

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

FILED FOR RECORD

2021 NOV 29 AM 11:57

KELLEY PRICE
COUNTY CLERK, WOOD COUNTY TX

WOOD County

Deed of Trust Dated: March 29, 2006

Amount: \$57,600.00

Grantor(s): MIRIAM E HOWARD and RICHARD J HOWARD

Original Mortgagee: WR STARKEY MORTGAGE, L.L.P.

Current Mortgagee: U.S. Bank National Association, as Indenture Trustee for Bayview Financial Asset Trust 2008-A, Asset Backed Securities

Mortgagee Servicer and Address: c/o M & T BANK, P. O. Box 1364, Buffalo, NY 14240-1364

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

Recording Information: Document No. 00051489

Legal Description: SEE EXHIBIT A

Date of Sale: January 4, 2022 between the hours of 1:00 PM and 4:00 PM

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the WOOD County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

TERRI WORLEY OR LISA DELONG, HARRIETT FLETCHER, ROBERT LAMONT, DAVID SIMS, SHARON ST. PIERRE, CAROL HAMPTON, PATRICK ZWIERS, SHAWN SCHILLER, DARLA BOETTCHER, SHERYL LAMONT, ALLAN JOHNSTON, RONNIE HUBBARD, DANA KAMIN, LISA BRUNO, ANGIE USELTON, TONYA WASHINGTON, MONICA HENDERSON, MERYL OLSEN, MISTY MCMILLAN, TIFFINEY BRUTON, DAVID RAY, AURORA CAMPOS, JONATHAN HARRISON, LISA DELONG OR RAMIRO CUEVAS have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust. The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



Anthony Alon Garcia, ATTORNEY AT LAW

HUGHES, WATTERS & ASKANASE, L.L.P.

1201 Louisiana, Suite 2800

Houston, Texas 77002

Reference: 2019-006844



c/o Texas Trustee Services

14800 Landmark Blvd, Suite 850

Addison, TX 75254

Posted by Harriett Fletcher, November 29, 2021

EXHIBIT "A"

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All that certain lot, tract or parcel of land within the George Hallmark Survey, Abstract No. 280, Wood County, Texas, and being all of a called 1.000 acre tract described in Deed from Mid-State Trust and Jim Walter Homes to Turner Brazell and recorded in Volume 1798 on Page 534, part of the residue of a called 31 acre tract described in Deed from Christopher E. Young and wife, Sandra J. Young to Turner A. Brazell and wife, June I. Brazell, dated November 20, 2001 and recorded under County Clerk File No. R16227 and part of a called 6.894 acre tract described as Tract 6 in Deed from June I. Brazell to Turner A. Brazell, Jr. and wife, Cecelia D. Brazell, dated August 30, 2002 and recorded in Volume 1867 on Page 26 of the Real Property Records of Wood County, Texas and this 1.268 acre tract being more fully described as follows:

COMMENCING at a Cotton Spindle found for the Southwest corner of said 1.000 acre tract and in the centerline of F.M. Road, from which a 1/2" Iron Rod found for the Southeast corner of Tract 4 in Volume 1867 on Page 26, bears North 07 deg. 06 min. 40 sec. East - 40.21 feet;

THENCE North 07 deg. 06 min. 40 sec. West, a distance of 240.28 feet, to a 1/2" Iron Rod found for the Northwest corner of said 1.000 acre tract AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED 1.268 ACRE TRACT;

THENCE North 07 deg. 06 min. 40 sec. West, a distance of 93.18 feet, to a 1/2" Iron Rod found for the Northwest corner of said Tract 4;

THENCE North 00 deg. 35 min. 45 sec. East, a distance of 178.80 feet, to a 1/2" Iron Rod set for corner;

THENCE South 89 deg. 24 min. 15 sec. East, a distance of 207.96 feet, to a 1/2" Iron Rod set for corner;

THENCE South 00 deg. 35 min. 45 sec. West, a distance of 265.44 feet, to a 1/2" Iron Rod set for corner;

THENCE South 88 deg. 55 min. 41 sec. West, a distance of 195.55 feet, to the POINT OF BEGINNING AND CONTAINING 1.268 ACRES OF LAND.

BEING THE SAME land surveyed by Willie H. Warren, Jr., R.P.L.S. No.4038, dated March 6, 2006.

ACCESS EASEMENT ONLY:

All that certain lot, tract or parcel of land within the George Hallmark Survey, Abstract No. 280, Wood County, Texas, and being part of the residue of a called 31 acre tract described in Deed from Christopher E. Young and wife, Sandra J. Young to Turner A. Brazell and wife, June I. Brazell, dated November 20, 2001 and recorded under County

NOTICE OF TRUSTEE'S SALE

FILE
2021 NOV 30 PM 12:55
CLERK OF COUNTY
WOOD CO TX

WHEREAS, on the 8th day of January, 2020, Eric David Vernon and Jana Brooks Vernon executed a Deed of Trust conveying to Gregory A. Fraser as Trustee, the real estate herein described, to secure payment of one certain Real Estate Lien Note of even date therewith in the principal sum of \$90,000.00, executed by Eric David Vernon and Jana Brooks Vernon, payable to James D. Bishop in the payment of a debt therein described, said Deed of Trust being duly recorded under Clerk's File Number 2020-00000261 in the Real Property Records of Wood County, Texas, against the following property, among others, more particularly described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference for all purposes (the "Property").

