

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 ~~filed~~ of this notice immediately.

FILED FOR REC:
NOV 10 1984
SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT
BY

DEED OF TRUST INFORMATION:

Date: May 3, 1984

Grantor(s): John P. Jacobs and wife, Sherylon D. Jacobs

Original Mortgagee: United States of America, acting through the Farmers Home Administration, United States Department of Agriculture

Original Principal: \$35,900.00

Recording Information: Book 203, Page 718

Property County: Van Zandt

Property: All that certain lot, tract or parcel of land situated in Van Zandt County, Texas, in the THOMAS HORSLEY SURVEY, A-341, and being part of a called 50.5 acre tract of land set aside to W.F. Jacobs by the Decree of the Probate Court of Van Zandt County, Texas, in Cause No. 851, Estate of R.B. Jacobs, deceased, V.L. Davidson, Administrator, dated January 24, 1902, and recorded in Vol. 6, page 47, of the Minutes of the Probate Court of Van Zandt County, Texas, and this portion thereof more fully described as follows: BEGINNING at 1/2" Iron Road set in the south line of said 50.50 acre tract, and in the South Survey line of said Horsley Survey for the Southwest corner of this, and the Southeast corner of a called 2.00 acre tract of land (Vol. 770, page 181), same being North 89 degrees 39 minutes 00 seconds East 532.00 feet from the Southwest corner of said 50.50 acre tract of land; THENCE North 00 degrees 21 minutes 00 seconds West passing the Northeast corner of said 2.0 acre tract of land at 163.76 feet, and continuing on for an over-all total distance of 208.71 feet to a 1/2" Iron Rod set for the Northwest corner of this; THENCE: North 89 degrees 39 minutes 00 seconds East 208.71 feet to a 1/2" Iron Rod set for the Northeast corner of this; THENCE: South 00 degrees 21 minutes 00 seconds East 208.71 feet to a 60d nail set in a community oil road, and in the South survey line of said Horsley Survey for the Southeast corner of this, from which a 1/2" Iron Road was set North 00 degrees 21 minutes 00 seconds West 34.38 feet; THENCE: 89 degrees 39 minutes 00 seconds West 208.71 feet with said road and survey line to the place of beginning, containing 1.00 acre of land. There is a 30 foot R.O.W. easement reserved for the purpose of egress, ingress, and the right to install and maintain all public utilities. Said 30 foot R.O.W. easement being 15 feet each side of the center line with the center line being more fully described as follows: BEGINNING at a point in the South line of the above described 1.00 acre tract of land, and in a community oil road for the beginning of this; same being North 89 degrees 39 minutes East 15.00 feet from the Southwest corner of the above described 1.00 acre tract of land. THENCE North 0 degrees 21 minutes West 208.71 feet to a point in the North line of the above described 1.00

acre tract of land. **SUBJECT TO THE FOLLOWING:** 1. Visible and apparent easements. 2. Title to any part of the hereinabove described property lying within the bounds of any public road or highway. 3. Conveyance of an undivided one-half (1/2) interest in and to all of the oil, gas and other minerals and mineral substances as described in Mineral Deed from W.F. Jacobs et ux H. D. Jacobs to G.E. Hubbard dated April 13, 1928, recorded Vol. 178, page 332, Deed Records of Van Zandt County, Texas. 4. Conveyance of an undivided one-fourth (1/4) interest in and to all of the oil, gas, and other minerals as described in Mineral Deed from W.F. Jacobs et ux O.D. Jacobs to Ross Walker, dated March 8, 1943, recorded Vol. 305, page 67, Deed Records of Van Zandt County, Texas, as corrected in Mineral Deed dated July 27, 1943, recorded Vol. 313, page 151, Deed Records of Van Zandt County, Texas. 5. Conveyance of an undivided 25/117 interest in and to all of the oil, gas and other minerals under 50.5 acres and 67.35 acres described in Mineral Deed from W.F. Jacobs et ux O.D. Jacobs to J.W. Kirby et al, dated August 7, 1945, recorded Vol 341, page 156 Deed Records of Van Zandt County, Texas. 6. Right of way from W.F. Jacobs et ux Hanah D. Jacobs to Texas Power and Light Co., dated September 23, 1952, recorded Vol. 420, page 170, Deed Records of Van Zandt County, Texas. 7. Right of way from W.F. Jacobs et ux Hanah D. Jacobs to Texas Power and Light Co., dated October 3, 1952, recorded Vol. 422, page 314, Deed Records of Van Zandt County, Texas. 8. Oil, Gas and Mineral lease from Arona Young Jacobs to Excelsior Oil Co., dated November 18, 1981, recorded Vol. 969, Page 23, Deed Records of Van Zandt County, Texas, for a primary term of 3 years.

Property Address: 543 VZ County Road 4910
Ben Wheeler, TX 75754-4228

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: United States Department of Agriculture, Rural Housing Service
Mortgage Servicer: USDA Rural Development
Mortgage Servicer: 4300 Goodfellow Blvd.
Address: Bldg. 105F, FC 215
St. Louis, MO 63120

SALE INFORMATION:

Date of Sale: December 6, 2022
Time of Sale: 10:00 AM or within three hours thereafter.
Place of Sale: THE STEPS OF THE NORTH ENTRANCE TO THE VAN ZANDT COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE.
Substitute Trustee: Randy Daniel, Cindy Daniel, Jim O'Bryant, or Michael J. Burns, Vrutti Patel, or Jonathan Smith, any to act
Substitute Trustee Address: 5501 LBJ Freeway, Suite 925
Dallas, TX 75240
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 Randy Daniel, Cindy Daniel, Jim O'Bryant, or Michael J. Burns, Vrutti Patel, or Jonathan Smith, any to act, whose address is c/o Padgett Law Group, 5501 I.B.J. Freeway, Suite 925, Dallas, TX 75240 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.

Michael J. Burns

CERTIFICATE OF POSTING

My name is _____, and my address is c/o Padgett Law Group, 5501 LBJ Freeway, Suite 925, Dallas, TX 75240. I declare under penalty of perjury that on _____, I filed at the office of the Van Zandt County Clerk to be posted at the Van Zandt County courthouse this notice of sale.

Declarant's Name: _____

Date: _____

Padgett Law Group
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Dallas, TX 75240
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(850) 422-2520