

NOTICE OF [SUBSTITUTE] 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.**

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

Date: June 05, 2018

Time: The sale will begin at 11:00AM or not later than three hours after that time.

Place THE EAST FOYER, JUST INSIDE WHAT IS NOW CALLED THE 1ST FLOOR EAST ENTRANCE TO THE LAMAR COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS COURT 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 April 10, 2015 and recorded in Document CLERK'S FILE NO. 123545-2015; AS AFFECTED BY LOAN MODIFICATION AGREEMENT IN CLERK'S FILE NO. 143976-2017 real property records of LAMAR County, Texas, with AMBER NICOLE SIMS AND LARRY SIMS, JR, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS"), AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by AMBER NICOLE SIMS AND LARRY SIMS, JR, securing the payment of the indebtednesses in the original principal amount of \$94,897.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WELLS FARGO BANK, N.A. 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 in the attached Exhibit A.

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. WELLS FARGO BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o WELLS FARGO BANK, N.A.  
3476 STATEVIEW BLVD.  
FORT MILL, SC 29715



SHANNAH WALKER, AL DAVIS, KEVIN MCCARTHY, MURPHY HOWLE OR BEATRICE CARRILLO  
Substitute Trustee  
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
4004 Belt Line Road, Suite 100  
Addison, Texas 75001

Certificate of Posting

My name is \_\_\_\_\_, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the LAMAR County Clerk and caused to be posted at the LAMAR County courthouse this notice of sale.

Declarants Name: \_\_\_\_\_  
Date: \_\_\_\_\_

RECEIVED BY  
LAMAR COUNTY CLERKS OFFICE  
ON THIS THE 15th DAY OF May, 2018.



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**EXHIBIT "A"**

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN LAMAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL NECESSARY PURPOSES.

SITUATED ABOUT 10 MILES NORTH 10DEG EAST OF THE CITY OF PARIS, COUNTY OF LAMAR, AND STATE OF TEXAS, A PART OF THE WILLIAM TURNER SURVEY #1164, AND BEING A CALLED 1 ACRE TRACT OF LAND CONVEYED TO TONY BOLYARD ET UX BY DEED RECORDED IN VOL. 202, PAGE 254, M THE REAL PROPERTY RECORDS OF SAID COUNTY AND STATE, AND A CALLED 6.772 ACRE TRACT OF LAND CONVEYED TO TONY MINGO BOLYARD BY DEED RECORDED IN VOL.1 426, PAGE 45, IN THE OFFICIAL RECORDS OF SAID COUNTY AND STATE.

BEGINNING AT A 1/2 CAPPED (NELSON SURVEYING) IRON PIN (F) FOR CORNER AT THE EASTERLY SOUTHEAST CORNER OF SAID BOLYARD 6.772 ACRE TRACT AND AT THE SOUTHWEST CORNER OF A CALLED 4.88 ACRE TRACT OF LAND CONVEYED TO BRANDON THOMPSON BY DEED RECORDED IN VOL 1368, PAGE 299, IN SAID OFFICIAL RECORDS.

THENCE NORTH 0DEG 08'35" EAST WITH A FENCE A DISTANCE OF 530.88 FEET TO A 1/2" CAPPED (NELSON SURVEYING) IRON PIN (F) FOR CORNER AT THE EASTERLY NORTHEAST CORNER OF SAID BOLYARD 6.772 ACRE TRACT, AT THE NORTHWEST CORNER OF SAID THOMPSON 4.88 ACRE TRACT, AND IN A SOUTH BOUNDARY LINE OF A CALLED 10.887 ACRE TRACT OF LAND CONVEYED TO JOHNNY A. ALLISON ET UX BY DEED RECORDED IN INSTRUMENT 085146-2011, IN SAID OFFICIAL RECORDS;

THENCE ALONG THE EASTERLY NORTH BOUNDARY LINE OF SAID BOLYARD 6.772 ACRE TRACT AND ALONG THE SOUTH BOUNDARY LINE OF SAID ALLISON 10.887 ACRE TRACT AS FOLLOWS NORTH 87DEG 37'59" WEST PASSING THROUGH A SHEET IRON BARN/SHED A DISTANCE OF 65.76 FEET TO A 1/2" CAPPED (NELSON SURVEYING) IRON PIN (F); SOUTH 87DEG. 15'24" WEST WITH A FENCE A DISTANCE OF 144.93 FEET TO A 1/2" CAPPED (NELSON SURVEYING) IRON PIN (F) FOR CORNER AT AN EL CORNER OF SAID BOLYARD 6.772 ACRE TRACT AND AT THE SOUTHWEST CORNER OF SAID ALLISON 10.887 ACRE TRACT;

