

NO. _____ TIME 2:45pm

AUG 11 2022

DONECE GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS

By Amanda Stephens

0000009568122

266 COUNTY ROAD 4775
WARREN, TX 77664

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: October 04, 2022

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

Place: NORTH ENTRANCE OF THE COURTHOUSE UNDER THE STAIRS 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 May 22, 2019 and recorded in Document VOLUME 1217, PAGE 337 real property records of TYLER County, Texas, with ALBERT A MATONE, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS"), AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by ALBERT A MATONE, securing the payment of the indebtednesses in the original principal amount of \$192,138.00, 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



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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 as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead TOMMY JACKSON, KEATA SMITH AND STEPHANIE HERNANDEZ, KEVIN MCCARTHY OR BEATRICE CARRILLO whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Israel Saucedo



Certificate of Posting

My name is Kevin McCarthy, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 08/11/2022 I filed at the office of the TYLER County Clerk and caused to be posted at the TYLER County courthouse this notice of sale.



Declarants Name: Kevin McCarthy

Date: 08/11/2022

EXHIBIT "A"

FIELD NOTES DESCRIBING A 1.877 ACRE TRACT BEING ALL OF LOTS 49 THRU 53 OF LAKE HYATT ESTATES AS SITUATED IN THE J.S. & WM. RICE SURVEY, ABSTRACT 861, TYLER COUNTY, TEXAS A SUBDIVISION AS SHOWN ON PLAT OF RECORD IN PLAT FILE NO. 69, 69A AND 101 IN THE PLAT FILE RECORDS IN THE OFFICE OF THE COUNTY CLERK OF TYLER COUNTY, TEXAS.

BEGINNING AT A 1" PIPE FOUND AT THE SOUTHEAST CORNER OF SAID LOT 49 AND SOUTHWEST CORNER OF SAID LOT 48 AND IN THE NORTH RIGHT OF WAY LINE OF CR - 4775 AKA DOGWOOD DR.

THENCE N 39 DEG. 42 MIN. 00 SEC. E WITH THE DIVISION LINE BETWEEN SAID LOT 48 AND 49 A DISTANCE OF 136.13 FEET TO A 1/2" IRON ROD SET WITH CAP ON TOP STAMPED "JH MEANS RPLS 4221" AT THE NORTHWEST CORNER OF SAID LOT 48 AND NORTHEAST CORNER OF SAID LOT 49 ON THE SOUTHWEST BANK OF LAKE HYATT.

THIS LINE CALLED SAME ON SAID PLAT OF RECORD.

THENCE IN A NORTHWESTERLY DIRECTION WITH THE SOUTHWEST BANK OF SAID LAKE WITH THESE MEANDERS AS FOLLOWS:

N 38 DEG. 28 MIN. 55 SEC. W 204.92 FEET,

N 69 DEG. 13 MIN. 52 SEC. W 102.54 FEET,

N 65 DEG. 57 MIN. 57 SEC. W 150.49 FEET,

N 21 DEG. 21 MIN. 05 SEC. W 94.32 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT 53 AND NORTHEAST CORNER OF LOT 54.

THENCE S 36 DEG. 35 MIN. 00 SEC. W WITH THE DIVISION LINE BETWEEN SAID LOT 53 AND LOT 54 A DISTANCE OF 227.66 FEET TO A 1" PIPE FOUND AT THE SOUTHWEST CORNER OF SAID LOT 53 AND SOUTHEAST CORNER OF SAID LOT 54 IN THE NORTH RIGHT OF WAY LINE OF SAID ROAD. THIS LINE CALLED S 36 DEG. 35 MIN. 00 SEC. W A DISTANCE OF 233.00 FEET ON SAID PLAT OF RECORD.

THENCE IN A SOUTHEASTERLY DIRECTION WITH THE NORTH MEANDERS OF SAID ROAD AS FOLLOWS:

S 69 DEG. 13 MIN. 21 SEC. E 126.00 FEET,

S 66 DEG. 49 MIN. 32 SEC. E 100.00 FEET,

S 66 DEG. 00 MIN. 08 SEC. E 100.76 FEET,

S 44 DEG. 51 MIN. 39 SEC. E 201.48 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.877 ACRES OF LAND.

THIS TRACT HAS ACCESS TO AND FROM CR- 4775 A DEDICATED ROADWAY BEARINGS ARE IN RELATION TO THE NORTHWEST LINE OF SAID LOT 53 CALLED S 36 DEG. 35 MIN. 00 SEC. W ON SAID PLAT OF RECORD. THIS FIELD NOTE DESCRIPTION IS BEING SUBMITTED WITH A PLAT BASED ON THIS SURVEY.