WHEREAS, the undersigned is the original Trustee appointed and authorized by said Deed of Trust; and

WHEREAS, default has occurred in the payment of said indebtedness and the same is now wholly due, and the owner and holder of said debt has requested the undersigned to sell said Property to satisfy said indebtedness;

WHEREAS, all legal requirements to be complied with in order to proceed with the foreclosure of Deed of Trust lien have been complied with;

WHEREAS, the foreclosure sale of the Property shall be subject to all prior matters of record affecting the Property, if any, to the extent they remain in full force and effect as of the foreclosure sale. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any;

WHEREAS, pursuant to Tex. Prop. Code §51.009, the Property will be sold "as is, where is" condition, without any express or implied warranties. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property;

WHEREAS, pursuant to Tex. Bus. & Com. Code §9.501(d), notice is hereby further given that said sale also includes any and all improvements, fixtures, and personal property located on the Property or related thereto, to the extent provided and as more particularly described in the Deed of

Trust;

WHEREAS, pursuant to Tex. Prop. Code §51.0075, Trustee reserves the right to set further reasonable conditions for conducting the foreclosure sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee;

WHEREAS, notice is hereby given that before the foreclosure sale, the holder of the Deed of Trust lien may appoint another person as Substitute Trustee to conduct the foreclosure sale; and

WHEREAS, notice is given that the Property may be sold subject to a right of redemption.

NOW, THEREFORE, notice is hereby given that on Tuesday, the 4th day of January, 2022, I will sell the Property to the highest bidder for cash. The sale will begin at, or begin within three (3) hours after, 10:00 o'clock a.m. on said date. The sale will take place on the steps at the front door on the East side of the Wood County Courthouse, Quitman, Wood County, Texas.

Assert and protect your rights as a member of the armed forces of the United States. If you 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.

Witness my hand this 29th day of November, 2021.



Gregory A. Fraser

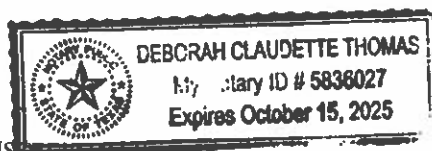
STATE OF TEXAS

COUNTY OF SMITH

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BEFORE ME, the undersigned authority, on this day personally appeared Gregory A. Fraser, Trustee, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that this person executed the same for the purposes and consideration therein expressed in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 29th day of November, 2021.





Notary Public, State of Texas

EXHIBIT "A"

Legal Description

TRACT ONE:

All that certain tract lot or parcel of land, a part of the W.R. Buckley Survey A-55, Wood County, Texas, and also being a part of that certain called 12.24 acre tract of land that is described in a Deed dated June 1998 from Michael E. Butler to James O. McClain, et ux, that is recorded in Volume 1616 Page 285 of the Real Property Records of Wood County, Texas, and being more completely described as follows to wit:

Beginning at a ½ Inch Iron Rod set for corner, under fence, in the N.B.L. of said tract and the S.B.L. of Highway # 37 from which a Concrete R.O.W. Monument at the N.W.C. of said tract, bears South 80 degrees 10 minutes 48 seconds West, 265.04 feet;

Thence with a curve turning to the left and along said Highway # 37, with a Delta Angle of 6 degrees 02 minutes 31 seconds, with a Radius of 1970.08 feet, with a Chord Length of 207.65 feet, with a Chord Bearing of North 73 degrees 18 minutes 07 seconds East, to a ½ Inch Iron Rod set, under fence;

Thence South 00 degrees 08 minutes 13 seconds West, along a fence and across said tract for a distance of 231.96 feet to a X Tie, Fence Corner, for corner;

Thence North 86 degrees 59 minutes 18 seconds West, along a fence and continuing across said tract for a distance of 179.66 feet to a X Tie, Fence Corner, for corner;

Thence North 06 degrees 37 minutes 55 seconds West, along a fence, continuing across said tract for a distance of 163.95 feet to the place of beginning containing 0.8538 acres;

TRACT TWO:

All that certain tract lot or parcel of land, a part of the W.R. Buckley Survey A-55, Wood County, Texas, and also being all of that certain called 12.24 acre tract of land that is described in a Deed dated June 1998 from Michael E. Butler to James O. McClain, et ux, that is recorded in Volume 1616 Page 285 of the Real Property Records of Wood County, Texas, and being more completely described as follows to wit;

Beginning at a Concrete R.O.W. Monument found for corner at the N.W.C. of said tract and the N.E.C. of that certain tract to Jerry Williams (Vol 2285 Pg 224);

Thence with a curve turning to the left and along the S.B.L. of Highway # 37, with a Delta Angle of 18 degrees 24 minutes 39 seconds, with a Radius of 1970.08 feet, with a Chord Length of 630.32 feet, with a Chord Bearing of North 74 degrees 49 minutes 54 seconds East, to a Concrete R.O.W. Monument found for corner at the N.E.C. of said tract and in the W.B.L. of a called 2.0 acres (Vol 2036 Pg 589);

Thence South 00 degrees 22 minutes 58 seconds West, along the W.B.L. of said called 2.00 acres for a distance of 356.38 feet to a 5/8 Inch Iron Rod found for corner at the S.W.C. of said called 2.00 acre tract;

Thence South 00 degrees 33 minutes 40 seconds West, along the E.B.L. of said tract and the W.B.L. of a that certain tract to James Burks for a distance of 613.28 feet to a X Tie Fence Corner, for corner, the S.E.C. of said Burks tract;

Thence South 88 degrees 38 minutes 33 seconds West, along the S.B.L. of said tract and the N.B.L. of that certain called 31.5 acre tract (Vol 2036 Pg 591) for a distance of 606.26 feet to a X Tie Fence, Fence Corner, for corner, at the S.W.C. of said tract;

Thence North 00 degrees 25 minutes 39 seconds East, along W.B.L. of said tract and the E.B.L. of said Williams tract for a distance of 819.08 feet to the place of beginning containing 12.2149 acres;