THENCE NORTH 0DEG 17'23" WEST PARTIALLY WITH A FENCE ALONG THE WEST BOUNDARY LINE OF SAID ALLISON 10.887 ACRE TRACT A DISTANCE OF 77.79 FEET TO A 3/8" IRON PIN (F) IN CONCRETE FOR CORNER AT THE NORTHERLY NORTHEAST CORNER OF SAID BOLYARD 6.772 ACRE TRACT, AT THE SOUTHEAST CORNER OF A CALLED 1 ACRE TRACT OF LAND CONVEYED TO ROYCE WILSON ET UX, BY DEED RECORDED IN INSTRUMENT 114265-2014, IN SAID OFFICIAL RECORDS, AND AT THE NORTHEAST CORNER OF A 0.105 ACRE EASEMENT AS RECORDED IN INSTRUMENT 085146-2011, IN SAID OFFICIAL RECORDS;

THENCE ALONG THE WESTERLY NORTH BOUNDARY LINE OF SAID BOLYARD 6.772 ACRE TRACT AS FOLLOWS SOUTH 84DEG 52,58" WEST A DISTANCE OF 184.07 FEET TO A 3/8" IRON PIN (F) IN CONCRETE AT THE SOUTHWEST CORNER OF SAID WILSON 1 ACRE TRACT AND AT THE SOUTHEAST CORNER OF A CALLED 1 ACRE TRACT OF LAND CONVEYED TO ROYCE DAVIDSON ET UX, BY DEED RECORDED IN VOL 705, PAGE 836, IN THE DEED RECORDS OF SAID COUNTY AND STATE, SOUTH 84DEG 5'51" WEST A DISTANCE OF 207.36 FEET TO A 3/8" IRON PIN (F - CMNT 2) IN CONCRETE FOR CORNER AT THE NORTHWEST CORNER OF SAID BOLYARD 6.772 ACRE TRACT, AT THE SOUTHWEST CORNER OF SAID DAVIDSON 1 ACRE TRACT, AND IN THE NORTHERLY EAST BOUNDARY LINE OF A CALLED 15.676 ACRE TRACT OF LAND CONVEYED TO JOHN WESLEY MOREHEAD, JR. BY DEED RECORDED IN INSTRUMENT 121501-2015, IN SAID OFFICIAL RECORDS,

THENCE SOUTH 4DEG 20'49" EAST A DISTANCE OF 615.49 FEET TO A 1/2 CAPPED (NELSON SURVEYING) IRON PIN (F - CMNT 1) FOR CORNER AT THE WESTERLY SOUTHWEST CORNER OF SAID BOLYARD 6.772 ACRE TRACT AND AT AN EL CORNER OF SAID MOREHEAD 15.676 ACRE TRACT,

THENCE NORTH 87DEG 35'21" EAST A DISTANCE OF 185.35 FEET TO A 3/8" IRON PIN (F) FOR CORNER AT A NORTHWEST CORNER OF LAMAR COUNTY ROAD 44100 AND AT A NORTHEAST CORNER OF SAID MOREHEAD 15.676 ACRE TRACT;

THENCE ALONG THE NORTH BOUNDARY LINE OF SAID LAMAR COUNTY ROAD 44100 AS FOLLOWS; NORTH 72DEG 43,21" EAST A DISTANCE OF 69.71 FEET TO A 3/8" SPIKE NAIL (S); NORTH 78DEG 41'39" EAST A DISTANCE OF 91.67 FEET TO A 3/8" SPIKE NAIL (S); AT THE SOUTHEAST CORNER OF SAID BOLYARD 1 ACRE TRACT AND AT THE EASTERLY SOUTHEAST CORNER OF SAID BOLYARD 6.772 ACRE TRACT; NORTH 89DEG 48'38" EAST A DISTANCE OF 210.45 FEET TO THE PLACE OF BEGINNING AND CONTAINING 7.775 ACRES OF LAND, MORE OR LESS.

I, J.M. NELSON, REGISTERED PROFESSIONAL LAND SURVEYOR OF TEXAS, #4025, CERTIFY TO AMBER SIMS, THAT THE ABOVE DEPICTED AND DESCRIBED TRACT OF LAND WAS TAKEN FROM AN ACTUAL SURVEY MADE ON THE GROUND AND COMPLETED UNDER MY SUPERVISION ON THE 2ND DAY OF APRIL, 2015, THAT THE PLAT, THE FIELD NOTES, AND THE LEGEND/GENERAL NOTES, ARE TO BE ONE DOCUMENT AND ARE TO BE RECORDED AS ONE, THAT THERE DOESN'T APPEAR TO BE ANY VISIBLE IMPROVEMENTS, EASEMENTS OR ENCROACHMENTS OTHER THAN THOSE SHOWN THEREON, AND AS INDICATED BY MAP 48277C0200C, FLOOD INSURANCE RATE MAPS, THIS TRACT OF LAND DOES NOT APPEAR TO LIE IN A 1% ANNUAL CHANCE FLOOD ZONE.



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