

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: March 18, 2022

Grantor(s): William Stephens, and Elsa Gonzales-Stephens, Husband and Wife

Original Mortgagee: Mortgage Electronic Registration Systems, Inc., as nominee for Mortgage Research Center, LLC dba Veterans United Home Loans

Original Principal: \$400,000.00

Recording Information: 2022001518

Property County: Cass

Property: ALL THAT CERTAIN 25.251 ACRE TRACT OF LAND IN THE JOSHUA PETERS SURVEY, A-826, IN CASS COUNTY, TEXAS, BEING ALL OF THE CALLED 27.0 ACRE TRACT CONVEYED FROM GORDON L. LAMBERT TO GARY T. LAMBERT BY WARRANTY DEED DATED JUNE 8, 2016, AND RECORDED IN CLERK'S FILE NO. 2016002422 IN THE REAL PROPERTY RECORDS OF CASS COUNTY, TEXAS, LESS AND EXCEPT THE CALLED 1.715 ACRE TRACT CONVEYED FROM GARY TODD LAMBERT TO GORDON LEE LAMBERT BY SPECIAL WARRANTY GIFT DEED DATED JULY 6, 2021, AND RECORDED IN CLERK'S FILE NO. 2021003267 IN SAID REAL PROPERTY RECORDS, SAID 25.251 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NOTE: 1. ALL SET IRON RODS HEREIN ARE 5/8" REBAR WITH PINK CAP MARKED "D. COLLINS RPLS 6488". 2. BEARINGS AND DISTANCES ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORT CENTRAL ZONE (4202), 1983 NORTH AMERICAN DATUM.

BEGINNING AT A 5/8" IRON ROD SET IN THE EAST RIGHT OF WAY LINE OF TEXAS HIGHWAY NO. 49 FOR THE NORTHWEST CORNER OF THE THIRD TRACT, CALLED 53.22 ACRE TRACT CONVEYED TO MICHAEL W. KERR BY GIFT DEED RECORDED IN CLERK'S FILE NO. 2015000508 IN SAID REAL PROPERTY RECORDS, FROM WHICH A FOUND CAPPED 1/2" IRON ROD (4628) BEARS S 87°48'13" W - 0.78 FEET, A 6" WOOD FENCE CORNER POST BEARS THE CHORD BEARING AND DISTANCE OF S 14°48'46" E - 518.34 FEET;

THENCE: IN A NORTHWESTERLY DIRECTION ALONG SAID RIGHT OF WAY LINE AND WITH A CURVE TO THE LEFT HAVING A RADIUS OF 2964.79 FEET, AN ARC LENGTH OF 274.84 FEET, AND CHORD BEARING AND DISTANCE OF N 22°29'00" W - 274.74 FEET TO A 5/8" IRON ROD SET

FILED FOR RECORD

2024 DEC 16 PM 2:11

AMY L. VARNELL
CASS COUNTY CLERK

FOR THE MOST SOUTHERLY CORNER OF THE APPARENT RESIDUE OF B.F. HALL TRACT AS SHOWN ON THE HIGHWAY RIGHT OF WAY MAP FOR TEXAS STATE HIGHWAY 49, AND ANGLE POINT OF THIS TRACT, FROM WHICH A FOUND 1/2" IRON BEARS S 00°56'52" W - 0.43 FEET;

THENCE: N 00°56'52" E WITH THE EAST LINE OF SAID APPARENT RESIDUE TRACT 254.55 FEET TO A CAPPED 1/2" IRON ROD FOUND (4628) IN THE EAST LINE OF THE RESIDUE OF THE CALLED 6400 SQ. FT TRACT CONVEYED TO TURKEY CREEK BAPTIST CHURCH BY DEED RECORDED IN VOLUME M-5, PAGE 521, IN THE DEED RECORDS OF CASS COUNTY, TEXAS, FOR THE SOUTHWEST CORNER OF THE CALLED ONE ACRE TRACT CONVEYED TO TURKEY CREEK CEMETERY ASSOCIATION BY WARRANTY DEED RECORDED IN VOLUME 791, PAGE 644, IN THE DEED RECORDS OF CASS COUNTY, TEXAS, AND SOUTHWEST CORNER OF THE CALLED 2.000 ACRE TRACT CONVEYED TO THE TURKEY CREEK BAPTIST CHURCH BY WARRANTY DEED RECORDED IN CLERK'S FILE NO. 2006005514, IN SAID REAL PROPERTY RECORDS, AND AN ELL CORNER OF THIS TRACT, FROM WHICH A 4" PIPE FENCE CORNER POST BEARS N 86°56'23" E - 22.14 FEET AND CHAIN LINK FENCE CORNER POST BEARS N 70°07'03" E - 20.99 FEET;

