

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: 05/21/1998
Grantor(s): DOUGLAS A. POGUE, A SINGLE PERSON AND ELIZABETH GODFREY, A SINGLE PERSON
Original Mortgagee: GREEN TREE FINANCIAL SERVICING CORPORATION
Original Principal: \$54,585.29
Recording Information: Book 798 Page 789 Instrument 4914
Property County: Burnet
Property: (See Attached Exhibit "A")
Reported Address: 7660 E FM 1431, MARBLE FALLS, TX 78654

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: U.S. Bank National Association, as Trustee, for Manufactured Housing Contract Senior/Subordinate Pass-Through Certificate Trust 1998-6
Mortgage Servicer: Shellpoint Mortgage Servicing
Current Beneficiary: U.S. Bank National Association, as Trustee, for Manufactured Housing Contract Senior/Subordinate Pass-Through Certificate Trust 1998-6
Mortgage Servicer Address: 55 Beattie Place, Suite 110, Greenville, SC 29601

SALE INFORMATION:

Date of Sale: Tuesday, the 1st day of June, 2021
Time of Sale: 01:00 PM or within three hours thereafter.
Place of Sale: AT THE AREA ON THE EAST SIDE OF THE COURTHOUSE (OUTSIDE THE COUNTY CLERK'S OFFICE), OR IN INCLEMENT WEATHER THE EAST EAST HALLWAY INSIDE THE COURTHOUSE, OUTSIDE THE DOORWAY TO THE COUNTY CLERK'S OFFICE in Burnet County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Burnet County Commissioner's Court, at the area most recently designated by the Burnet County Commissioner's Court.

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 Michelle Jones, Angela Zavala, Richard Zavala, Jr or Sharlet Watts, Braden Barnes, Michael Burns, Tori Jones, or Suzanne Suarez, 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. Michelle Jones, Angela Zavala, Richard Zavala, Jr or Sharlet Watts, Braden Barnes, Michael Burns, Tori Jones, or Suzanne Suarez, 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.

POSTED
Janet Parker
Burnet County Clerk
By swall at 10:08 am, Apr 22, 2021

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.

Substitute Trustee(s): Michelle Jones, Angela Zavala, Richard Zavala, Jr or Sharlet Watts, Braden Barnes, Michael Burns, Tori Jones, or Suzanne Suarez, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am Angela Zavala whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on Apr. 22, 2021 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Burnet County Clerk and caused it to be posted at the location directed by the Burnet County Commissioners Court.

By: Angela Zavala

Exhibit "A"

BEING 2.352 ACRES OF LAND OUT OF THE JOEL D. RAINS SURVEY NO. 13, ABSTRACT NO. 716, IN BURNET COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PERTINENT PURPOSES.

A FIELD NOTE DESCRIPTION OF A 2.352 ACRE TRACT OF LAND LOCATED IN BURNET COUNTY, TEXAS, SITUATED IN THE JOEL D. RAINS SURVEY NO. 13, ABSTRACT NO. 716, OUT OF A 15.424-ACRE TRACT CONVEYED OUT OF THAT CERTAIN 109.56-ACRE TRACT AS DESCRIBED IN DEED RECORDED IN VOLUME 125, PAGE 395, OF THE BURNET COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND ON THE EASTERLY RIGHT-OF-WAY LINE OF F.M. HIGHWAY NO. 1431 FOR THE MOST WESTERLY CORNER OF SAID 15.424-ACRE TRACT AND THE MOST WESTERLY CORNER OF THIS TRACT;

THENCE, NORTH 84 DEGREES 30'47" EAST, ALONG THE NORTHERLY LINE OF SAID 15.424-ACRE TRACT, A DISTANCE OF 128.84 FEET TO A 9-INCH METAL FENCE POST FOUND FOR AN ANGLE POINT;

THENCE, SOUTH 76 DEGREES 23'14" EAST, ALONG THE NORTHERLY LINE OF SAID 15.424-ACRE TRACT, A DISTANCE OF 377.46 FEET TO A 1/2-INCH IRON ROD SET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, SOUTH 23 DEGREES 26'10" WEST, A DISTANCE OF 360.07 FEET TO A 1/2-INCH IRON ROD SET ON SAID EASTERLY LINE OF F.M. HIGHWAY NO. 1431 FOR THE MOST SOUTHERLY CORNER OF THIS TRACT;

THENCE, IN A NORTHWESTERLY DIRECTION, ALONG SAID EASTERLY LINE OF F.M. HIGHWAY NO. 1431, FOLLOWING THE ARC OF A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 02 DEGREES 11'18". A RADIUS DISTANCE OF 1185.92 FEET, A LONG CHORD WHICH BEARS NORTH 44 DEGREES 40'21" WEST, 45.29 FEET, AND A TOTAL ARC LENGTH OF 45.29 FEET TO A 1/2-INCH IRON ROD FOUND FOR A POINT OF TANGENCY;

THENCE, NORTH 45 DEGREES 46'00" WEST, ALONG SAID EASTERLY LINE OF F.M. HIGHWAY NO. 1431, A DISTANCE OF 177.80 FEET TO A CONCRETE MONUMENT FOUND FOR A POINT OF CURVATURE;

THENCE, IN A NORTHWESTERLY DIRECTION, ALONG SAID EASTERLY LINE OF F.M. HIGHWAY NO. 1431, FOLLOWING THE ARC OF A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 16 DEGREES 26'06" A RADIUS DISTANCE OF 1105.92 FEET, A LONG CHORD WHICH BEARS NORTH 37 DEGREES 32'57" WEST, A DISTANCE OF 316.14 FEET, AND A TOTAL ARC LENGTH OF 317.23 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.352 ACRES OF LAND.

