

2013 146

HOME EQUITY POSTING WITH ORDER ATTACHED

537 NORTHWEST COUNTY ROAD 2100
CORSICANA, TX 75110

20090187419238

FILED

NOTICE OF SUBSTITUTE TRUSTEE SALE

(See TEX. CONST. art. XVI, § 50a(6) Order attached)

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.

2013 OCT 01 11:30
COUNTY CLERK
NAVARRO COUNTY, TX
DEPUTY

1. **Date, Time, and Place of Sale.**

Date: October 01, 2013

Time: The sale will begin at 1:00PM or not later than three hours after that time.

Place: THE FRONT STEPS OF THE NAVARRO COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated December 18, 2003 and recorded in Document VOLUME 1671, PAGE 0093 real property records of NAVARRO County, Texas, with REGINALD L. FARMER AND KATHY FARMER AND AKA KATHIE LYNN FARMER, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by REGINALD L. FARMER AND KATHY FARMER AND AKA KATHIE LYNN FARMER, securing the payment of the indebtednesses in the original principal amount of \$82,400.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, SUCCESSOR BY MERGER TO CHASE HOME FINANCE LLC is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
3415 VISION DRIVE
COLUMBUS, OH 43219

J. HOWELL, OR B. HOWELL

Substitute Trustee

c/o

15000 Surveyor Boulevard, Suite 100

Addison, Texas 75001

Active Duty Notifications: Special Loans Unit /CHASE Home Lending Attn: SCRA/2210 Enterprise Drive /Florence,
SC 29501 /Fax: 843 413 5433/scra.military.orders@chase.com



NOS20090187419238

EXHIBIT "A"

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE JAMES HAMILTON SURVEY ABSTRACT 375, NAVARRO COUNTY TEXAS, AND BEING ALL OF A CALLED 16.667 ACRE TRACT OF LAND RECORDED IN VOLUME 855, PAGE 545 OF THE DEED RECORDS OF NAVARRO COUNTY, TEXAS, SAID TRACT OR PARCEL OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF THE ABOVE MENTIONED 16.667 ACRE TRACT LOCATED IN THE CENTER LINE OF COUNTY ROAD NO. NW2100; WITNESS: S59 DEG 55' 52" W 19.1 FEET, A FENCE CORNER POST.

THENCE WITH THE SOUTH LINE OF THIS TRACT S59 55' 52" W 1363.91 FEET AND S60 DEG 18' 51" W 435.24 FEET TO A FOUND 1" IRON PIPE FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 29 DEG 57' 57" W 401.70 FEET TO A FOUND 1-1/2" IRON PIPE FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE N60 DEG 00' 00" E 1796.05 FEET TO THE NORTHEAST CORNER OF THIS TRACT LOCATED IN SAID CENTER LINE OF COUNTY ROAD NO. NW2100 WITNESS: S60 DEG 00' 00" W 17.2 FEET, A 6" PIPE FENCE POST.

THENCE WITH SAID CENTER LINE S30 DEG 24' 19" E 402.46 FEET TO THE PLACE OF BEGINNING AND CONTAINING 16.64 ACRES OF LAND. MORE OR LESS.

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE JAMES HAMILTON SURVEY ABSTRACT 375, NAVARRO COUNTY TEXAS, AND BEING ALL OF A CALLED 16.667 ACRE TRACT OF LAND RECORDED IN VOLUME 855, PAGE 545 OF THE DEED RECORDS OF NAVARRO COUNTY, TEXAS, SAID TRACT OR PARCEL OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF THE ABOVE MENTIONED 16.667 ACRE TRACT LOCATED IN THE CENTER LINE OF COUNTY ROAD NO. NW2100; WITNESS: S59 DEG 55' 52" W 19.1 FEET, A FENCE CORNER POST.

THENCE WITH THE SOUTH LINE OF THIS TRACT S59 55' 52" W 1363.91 FEET AND S60 DEG 18' 51" W 435.24 FEET TO A FOUND 1" IRON PIPE FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 29 DEG 57' 57" W 401.70 FEET TO A FOUND 1-1/2" IRON PIPE FOR THE NORTHWEST CORNER OF THIS TRACT;

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THENCE WITH SAID CENTER LINE S30 DEG 24' 19" E 402.46 FEET TO THE PLACE OF BEGINNING AND CONTAINING 16.64 ACRES OF LAND. MORE OR LESS.

3. The Debt exists and is secured by a lien created under TEX. CONST. ART. XVI, § 50(a)(6), for a home equity loan.
4. Petitioner is the mortgage servicer and assignee of the Deed of Trust. Reginald L. Farmer and Kathy Farmer AKA Kathie Lynn Farmer (hereafter "Obligor" whether one or more) executed the promissory note dated December 18, 2003 in the original principal amount of \$82,400.00. Obligor is the party obligated to pay the loan agreement, contract, or lien sought to be foreclosed.
5. Obligors executed a security instrument ("Deed of Trust"), which is recorded in the Navarro County Real Property Records at VOLUME 1671, PAGE 0093.
6. Respondent failed to make payments in accordance with terms of the loan agreement, contract or deed of trust and is in default under the terms of those agreements.

7. As of the date the application was filed, Obligor failed to remit the installment payment due for August 1, 2008 and the installments that have become due after that date. As of January 10, 2013, there are at least 54 unpaid scheduled payments. The amount required to cure the default before February 3, 2013 is \$47,935.07. The amount required to pay off the loan in full before February 3, 2013 is \$120,831.01. This amount does not include attorneys' fees, late charges, interest, fees, costs, escrow advances or other lawful charges paid after February 3, 2013, all of which will continue to accrue according to the terms of the Note and Deed of Trust.

8. The requisite notices to cure the default and accelerate the maturity of the Debt have been mailed to each person as required under applicable law and the loan agreement, contract, or lien sought to be foreclosed and the opportunity to cure has expired.

9. Before the application was filed, any other action required under applicable law and the loan agreement, contract, or lien sought to be foreclosed was performed.

10. The court further finds that the Application complies with Tex. R. Civ. P. 735 and 736; that in accordance with Tex. R. Civ. P. 736.7(c) a copy of the required Return of Service has been on file with the Clerk of the Court for at least ten (10) days. Petitioner has established the basis for foreclosure; that Petitioner has appointed J.Howell, Or B.Howell or their successor, as the substitute trustee to conduct the foreclosure contemplated by this proceeding; and that Petitioner may proceed with foreclosure of the secured Property according to the terms of the security instrument, Tex. Prop. Code § 51.002 and applicable law in accordance with Tex. R. Civ. P. 736.9.

IT IS THEREFORE ORDERED that the Petitioner may proceed with a foreclosure sale under the terms of the security instrument, Tex. Prop. Code § 51.002 and applicable law with respect to the secured Property made the subject of this proceeding.

SIGNED this 31 day of July, 2013

Original Signed By
Amanda D. Putman
JUDGE PRESIDING

APPROVED AS TO FORM AND SUBSTANCE:



Clark Royle
Texas Bar No. 24046763
Tom Misteli
Texas Bar No. 24058774
Anthony Scott Vincent
Texas Bar No. 24058241
Elizabeth McDonald
Texas Bar No. 24062879
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972-386-5040 (Phone)
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ATTORNEYS FOR APPLICANT