THENCE: N 86°25'20" E GENERALLY ALONG A CHAIN LINK FENCE AND SOUTH LINE OF SAID CALLED 2.000 ACRE TRACT 456.16 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAME AND INNER ELL CORNER OF THIS TRACT, FROM WHICH A 4" PIPE FENCE CORNER POST BEARS N 80°34'10" W - 0.59 FEET;

THENCE: N 06°54'30" W GENERALLY ALONG A CHAIN LINK FENCE AND WITH THE EAST LINE OF SAID CALLED 2.000 ACRE TRACT 288.82 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAME IN THE SOUTH LINE OF THE CALLED 1.715 ACRE TRACT CONVEYED TO GORDON LEE LAMBERT BY SPECIAL WARRANTY DEED RECORDED IN CLERK'S FILE NO. 2021003267 IN SAID REAL PROPERTY RECORDS, AND FOR AN ELL CORNER OF THIS TRACT, FROM WHICH A 4" PIPE FENCE CORNER POST BEARS S 79°30'31" W - 0.41 FEET AND A CAPPED 1/2" IRON ROD (4628) FOR THE SOUTHWEST CORNER OF SAID CALLED 1.715 ACRE. TRACT BEARS S 85°24'49" W - 80.05 FEET;

THENCEN N 69°34'45" E WITH THE SOUTH LINE OF SAID CALLED 1.715 ACRE TRACT 217.06 FEET TO A CAPPED 1/2" IRON ROD FOUND (4628) FOR THE SOUTHEAST CORNER OF SAME AND INNER ELL CORNER OF THIS TRACT;

THENCE: N 10°42'25" W WITH THE EAST LINE OF SAID CALLED 1.715 ACRE TRACT 256.80 FEET TO A 5/8" IRON ROD SET FOR THE NORTHEAST CORNER OF SAME IN THE SOUTH LINE OF THE CALLED 1.63 ACRE TRACT CONVEYED TO JAMES MICHAEL BAGGETT ET UX, BRITTANI BAGGETT, BY WARRANTY DEED RECORDED IN CLERK'S FILE NO. 2020002005 IN SAID REAL PROPERTY RECORDS, AND FOR THE NORTHWEST CORNER OF THIS TRACT, FROM WHICH A 10" PINE GATE

POST BEARS N 03°06'08" W -2.04 FEET;

THENCE: N 76°57'13" E GENERALLY ALONG A FENCE AND WITH THE SOUTH LINE OF SAID CALLED 1.63 ACRE TRACT 129.61 FEET TO A 1/2" IRON ROD FOUND FOR AN ANGLE POINT;

THENCE: N 87°48'19" E GENERALLY ALONG A FENCE AND WITH THE SOUTH LINE OF SAID CALLED 1.63 ACRE TRACT 342.39 FEET TO A 1/2" IRON ROD FOUND IN THE CENTERLINE OF CASS COUNTY ROAD NO. 1579 FOR THE SOUTHEAST CORNER OF SAME AND MOST NORTHERLY NORTHEAST CORNER OF THIS TRACT, FROM WHICH A 5/8" IRON ROD SET FOR REFERENCE BEARS S 87°48'19" W - 28.14 FEET AND A 4" WOOD FENCE CORNER POSTS BEAR S 83°46'58" W - 27.56 FEET AND S 81°12'40" W - 30.82 FEET;

THENCE: S 46°20'55" E WITH THE CENTERLINE OF SAID CASS COUNTY ROAD NO. 1579 A DISTANCE OF 116.90 FEET TO A PK NAIL SET FOR AN ANGLE POINT;

THENCE: S 54°23'26" E WITH THE CENTERLINE OF SAID CASS COUNTY ROAD NO. 1579 A DISTANCE OF 142.39 FEET TO A PK NAIL SET FOR THE NORTHWEST CORNER OF THE CALLED 0.76 ACRE TRACT CONVEYED TO SANDRA DARLENE LAMBERT BY ASSUMPTION WARRANTY DEED RECORDED IN CLERK'S FILE NO. 20160037647 IN SAID REAL PROPERTY RECORDS, AND MOST SOUTHERLY NORTHEAST CORNER OF THIS TRACT, FROM WHICH A 5/8" IRON ROD SET FOR REFERENCE BEARS S 02°21'01" E -25.27 FEET AND TELEPHONE PEDESTAL BEARS S 10°13'20" E - 19.49 FEET;

