

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.

FILED FOR RECORD
IN MY OFFICE
AT 3:15 O'CLOCK P M

DEED OF TRUST INFORMATION:

Date: 01/03/2000
Grantor(s): HENRY M. COLE (SINGLE)
Original Mortgagee: JIM WALTER HOMES, INC.
Original Principal: \$49,940.00
Recording Information: Book 1085 Page 59 Instrument 61661
Property County: Panola
Property: (See Attached Exhibit "A")
Reported Address: 121 COUNTY RD 318, DE BERRY, TX 75639

OCT 29 2020

BOBBIE DAVIS
COUNTY CLERK, PANOLA COUNTY, TEXAS
BY [Signature] DEPUTY

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust X
Mortgage Servicer: Shellpoint Mortgage Servicing
Current Beneficiary: U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust X
Mortgage Servicer Address: 55 Beattie Place, Suite 110, Greenville, SC 29601

SALE INFORMATION:

Date of Sale: Tuesday, the 1st day of December, 2020
Time of Sale: 12:00PM or within three hours thereafter.
Place of Sale: AT THE STEPS OF THE COURTHOUSE, SUCH STEPS BEING LOCATED ON THE EAST SIDE OF THE COURTHOUSE in Panola County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Panola County Commissioner's Court, at the area most recently designated by the Panola 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 Terri Worley or Lisa DeLong, Robert LaMont, Sheryl LaMont, Ronnie Hubbard, Sharon St. Pierre or Allan Johnston, Michael Burns, 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. Terri Worley or Lisa DeLong, Robert LaMont, Sheryl LaMont, Ronnie Hubbard, Sharon St. Pierre or Allan Johnston, Michael Burns, 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): Terri Worley or Lisa DeLong, Robert LaMont, Sheryl LaMont, Ronnie Hubbard, Sharon St. Pierre or Allan Johnston, Michael Burns, Tori Jones, or Suzanne Suarez, any to act.

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

Certificate of Posting

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

By: Terri Worley

Exhibit "A"

BEING 2.00 ACRES OF LAND SITUATED IN THE MOSES SHOOK SURVEY, ABSTRACT 625, PANOLA COUNTY, TEXAS AND BEING A PART OF THAT CERTAIN CALLED 5 ACRE TRACT AS DESCRIBED IN A DEED FROM DAVID H. COLE TO JOHNNY W. COLE AND HENRY MICHAEL COLE DATED MARCH 3, 1998 AND RECORDED IN VOLUME 1028, PAGE 86 OF THE DEED RECORDS OF PANOLA COUNTY, TEXAS; SAID 2.00 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 60D NAIL SET FOR THE NORTHEAST CORNER OF THE ABOVE REFERENCED 5 ACRE TRACT AND THE SOUTHEAST CORNER OF A CALLED 2 ACRE TRACT AS RECORDED IN VOLUME 660, PAGE 605 OF SAID DEED RECORDS AND BEING IN THE CENTER OF COUNTY ROAD 318;

THENCE SOUTH 03 DEGREES 02'01" EAST, A DISTANCE OF 337.36 FEET WITH THE EAST BOUNDARY LINE OF SAID 5 ACRE TRACT AND ALONG THE CENTER OF COUNTY ROAD 318 TO A 60D NAIL SET FOR CORNER;

THENCE WITH AN EXISTING FENCE FOR THE SOUTH BOUNDARY LINE OF THIS 2.00 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES: SOUTH 86 DEGREES 11'07" WEST AT A DISTANCE OF 18.0 FEET PASS A FENCE CORNER POST AND CONTINUING A TOTAL DISTANCE OF 74.60 FEET TO A POWER POLE USED FOR A FENCE CORNER; SOUTH 81 DEGREES 52'06" WEST, 65.43 FEET TO A FENCE CORNER POST AND SOUTH 89 DEGREES 43'49" WEST, A DISTANCE OF 81.40 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER IN THE MOST SOUTHERLY WEST BOUNDARY LINE OF SAID 5 ACRE TRACT AND THE EAST BOUNDARY LINE OF A CALLED 2 ACRE TRACT AS RECORDED IN VOLUME 1051, PAGE 273 OF SAID DEED RECORDS;

THENCE NORTH 02 DEGREES 42'38" WEST, A DISTANCE OF 76.06 FEET WITH THE MOST SOUTHERLY WEST BOUNDARY LINE OF SAID 5 ACRE TRACT AND THE EAST BOUNDARY LINE OF SAID 2 ACRE TRACT TO A 3 INCH STEEL FENCE CORNER POST FOR A ELL CORNER OF SAID 5 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 2 ACRE TRACT;

THENCE SOUTH 89 DEGREES 12'48" WEST, A DISTANCE OF 44.94 FEET WITH THE MOST WESTERLY SOUTH BOUNDARY LINE OF SAID 5 ACRE TRACT AND THE NORTH BOUNDARY LINE OF SAID 2 ACRE TRACT TO A 1/2 INCH IRON ROD SET FOR CORNER;

THENCE NORTH 00 DEGREES 28'01" WEST, A DISTANCE OF 276.13 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER IN THE NORTH BOUNDARY LINE OF SAID 5 ACRE TRACT AND THE SOUTH BOUNDARY LINE OF THE ABOVE MENTIONED 2 ACRE TRACT (VOL. 660, PG. 605);

THENCE EAST WITH THE NORTH BOUNDARY LINE OF SAID 5 ACRE TRACT AND THE SOUTH BOUNDARY LINE OF SAID 2 ACRE TRACT AT A DISTANCE OF 238.93 FEET PASS A FENCE CORNER POST AND CONTINUING A TOTAL DISTANCE OF 253.53 FEET BACK TO THE PLACE OF BEGINNING AND CONTAINING 2.00 ACRES OF LAND.

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

9624-0348

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