACEK TRACT AS DESCRIBED IN VOLUME 144, PAGE 180 AND VOLUME 108, PAGE 489, DEED RECORDS ALSO BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE ALONG THE SOUTH LINE OF THE VACEK TRACT S 83 DEGREES 30' 00" E A DISTANCE OF 130.00 FEET TO A CAPPED 3/8" IRON ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, LOCATED ON THE WEST LINE OF THE LEONA JONES TRACT AS DESCRIBED IN VOLUME 74, PAGE 246, OFFICIAL RECORDS, SAID IRON ROD ALSO BEING A SOUTHERLY EXTERIOR CORNER OF THE VACEK TRACT:

THENCE ALONG THE WEST LINE OF THE JONES TRACT S 06 DEGREES 30' 00" W A DISTANCE OF 32.00 FEET TO A CAPPED 3/8" IRON ROD SET ON THE NORTH LINE OF EAST CONVERSE STREET FOR THE SOUTHWEST CORNER OF THE JONES TRACT AND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE ALONG THE NORTH LINE OF EAST CONVERSE STREET, N 83 DEGREES 30' 00" W A DISTANCE OF 130.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.2447 ACRES OF LAND

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 350, Dallas, TX 75254