

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: December 02, 2014

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

Place THE SOUTH OUTSIDE STEPS OF THE ERATH COUNTY COURTHOUSE 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 December 23, 2004 and recorded in Document CLERK'S FILE NO. 50406 real property records of ERATH County, Texas, with PATRICK CARROLL MCCOY, grantor(s) and T CAP FUNDING CORP.DBA TEXAS FUNDING, mortgagee.

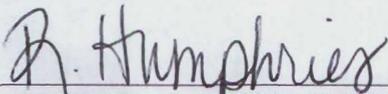
4. **Obligations Secured.** Deed of Trust or Contract Lien executed by PATRICK CARROLL MCCOY, securing the payment of the indebtednesses in the original principal amount of \$63,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals 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 as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

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



CAROLYN SMITH, OR REBECCA. HUMPHRIES  
Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
15000 Surveyor Boulevard, Suite 100  
Addison, Texas 75001

10:30 **POSTED** A.M. P.M.

NOV 10 2014

GWINDA JONES, COUNTY CLERK  
ERATH COUNTY, TEXAS  
BY  DEPUTY

## EXHIBIT "A"

BEING ALL OF THE CALLED 1.937 ACRE TRACT DEEDED TO PATRICK C. MCCOY AND WIFE, SUSAN MCCOY RECORDED IN VOLUME 836, PAGE 484 OF THE DEED RECORDS OF ERATH COUNTY, TEXAS, AND SHOWING A 0.090 ACRE 20' WIDE ACCESS EASEMENT OUT OF THE CALLED 1 ACRE TRACT DEEDED TO PATRICK C. MCCOY IN VOLUME 836, PAGE 309 OF SAID DEED RECORDS, AND ALL BEING A PART OF THE ISAAC MILLSAP SURVEY, ABSTRACT NO. 512 IN SAID COUNTY, AND BEING MORE FULLY DESCRIBED IN FIELD NOTES AS FOLLOWS:

BEGINNING AT A RAIL ROAD SPIKE FOUND IN PLACE IN COUNTY ROAD NO. 153 AT THE SOUTHEAST CORNER OF THE SAID CALLED 1.937 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF THE REMAINDER OF TRACT I DEEDED TO LANETTA MCCOY IN VOLUME 562, PAGE 302 OF THE DEED RECORDS OF SAID COUNTY, AND BEING IN THE SOUTH LINE OF THE SAID ISAAC MILLSAP SURVEY, SAME BEING THE NORTH LINE OF THE STEPHEN CHURCHILL SURVEY, ABSTRACT NO. 129, AND SAME BEING THE NORTH LINE OF THE REMAINDER OF TRACT II DEEDED TO SAID LANETTA MCCOY IN SAID VOLUME 562, PAGE 302 OF SAID RECORDS, AND BEING THE SOUTHEAST CORNER OF THIS TRACT BEING DESCRIBED HEREIN;

THENCE NORTH 89 DEGREES 53 MINUTES 49 SECONDS WEST, ALONG SAID ROAD, THE NORTH LINE OF SAID TRACT II, AND THE COMMON LINE BETWEEN SAID SURVEYS, A DISTANCE OF 74.03 FEET TO A 1/2 INCH IRON SET FOR THE SOUTHEAST CORNER OF SAID 1 ACRE TRACT MENTIONED ABOVE, SAME BEING THE MOST SOUTHERLY SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 26 MINUTES 27 SECONDS EAST ALONG THE COMMON LINE OF SAID ACRE TRACT AND THIS TRACT, AT 17.67 FEET PASS THE NORTH LINE OF SAID COUNTY ROAD NO. 153, IN ALL A DISTANCE OF 208.71 FEET TO A 1/2" IRON SET FOR THE NORTHEAST CORNER OF SAID 1 ACRE TRACT, SAME BEING AN ELL CORNER OF THIS TRACT;

THENCE NORTH 89 DEGREES 53 MINUTES 49 SECONDS WEST, ALONG THE NORTH LINE OF SAID 1 ACRE TRACT, AT 176.73 FEET PASS A 1/2" IRON SET FOR THE NORTHEAST CORNER OF THE 0.090 ACRE ACCESS EASEMENT TO BE HEREINAFTER DESCRIBED, AND AT 196.73 FEET PASS A 1/2" IRON SET FOR THE NORTHWEST CORNER OF SAID EASEMENT, IN ALL A DISTANCE OF 208.74 FEET TO A 1/2" IRON SET FOR A SOUTHWEST CORNER OF THIS TRACT, SAME BEING IN THE EAST LINE OF A TRACT OF LAND DEEDED TO BARBARA LUTTRELL IN VOLUME 1111, PAGE 507 OF SAID RECORDS, AND BEING IN THE WEST LINE OF THE SAID ISAAC MILLSAP SURVEY, AND THE EAST LINE OF THE JOHN MCLENNAN SURVEY, ABSTRACT NO. 513 IN SAID COUNTY;

THENCE NORTH 00 DEGREES 26 MINUTES 27 SECONDS EAST, WITH THE COMMON LINE OF SAID SURVEYS AS IS USED AND OCCUPIED ON THE GROUND, AND WITH THE EAST LINE OF SAID LUTTRELL TRACT, A DISTANCE OF 237.89 FEET TO A 3/8" IRON FOUND IN PLACE IN THE EAST LINE OF SAID LUTTRELL TRACT, SAME BEING A SOUTHWEST CORNER OF THE REMAINDER OF SAID TRACT I TO SAID LANETTA MCCOY, AND BEING THE NORTHWEST CORNER OF THIS TRACT BEING DESCRIBED HEREIN;

