

2014-71

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

FILED FOR RECORD
AT 10:15 O'CLOCK A.M.

MAY 12 2014

SHERRY DOWD
COUNTY CLERK NAVARRO COUNTY, TEXAS
BY [Signature] DEPUTY

DEED OF TRUST INFORMATION:

Date: 10/22/2010
Grantor(s): CAROL JEAN IVIE, A SINGLE PERSON
Original Mortgagee: WELLS FARGO BANK, N.A.
Original Principal: \$195,000.00
Recording Information: Instrument 00007772
Property County: Navarro
Property:

ALL THAT TRACT OR PARCEL OF LAND, SITUATED IN THE CITY OF CORSICANA, NAVARRO COUNTY, TEXAS, BEING ALL OF LOT 9 AND THE WEST 7 FEET OF LOT 8, BLOCK 1089, ERWIN-BEASLEY ADDITION NO. 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 1, PAGE 66, PLAT RECORDS OF NAVARRO COUNTY, TEXAS.

Reported Address: 2000 W BELCLAIRE CIR, CORSICANA, TX 75110

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Wells Fargo Bank, N.A.
Mortgage Servicer: Wells Fargo Bank, N. A.
Current Beneficiary: Wells Fargo Bank, N.A.
Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

SALE INFORMATION:

Date of Sale: Tuesday, the 3rd day of June, 2014
Time of Sale: 11:00AM or within three hours thereafter.
Place of Sale: AT THE FRONT STEPS OF THE COURTHOUSE in Navarro County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Navarro County Commissioner's Court.

Substitute Trustee(s): Randy Daniel or Cindy Daniel or Jim O'Bryant, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, 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 Randy Daniel or Cindy Daniel or Jim O'Bryant, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, 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. Randy Daniel or Cindy Daniel or Jim O'Bryant, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, 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.

Very truly yours,

Buckley Madole, P.C.

IN RE: ORDER FOR FORECLOSURE
CONCERNING

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IN THE COUNTY COURT

2000 W BELCLAIRE CIR
CORSICANA, TX 75110

AT LAW

UNDER TEX. R. CIV. PROC. 736

NAVARRO COUNTY, TEXAS

FILED
APR 10 PM 3:55
CLERK OF DISTRICT COURT
NAVARRO COUNTY TEXAS
JAMES A. FORTNEY

DEFAULT ORDER ALLOWING FORECLOSURE

Wells Fargo Bank, N.A., Petitioner, on behalf of itself, its successors and assigns, has brought before this Court for consideration its Application for Court Order Allowing Foreclosure of a Lien Under Texas Constitution article 16, section 50(a)(7) (Application). Having considered the evidence presented, the Court finds that:

1. the Application complies with Rule 736.1;
2. the Application was properly served in accordance with Rule 736.3;
3. a respondent did not file a response to the Application by the due date; and
4. the return of service has been on file with the Clerk of the Court for at least 10 days; and
5. Petitioner has established the basis for foreclosure and the Court finds that:
 - (a) Petitioner is the holder of a Texas Home Equity Note secured by a lien created under Texas Constitution article XVI, section 50(a)(7). A debt exists.
 - (b) Respondent(s) is/are in default due to the failure to occupy the homestead property for a period greater than 12 consecutive months

without prior written approval of the current Mortgagee.

(c) The obligation secured by the lien sought to be foreclosed is in default.

(d) The requisite notice to cure the default has 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. 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.

IT IS THEREFORE ORDERED that:

1. Wells Fargo Bank, N.A. together with its successors and assigns, is hereby authorized to serve Notice of Sale upon each Respondent and may proceed with a foreclosure sale in accordance with the security agreement and Texas Property Code section 51.002 concerning the property with a commonly known mailing address of 2000 W Belclair Cir., Corsicana, TX 75110 and legal description as described in the Real Property Records of NAVARRO COUNTY, Texas as follows:

ALL THAT TRACT OR PARCEL OF LAND, SITUATED IN THE CITY OF CORSICANA, NAVARRO COUNTY, TEXAS, BEING ALL OF LOT 9 AND THE WEST 7 FEET OF LOT 8, BLOCK 1089, ERWIN-BEASLEY ADDITION NO. 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 1, PAGE 66, PLAT RECORDS OF NAVARRO COUNTY, TEXAS.

2. The name and last known address of each respondent subject to the order are:

Carol Jean Ivie, Respondent, whose last known address is
PO Box 433, Columbiana, AL 35051.

3. The recording or indexing information of each lien to be foreclosed is as follows: Instrument Number 00007772.

4. A conformed copy of an Order Allowing Foreclosure must be attached to the trustee or substitute trustee's foreclosure deed in accordance with Rule 736.12 of the Texas Rules of Civil Procedure.

5. Petitioner may communicate with each Respondent and all third parties as reasonably necessary to conduct a foreclosure sale.

6. Notice of Foreclosure Sale must be mailed to Respondent's counsel by certified mail if Respondents are represented by counsel.

FILED
2014 APR 10 PM 4:23
CLERK OF DISTRICT COURT
DALLAS COUNTY TEXAS

Signed, this 10 day of April, 2014.

Original Signed By
Amanda D. Putman
Judge Presiding

Return to:
BUCKLEY MADOLE, P.C.
Attn: Home Equity Department
14841 Dallas Parkway, Suite 425
Dallas, TX 75254
Fax: (972) 643-6699