

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

FILED
NICOLE TANNER, COUNTY CLERK
HILL COUNTY, TEXAS

46

DEED OF TRUST INFORMATION:

Date: 05/22/2002
Grantor(s): MICHAEL GAFFNER, AN UNMARRIED PERSON
Original Mortgage: FIELDSTONE MORTGAGE COMPANY
Original Principal: \$70,100.00
Recording Information: Book 1168 Page 0118 Instrument 4528
Property County: Hill
Property:

2019 JUN 13 A 10: 22

FIELD NOTES FOR THE SURVEY OF A CERTAIN LOT, TRACT, OR PARCEL OF LAND BEING ALL OF LOT 3, BLOCK 1 OF THE HEATHER HEIGHTS SUBDIVISION, PHASE ONE ADDITION TO THE CITY OF ITASCA, HILL COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 473, PAGE 315 OF THE DEED RECORDS OF HILL COUNTY. SAID LAND IS A PART OF THOSE CERTAIN TRACTS DESCRIBED IN A DEED FROM OAKWOOD ACCEPTANCE CORPORATION TO DARRELL LYNN MARRIOTT ET UX, KANDACE MARRIOTT RECORDED IN VOLUME 1531, PAGE 470 OF THE OFFICIAL PUBLIC RECORDS OF HILL COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE SOUTHWEST LINE OF F.M. HIGHWAY 934/SOUTH FILES STREET FOR THE MOST EASTERLY CORNER OF SAID LOT 3;
THENCE S 38 DEGREES 36'56" W 181.41 FEET TO A 1/2" IRON ROD FOUND FOR THE MOST SOUTHERLY CORNER OF SAID LOT 3;
THENCE N 29 DEGREES 49'22" W 32.64 FEET TO A 1/2" IRON ROD FOUND FOR AN INSIDE ELL CORNER OF SAID LOT 3;
THENCE S 59 DEGREES 58'10" W 50.10 FEET TO A 1/2" IRON ROD FOUND FOR AN OUTSIDE ELL CORNER OF SAID LOT 3; THENCE N 30 DEGREES 04' 11" W 54.86 FEET TO A 1/2" IRON ROD FOUND FOR THE MOST WESTERLY CORNER OF SAID LOT 3;
THENCE N 38 DEGREES 31'23" E 223.03 FEET TO A 1/2" IRON ROD FOUND IN THE SOUTHWEST LINE OF F.M. HIGHWAY 934 FOR THE MOST NORTHERLY CORNER OF SAID LOT 3;
THENCE WITH THE SOUTHWEST LINE OF F.M. HIGHWAY 934 AND ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 955.37 FEET, S 36 DEGREES 20'32" E FOR A CHORD DISTANCE OF 103.62 FEET, AN ARC DISTANCE OF 103.67 FEET, TO THE PLACE OF BEGINNING, CONTAINING 0.474 ACRES OF LAND.

Reported Address: 606 SOUTH FILES STREET, ITASCA, TX 76055

MORTGAGE SERVICING INFORMATION:

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

Current Mortgage: The Bank of New York Mellon, f/k/a, The Bank of New York, as successor in interest to JPMorgan Chase Bank,

N.A. as Trustee for Amortizing Residential Collateral Trust Mortgage Pass-Through Certificates, Series 2002-BC7

Mortgage Servicer: PHH Mortgage

Current Beneficiary: The Bank of New York Mellon, f/k/a, The Bank of New York, as successor in interest to JPMorgan Chase Bank,

N.A. as Trustee for Amortizing Residential Collateral Trust Mortgage Pass-Through Certificates, Series 2002-BC7

Mortgage Servicer Address: 1 Mortgage Way, Mount Laurel, NJ 08054

SALE INFORMATION:

Date of Sale: Tuesday, the 6th day of August, 2019

Time of Sale: 11:00 AM or within three hours thereafter.

Place of Sale: AT THE EAST DOOR OF THE COURTHOUSE in Hill County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Hill County Commissioner's Court.

Substitute Trustee(s): Tim Lewis, Brenda Wiggs, Guy Wiggs, Donna Stockman, David Stockman, Russell Stockman, Denise Boerner, Michelle Schwartz, Kathy Arrington, Michael Burns, Sammy Hooda, or Suzanne Suarez, 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 Tim Lewis, Brenda Wiggs, Guy Wiggs, Donna Stockman, David Stockman, Russell Stockman, Denise Boerner, Michelle Schwartz, Kathy Arrington, Michael Burns, Sammy Hooda, 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. Tim Lewis, Brenda Wiggs, Guy Wiggs, Donna Stockman, David Stockman, Russell Stockman, Denise Boerner, Michelle Schwartz, Kathy Arrington, Michael Burns, Sammy Hooda, 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.

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,

Bonial & Associates, P.C.