SAVE AND EXCEPT

DESCRIPTION OF A TRACT OF LAND BEING 0.2170 HECTARES (0.5362 ACRES) OUT OF THE JOEL D. RAINS SURVEY NO. 13, ABSTRACT NO. 716, IN BURNET COUNTY, TEXAS; BEING A PORTION OF THAT TRACT OF LAND DESCRIBED AS 2.352 ACRES IN THAT WARRANTY DEED TO DOUGLAS A. POGUE, DATED MARCH 23, 1998, RECORDED IN VOLUME 787, PAGE 767 OF THE DEED RECORDS OF BURNET COUNTY, TEXAS; THE SAID 0.2170-HECTARE (0.5362-ACRE) TRACT OF LAND AS SHOWN ON THE ACCOMPANY SKETCH IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CALCULATED POINT ON THE CURVING EAST LINE OF THE EXISTING RIGHT-OF-WAY OF F. M. HIGHWAY NO. 1431, BEING THE NORTHWEST CORNER OF THE SAID 2.352-ACRE POGUE TRACT, AND BEING 4.566 METERS LEFT OF STATION 64+297.815 OF THE PROPOSED CENTERLINE OF F. M. HIGHWAY NO. 1431, AND ALSO BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 0.2170-HECTARE TRACT,

FROM WHICH A 1/2-INCH IRON ROD FOUND BEARS S 83 DEGREES 20' 44" W, A DISTANCE OF 0.242 METERS (0.79 FEET);

(1) THENCE, LEAVING THE SAID EAST LINE OF THE EXISTING RIGHT-OF-WAY OF F. M. HIGHWAY NO. 1431, WITH THE NORTH LINE OF THE SAID 2.352-ACRE POGUE TRACT, N 83 DEGREES 20' 44" E, A DISTANCE OF 32.564 METERS (106.84 FEET) TO A 1/2-INCH IRON ROD WITH ALUMINUM CAP SET ON THE EAST LINE OF THE PROPOSED RIGHT-OF-WAY OF F. M. HIGHWAY NO. 1431, BEING 34.187 METERS LEFT OF STATION 64+312.110 OF THE PROPOSED CENTERLINE OF F. M. HIGHWAY NO. 1431, FROM WHICH A FENCE CORNER POST FOUND, BEING AN ANGLE POINT ON THE SAID NORTH LINE OF THE 2.352-ACRE POGUE TRACT, BEARS N 83 DEGREES 20' 44" E, A DISTANCE OF 6.544 METERS (21.47 FEET);

THENCE, LEAVING THE SAID NORTH LINE OF THE 2.352-ACRE POGUE TRACT, WITH THE SAID EAST LINE OF THE PROPOSED RIGHT-OF-WAY LINE OF F. M. HIGHWAY NO. 1431, THE FOLLOWING TWO (2) COURSES:

(2) S 37 DEGREES 57' 46" E, A DISTANCE OF 9.732 METERS (31.93 FEET) TO A 1/2-INCH IRON ROD WITH ALUMINUM CAP SET, BEING 35.000 METERS LEFT OF STATION 64+322.815 OF THE PROPOSED CENTERLINE OF F. M. HIGHWAY NO. 1431, AND

(3) S 24 DEGREES 29' 02" E, A DISTANCE OF 98.543 METERS (323.30 FEET) TO A 1/2-INCH IRON ROD WITH ALUMINUM CAP SET ON THE SAID EAST LINE OF THE EXISTING RIGHT-OF-WAY LINE OF F. M. HIGHWAY NO. 1431, BEING THE WEST LINE OF THE SAID 2.352-ACRE POGUE TRACT, THE SAID POINT BEING 18.697 METERS LEFT OF STATION 64+420.000 OF THE PROPOSED CENTER LINE OF F. M. HIGHWAY NO. 1431;

THENCE, LEAVING THE SAID EAST LINE OF THE PROPOSED RIGHT-OF-WAY OF F. M. HIGHWAY NO. 1431, WITH THE SAID EAST LINE OF THE EXISTING RIGHT-OF-WAY OF F. M. HIGHWAY NO. 1431 AND WEST LINE OF THE 2.352 ACRE POGUE TRACT, THE FOLLOWING TWO (2) COURSES:

(4) N 46 DEGREES 21' 44" W A DISTANCE OF 26.529 METERS (87.04 FEET) TO A TYPE-I CONCRETE MONUMENT FOUND, BEING THE NON-TANGENT BEGINNING OF A CURVE TO THE RIGHT, AND

(5) WITH THE ARC OF THE SAID CURVE TO THE RIGHT, A DISTANCE OF 96.572 METERS (316.84 FEET) THROUGH A CENTRAL ANGLE OF 16 DEGREES 24' 53", HAVING A RADIUS OF 337.084 METERS (1105.92 FEET) AND A CHORD WHICH BEARS N 38 DEGREES 32' 42" W, A DISTANCE OF 96.242 METERS (315.75 FEET) TO THE POINT OF BEGINNING AND CONTAINING 0.2170 HECTARES (0.5362 ACRES) OF LAND, MORE OR LESS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254