THENCE NORTH 77 DEGREES 50 MINUTES 20 SECONDS EAST, ALONG THE NORTHERLY LINE OF THIS TRACT AND THE REMAINDER OF SAID TRACT I, A DISTANCE OF 160.18 FEET TO A 1/2" IRON SET FOR AN ANGLE POINT IN SAID LINE, AND SOUTH 73 DEGREES 02 MINUTES 02 SECONDS EAST ALONG SAID LINE, A DISTANCE OF 118.41 FEET TO A 3/8" IRON FOUND IN PLACE AT THE NORTHEAST CORNER OF THIS TRACT, SAME BEING AN INSIDE CORNER OF THE REMAINDER OF SAID LANETTA MCCOY TRACT I;

THENCE SOUTH 01 DEGREE 13 MINUTES 11 SECONDS EAST, WITH THE EAST LINE OF THIS TRACT AND THE WESTERLY LINE OF THE REMAINDER OF SAID TRACT I, AT 428.86 FEET PASS THE NORTH LINE OF SAID COUNTY ROAD 153, IN ALL A DISTANCE OF 446.39 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.938 ACRES OF LAND, MORE OR LESS, OF WHICH 0.030 ACRES IS EMBRACED WITHIN SAID COUNTY ROAD 153.

TOGETHER WITH A 20' WIDE ACCESS EASEMENT

BEGINNING AT A 1/2" IRON SET IN THE NORTH RIGHT OF WAY OF COUNTY ROAD NO. 153, AND BEING THE SOUTHWEST CORNER OF THIS EASEMENT, FROM WHICH A R.R. SPIKE FOUND IN PLACE AT THE SOUTHWEST CORNER OF SAID CALLED 1 ACRE TRACT BEARS SOUTH 63 DEGREES 54 MINUTES 39 SECONDS WEST 39.99 FEET, AND SAID R.R. SPIKE ALSO BEING THE SOUTHEAST CORNER OF THE JOHN MCLENNAN, JR. SURVEY, ABSTRACT NO. 513 AND BEING IN THE NORTH LINE OF THE STEPHEN CHURCHILL SURVEY, ABSTRACT NO. 129 AND THE NORTH LINE OF THE TRACT NOW OR FORMERLY OWNED BY MIKE O. TURNER IN A DEED RECORDED IN VOLUME 562, PAGE 802 OF SAID DEED RECORDS, AND SAME BEING THE SOUTHWEST CORNER OF THE SAID CALLED 1 ACRE TRACT AND THE SOUTHWEST CORNER OF SAID MILLSAP SURVEY, AND FROM SAID R.R. SPIKE, ANOTHER R.R. SPIKE FOUND IN PLACE BEARS NORTH 89 DEGREES 49 MINUTES 24 SECONDS WEST 184.34 FEET, SAME BEING THE NORTHWEST CORNER OF THE SAID CHURCHILL SURVEY, AND THE NORTHWEST CORNER OF THE SAID TURNER TRACT, AND BEING IN THE SOUTH LINE OF THE SAID MCLENNAN JR. SURVEY;

THENCE FROM SAID 1/2" IRON SET FOR THE SOUTHWEST CORNER OF THIS EASEMENT, NORTH 20 DEGREES 33 MINUTES 48 SECONDS WEST, ACROSS SAID CALLED 1 ACRE TRACT, A DISTANCE OF 60.46 FEET TO A 1/2" IRON SET FOR AN ANGLE CORNER OF SAID EASEMENT; AND NORTH 00 DEGREES 27 MINUTES 08 SECONDS WEST 134.49 FEET TO A 1/2" IRON SET FOR THE NORTHWEST CORNER OF THIS EASEMENT, SAME BEING IN A SOUTH LINE OF THE CALLED 1.937 ACRE TRACT OF LAND DEEDED TO PATRICK C. MCCOY AND WIFE, SUSAN MCCOY IN VOLUME 836, PAGE 484 OF SAID RECORDS, AND FROM WHICH THE COMMON WEST CORNER OF SAID CALLED 1 ACRE TRACT AND SAID CALLED 1.937 ACRE TRACT BEARS NORTH 89 DEGREES 53 MINUTES 49 SECONDS WEST 12.01 FEET, SAME BEING IN THE COMMON LINE OF THE SAID MCLENNAN JR. AND MILLER SURVEYS;

THENCE SOUTH 89 DEGREES 53 MINUTES 49 SECONDS EAST WITH THE COMMON LINE BETWEEN SAID CALLED 1.937 ACRE TRACT AND SAID CALLED 1 ACRE TRACT, A DISTANCE OF 20.00 FEET TO A 1/2" IRON SET FOR THE NORTHEAST CORNER OF THIS EASEMENT;

THENCE LEAVING SAID COMMON LINE AND CROSSING SAID CALLED 1 ACRE TRACT, SOUTH 00 DEGREES 27 MINUTES 08 SECONDS EAST 130.75 FEET TO A 1/2" IRON SET FOR AN ANGLE POINT OF SAID EASEMENT, AND SOUTH 20 DEGREES 33 MINUTES 48 SECONDS EAST 64.47 FEET TO A 1/2" IRON SET IN THE NORTH RIGHT OF WAY OF SAID COUNTY ROAD NO. 153, SAME BEING THE SOUTHEAST CORNER OF THIS EASEMENT;

THENCE NORTH 89 DEGREES 53 MINUTES 49 SECONDS WEST, WITH SAID RIGHT OF WAY OF SAID COUNTY ROAD, A DISTANCE OF 21.38 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.090 ACRES, MORE OR LESS.