

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: September 06, 2016

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 October 31, 2013 and recorded in Document CLERK'S FILE NO. 111106-2013 real property records of LAMAR County, Texas, with JOSH NATHAN KOLDEN AND APRIL D. KOLDEN, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ('MERS') AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by JOSH NATHAN KOLDEN AND APRIL D. KOLDEN, securing the payment of the indebtednesses in the original principal amount of \$195,237.00, 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 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 Shannah Walker, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on 8-15-16 I filed at the office of the LAMAR County Clerk and caused to be posted at the LAMAR County courthouse this notice of sale.

Declarant's Name: Shannah Walker
Date: 8-15-16

FILED FOR RECORD
LAMAR COUNTY, TEXAS
16 AUG 15 PM 4:15
JULIA JOHNSON
COUNTY CLERK
BY _____ DEPUTY



NOS0000006172183

EXHIBIT "A"

FIELD NOTES -3.92 ACRES

SITUATED ABOUT 17.9 MILES NORTH 54° WEST FROM THE CITY OF PARIS, IN THE COUNTY OF LAMAR, STATE OF TEXAS, A PART OF THE JOHN STEPHENS SURVEY #862 AND BEING PART OF A CALLED 4 ACRE TRACT CONVEYED TO TED FRIESEN AND WIFE, ANNIE FRIESEN BY DEED RECORDED IN VOL. 926, PAGE 128 OF THE REAL PROPERTY RECORDS OF SAID COUNTY AND STATE.

BEGINNING AT A 1/2" IRON PIN FOUND IN THE NORTH BOUNDARY LINE OF THE 4 ACRE TRACT AND BEING IN THE WEST BOUNDARY LINE OF FARM MARKET HIGHWAY 79 AND BEING THE SOUTHEAST CORNER OF A CALLED 0.30 ACRE TRACT CONVEYED TO THE DIRECT VOLUNTEER FIRE DEPARTMENT BY DEED RECORDED IN VOL. 47, PAGE 318 OF SAID REAL PROPERTY RECORDS.

THENCE SOUTH 89°26'30" WEST ALONG A FENCE A DISTANCE OF 115.32' TO A 1/2" IRON PIN FOUND AT THE SOUTHWEST CORNER OF THE 0.30 ACRE TRACT AND BEING A SOUTHEAST CORNER OF A CALLED 1.204 ACRE TRACT CONVEYED TO SAID DIRECT VOLUNTEER FIRE DEPARTMENT BY DEED RECORDED IN VOL. 1071, PAGE 66 OF SAID REAL PROPERTY RECORDS;

THENCE SOUTH 89°27'19" WEST ALONG A FENCE A DISTANCE OF 162.06' TO A 3/8" CAPPED IRON PIN (HF 5699) SET; SOUTH 88°54'19" WEST ALONG A FENCE A DISTANCE OF 144.83' TO A 14" IRON PIN FOUND AT THE SOUTHWEST CORNER OF THE 1.204 ACRE TRACT AND BEING THE NORTHWEST CORNER OF THE 4 ACRE TRACT AND BEING IN THE EASTERLY BOUNDARY LINE OF A CALLED 75 ACRE TRACT CONVEYED TO J. LOYD THOMPSON BY DEED RECORDED IN VOL. 469, PAGE 291 OF THE DEED RECORDS OF SAID COUNTY AND STATE;

THENCE SOUTH 0°49'52" WEST ALONG A FENCE A DISTANCE OF 398.42' TO A 3/8" CAPPED IRON PIN (HF 5699) SET AT AN EL CORNER OF THE 75 ACRE TRACT AND BEING THE SOUTHWEST CORNER OF THE 4 ACRE TRACT;

THENCE SOUTH 87°52'09" EAST ALONG A FENCE ALONG THE SOUTH BOUNDARY LINE OF THE 4 ACRE TRACT A DISTANCE OF 403.41' TO A 1/2" IRON PIN FOUND IN THE WEST BOUNDARY LINE OF SAID FARM MARKET HIGHWAY 79 AND BEING A NORTHEAST CORNER OF THE 75 ACRE TRACT;

THENCE ALONG THE WESTERLY BOUNDARY LINE OF SAID HIGHWAY AS FOLLOWS: NORTH 06°17'30" EAST A DISTANCE OF 167.90' TO A 3/8" CAPPED IRON PIN (HF 5699) SET; NORTH 01°27'29" EAST A DISTANCE OF 252.00' TO THE POINT OF BEGINNING AND CONTAINING 3.92 ACRES OF LAND.



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