

POSTED

DATE 2-8-21 8:54 P.M.

FILED MICHELLE REYNOLDS COUNTY CLERK SOMERVELL CO., TEXAS

BY Michelle Reynolds Deputy

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, OR INCLUDED IN 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 Kc

DEED OF TRUST INFORMATION:

Date: 10/18/2018
Grantor(s): JEREMIAH W. MERCER AND KASSIE MERCER, HUSBAND AND WIFE.
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR DEEPHAVEN MORTGAGE LLC, ITS SUCCESSORS AND ASSIGNS
Original Principal: \$348,000.00
Recording Information: Instrument 20181807
Property County: Somervell
Property: (See Attached Exhibit "A")
Reported Address: 2877 N. FM 200, GLEN ROSE, TX 76077

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.
Current Mortgagee: Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as owner trustee for Deephaven Residential Mortgage Trust 2019-1
Mortgage Servicer: Shellpoint Mortgage Servicing
Current Beneficiary: Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as owner trustee for Deephaven Residential Mortgage Trust 2019-1
Mortgage Servicer Address: 55 Beattie Place, Suite 110, Greenville, SC 29601

SALE INFORMATION:

Date of Sale: Tuesday, the 2nd day of March, 2021
Time of Sale: 10:00AM or within three hours thereafter.
Place of Sale: AT THE EAST DOOR OF THE COURTHOUSE in Somervell County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Somervell County Commissioner's Court, at the area most recently designated by the Somervell 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 Guy Wiggs, David Stockman, Donna Stockman, Angela Lewis, Brenda Wiggs, Michelle Schwartz, Kathy Arrington or Janet Pinder, Braden Barnes, 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. Guy Wiggs, David Stockman, Donna Stockman, Angela Lewis, Brenda Wiggs, Michelle Schwartz, Kathy Arrington or Janet Pinder, Braden Barnes, 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): Guy Wiggs, David Stockman, Donna Stockman, Angela Lewis, Brenda Wiggs, Michelle Schwartz, Kathy Arrington or Janet Pinder, Braden Barnes, 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 _____ whose address is 14841 Dallas Parkway, Suite 425, 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 Somervell County Clerk and caused it to be posted at the location directed by the Somervell County Commissioners Court.

By: _____

Exhibit "A"

TRACT ONE: ALL THAT CERTAIN TRACT OR PARCEL OF LAND, CONTAINING 3.59 ACRES, MORE OR LESS, BEING OUT OF BLOCK 30 OF THE MILAM COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 135, SITUATED IN SOMERVELL COUNTY, TEXAS, BEING A PORTION OF THE CALLED 8.58 ACRE TRACT DESCRIBED IN THE DEED TO DENNIS R. LEWIS, RECORDED IN CLERK'S FILE NO. 20161472, OFFICIAL PUBLIC RECORDS, SOMERVELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF FM HIGHWAY 200 AND THE NORTH LINE OF SAID 8.58-ACRE TRACT, FROM WHICH A FOUND 1/2-INCH, IRON PIPE BEARS NORTH 30 DEGREES 49 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 1.00 FEET AND THE NORTHWEST CORNER OF SAID 8.58-ACRE TRACT BEARS SOUTH 57 DEGREES 59 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 364.67 FEET;

THENCE NORTH 57 DEGREES 59 MINUTES 05 SECONDS EAST WITH THE SOUTH LINE OF FM HIGHWAY 200 AND THE NORTH LINE OF SAID 8.58-ACRE TRACT FOR A DISTANCE OF 96.88 FEET TO A 5/8-INCH IRON ROD FOUND AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 288.31 FEET;

THENCE WITH SAID LINE AND ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 288.31 FEET AND AN ARC LENGTH OF 458.99 FEET, BEING SUBTENDED BY A CHORD OF SOUTH 76 DEGREES 24 MINUTES 21 SECONDS EAST FOR A DISTANCE OF 412.04 FEET TO A 5/8-INCH IRON ROD FOUND AT THE END OF SAID CURVE;

THENCE SOUTH 30 DEGREES 47 MINUTES 52 SECONDS EAST WITH THE EAST LINE OF SAID 8.58-ACRE TRACT AND THE WEST LINE OF SAID HIGHWAY FOR A DISTANCE OF 148.92 FEET TO THE UNMARKED EASTERLY SOUTHEAST CORNER OF SAID 8.58-ACRE TRACT AND THE NORTHEAST CORNER OF A CALLED 1.40-ACRE TRACT DESCRIBED IN THE DEED TO JOE E. HUFFMAN, RECORDED IN CLERK'S FILE NO. 20082274, OFFICIAL PUBLIC RECORDS, SOMERVELL COUNTY, TEXAS, FROM WHICH A FOUND CONCRETE MONUMENT BEARS SOUTH 56 DEGREES 47 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 4.36 FEET;

THENCE SOUTH 56 DEGREES 47 MINUTES 40 SECONDS WEST WITH THE SOUTH LINE OF SAID 8.58-ACRE TRACT AND THE NORTH LINE OF SAID HUFFMAN TRACT, AT A DISTANCE OF 4.36 FEET PASS SAID CONCRETE MONUMENT, IN ALL FOR A TOTAL DISTANCE OF 391.35 FEET TO A CONCRETE MONUMENT FOUND AT A RE-ENTRANT CORNER OF SAID 8.58-ACRE TRACT AND THE NORTHWEST CORNER OF SAID HUFFMAN TRACT;

THENCE NORTH 30 DEGREES 49 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 451.55 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 30 DEGREES 49 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 451.55 FEET TO A CONCRETE MONUMENT FOUND AT A RE-ENTRANT CORNER OF SAID 8.58-ACRE TRACT AND THE NORTHWEST CORNER OF A CALLED 1.40-ACRE TRACT DESCRIBED IN THE DEED TO JOE E. HUFFMAN, RECORDED IN CLERK'S FILE NO. 20082274 OF THE OFFICIAL PUBLIC RECORDS OF SOMERVELL COUNTY, TEXAS;

THENCE SOUTH 30 DEGREES 49 MINUTES 34 SECONDS EAST WITH THE EAST LINE OF SAID 8.58 ACRE TRACT AND THE WEST LINE OF SAID HUFFMAN TRACT FOR A DISTANCE OF 148.56 FEET TO A 5/8-INCH IRON ROD WITH AN ALUMINUM CAP FOUND AT THE COMMON SOUTH CORNER OF SAID TRACTS AND BEING IN THE NORTH LINE OF A CALLED 5.00-ACRE TRACT DESCRIBED IN THE DEED TO PRIMITIVO CAMPOS, JR., RECORDED IN VOLUME 73, PAGE 223, REAL PROPERTY RECORDS OF SOMERVELL COUNTY, TEXAS;

THENCE SOUTH 59 DEGREES 10 MINUTES 32 SECONDS WEST WITH THE SOUTH LINE OF SAID 8.58-ACRE TRACT AND THE NORTH LINE OF SAID 5.00-ACRE TRACT FOR A DISTANCE OF 364.60 FEET TO A 2-INCH PIPE WITH A BRASS CAP FOUND AT THE COMMON WEST CORNER OF SAID TRACTS IN THE EAST LINE OF SAID 13.47-ACRE TRACT;

THENCE NORTH 30 DEGREES 49 MINUTES 46 SECONDS WEST WITH THE WEST LINE OF SAID 8.58-ACRE TRACT AND THE EAST LINE OF SAID 13.47-ACRE TRACT FOR A DISTANCE OF 592.52 FEET TO THE POINT OF BEGINNING.

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