THENCE: S 02°21'01" E WITH THE WEST LINE OF SAID CALLED 0.76 ACRE TRACT AND CONTINUING WITH THE WEST LINE OF THE CALLED 1.75 ACRE TRACT CONVEYED TO MICHAEL H. KATCHEN BY WARRANTY DEED RECORDED IN VOLUME 774, PAGE 494, IN SAID DEED RECORDS TO A DISTANCE OF 426.64 FEET TO AN AXLE FOUND FOR THE SOUTHWEST CORNER OF SAME AND AN ELL CORNER OF THE FIRST TRACT, CALLED 325 ACRE TRACT CONVEYED TO MICHAEL W. KERR BY GIFT DEED RECORDED IN CLERK'S FILE NO. 2015000508 IN SAID REAL PROPERTY RECORDS, FROM WHICH A T POST FENCE CORNER POST BEARS S 07°41,36" E - 4.49 FEET;

THENCE: S 02°56'34" E GENERALLY ALONG A FENCE AND WITH THE WEST LINE OF SAID CALLED 325 ACRE TRACT 559.21 FEET TO A 1-1" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID THIRD TRACT, CALLED 53.22 ACRE TRACT AND SOUTHEAST CORNER OF THIS TRACT, FROM WHICH A 30" PINE TREE FENCE CORNER POST BEARS S 56°13'44" W - 1.57 FEET;

THENCE: S 87°48'13" W WITH THE NORTHLINE OF SAID THIRD TRACT, CALLED 53.22 ACRE TRACT 1191.22 FEET TO THE POINT OF BEGINNING, CONTAINING 25.251 ACRES OF LAND, MORE OR LESS.

Property Address: 150 County Road 1579
Avinger, TX 75630

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: **NewRez LLC d/b/a Shellpoint Mortgage Servicing**
Mortgage Servicer: **Shellpoint Mortgage Servicing**
Mortgage Servicer: **75 Beattie Place**
Address: **Greenville, SC 29601**

SALE INFORMATION:

Date of Sale: **February 4, 2025**
Time of Sale: **10:00 AM or within three hours thereafter.**
Place of Sale: **Cass County Courthouse, 100 Houston, Linden, TX 75563 Court or, if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.**
Substitute Trustee: **Robert LaMont, Harriett Fletcher, Ronnie Hubbard, Sheryl LaMont, Allan Johnston, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Auction.com, Padgett Law Group, Michael J. Burns, Jonathan Smith, Gabrielle A. Davis, or Paige Jones, any to act**
Substitute Trustee Address: **546 Silicon Dr., Suite 103 Southlake, TX 76092 TXAttorney@PadgettLawGroup.com**

APPOINTMENT OF SUBSTITUTE TRUSTEE:

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.

The undersigned is the attorney for the mortgagee and/or mortgage servicer, and in such capacity does hereby remove the original trustee and all successor substitute trustees under the above-described Deed of Trust and appoints in their place, any to act, those substitute trustees identified in the SALE INFORMATION section of this notice, whose address is c/o Padgett Law Group, 546 Silicon Dr., Suite 103, Southlake, TX 76092 as Substitute Trustee, who shall hereafter exercise all powers and duties to set aside the said original trustee under said Deed of Trust, and further does hereby request, authorize, and instruct said Substitute Trustees to conduct and direct the execution of remedies set aside to the beneficiary therein.

WHEREAS, the above-named Grantor(s) 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 are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee under said Deed of Trust has been hereby removed and the herein described Substitute Trustees, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; 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 is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
2. The herein appointed Substitute Trustees, 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 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 imposed by the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the 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 sold "AS-IS", purchaser's 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 interest 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.
5. 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, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.

P Jones

Michael J. Burns / Jonathan Smith/ Gabrielle A. Davis/ Paige Jones

CERTIFICATE OF POSTING

My name is Sheryl LaMont, and my address is c/o Padgett Law Group, 546 Silicon Dr., Suite 103, Southlake, TX 76092. I declare under penalty of perjury that on December 16, 2024, I filed at the office of the Cass County Clerk to be posted at the Cass County courthouse this notice of sale.

Declarant's Name: Sheryl LaMont

Date: December 16, 2024

Padgett Law Group
546 Silicon Dr., Suite 103
Southlake, TX 76092
TXAttorney@PadgettLawGroup.com
(850) 422-2520

WITNESS MY HAND this 16th. day of December, 2024.

Sheryl LaMont
Sheryl LaMont