

**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: August 30, 2011  
Grantor(s): Robert Maxey Jr., a single person  
Original Mortgagee: United States of America acting through the Rural Housing Service or successor agency, United States Department of Agriculture  
Original Principal: \$69,931.61  
Recording Information: 2011-006546  
Property County: Van Zandt

Property: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND CALLED TO BE SITUATED IN THE "DAVID TOWNS SURVEY-ABSTRACT 845", SAME BEING ALL OF LOT 16 OF BLOCK "A" OF THE "CANTON ACRES ADDITION" AS FOUND RECORDED IN VOLUME 2 PAGES 7 AND 8(GLIDE NUMBER 68-B) OF THE PLAT RECORDS OF VAN ZANDT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:BEGIN/N(1NC, at a 1 inch pipe found being on the westerly right-of-way line of Van Zandt County Road 4126(Kimberly Drive) and being the most southerly property corner of this heron described tract and same being the northeast property corner of Lot 17;THENCE, North 44°19'35° West leaving said right of way of county road and with the common line between Lot 17 and Lot 16, for a distance of 770.75 feet to a 1/2 inch rebar set as being the most westerly property corner of this heron tract; from which a 112 inch rebar found for witness bears North 45°25'30" East for a distance of 1.12 feet:THENCE, North 45°22'02" East with the common line of Lot 5 and Lot 16, for a distance of 174.68 feet to a 1/2 inch rebar set as being the most Northerly property corner of this heron described tract of land; same being the most westerly property corner of Lot 15;THENCE, South 44°18'44" East with the common line of Lot 15 and Lot 16, for a distance of 771.92 feet to a 1/2 inch rebar set in the westerly right of way of the aforementioned county road; same being the most Westerly property corner of this heron tract of land;THENCE, South 45°45'00" East(record bearing used for basis) with said right of way for a distance of 174.49 feet to the POINT OF BEGINNING and containing 134,660 square feet or 3.0914 acres of land. SAVE AND EXCEPT:ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND CALLED TO BE SITUATED IN THE "DAVID TOWNS SURVEY-ABSTRACT 845", SAME BEING PART OF LOT 16 OF BLOCK "A" OF THE "CANTON ACRES ADDITION" AS FOUND RECORDED IN VOLUME 2 PAGES 7AND 8(GLIDE NUMBER 68-B) OF THE PLAT RECORDS OF VAN ZANDT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:COMMENCING, at a 1 inch pipe found

FILED FOR RECORD  
2022 MAY 12 PM 12:00  
COUNTY CLERK VAN ZANDT CO. TX  
BY \_\_\_\_\_ SEP.

being on the westerly right-of-way line of Van Zandt County Road 4126(Kimberly Drive) and being the most southerly property corner of this hereon described tract and same being the northeast property corner of Lot 17;THENCE, North 44°19' 35" West leaving said right of way of county road and with the common line between Lot 17 and Lot 16, for a distance of 203.10 feet to a 1/2 inch rebar set to the POINT OF BEGINNING;THENCE, North 44°19' 35" West generally along and with a barb wire fence for a distance of 567.65 feet to a 1/2 inch rebar set as a common corner for Lot 16, 17, 4 and 5 of the Canton Acres Addition, and being witnessed by a 1/2 inch rebar found bears North 45°25' 30" East for a distance of 1.12 feet;THENCE, North 45°22' 02" East with the common line of Lot 16 and Lot 5 for a distance of 174.68 feet to a 1/2 inch rebar set as a common corner for Lot 16 ,15, 5 and 6 of the Canton Acres Addition;THENCE, South 44°18' 44" East generally along and with a barb wired fence for a distance of 276.87 feet to 1/2 inch rebar set in said fence and common line of Lots 16 and 15 of the Canton Acres Addition;THENCE, South 43°02' 18" West, leaving said common lot line, for a distance of 66.86 feet to a 1/2 inch rebar set along an unfinished pipe fence and the North line of a dirt field road;THENCE, South 28°19' 04" East, leaving said pipe fence, and generally along and with the North line of said dirt road for a distance of 300.29 feet to a 1/2 inch rebar set; THENCE, South 45°40' 25" West, leaving said North line of said dirt road, for a distance of 25.0 feet to the POINT OF BEGINNING, being 67,873.36 square feet or 1.5582 acres of land out of said Lot 16 of the said Canton Acres Addition. And granting by dedication a "PRIVATE" 25.0' ACCESS EASEMENT as an encumbrance to the remainder of the parent tract(Lot 16) of land for the sole purpose of access and/or passage to this hereon described 1.5583 acre tract of land from County Road 4126(Kimberly Drive). Said easement located along and with the southerly line of the aforementioned parent tract of land; same being on the common line between Lot 17 and Lot 16; said 25.0' "PRIVATE" ACCESS EASEMENT in its entirety lies within the boundaries of the parent tract(Lot16); and being 11,854 square feet or 0.272 acres of land.

Property Address: 523 VZ County Road 4126, Canton, TX 75103

**MORTGAGE SERVICING INFORMATION:**

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

Current Mortgagee: United States Department of Agriculture, Rural Housing Service  
Mortgage Servicer: USDA Rural Development  
Mortgage Servicer 4300 Goodfellow Blvd  
Address: Bldg. 105F, FC 215  
St. Louis, MO 63120

**SALE INFORMATION:**

Date of Sale: June 7, 2022  
Time of Sale: 10:00 AM or within three hours thereafter.  
Place of Sale: THE STEPS OF THE NORTH ENTRANCE TO THE VAN ZANDT COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE  
Substitute Trustee: Randy Daniel, Cindy Daniel, Jim O'Bryant, or Michael J. Burns, Vrutti Patel, or Jonathan Smith, any to act  
Substitute Trustee Address: 5501 LBJ Freeway, Suite 925  
Trustee Address: Dallas, TX 75240 TXAttorney@PadgettLawGroup.com

**APPOINTMENT OF SUBSTITUTE TRUSTEE:**

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 is the attorney for the mortgagee and/or mortgage servicer, and in such capacity does hereby remove the original trustee and all successor substitute trustees under the above-described Deed of Trust and appoints in their place Randy Daniel, Cindy Daniel, Jim O'Bryant, or Michael J. Burns, Vrutti Patel, or Jonathan Smith, any to act, whose address is c/o Padgett Law Group, 5501 LBJ Freeway, Suite 925, Dallas, TX 75240 as Substitute Trustee, who shall hereafter exercise all powers and duties to set aside the said original trustee under said Deed of Trust, and further does hereby request, authorize, and instruct said Substitute Trustees to conduct and direct the execution of remedies set aside to the beneficiary therein.

WHEREAS, the above-named Grantor(s) previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

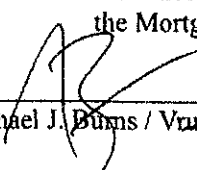
WHEREAS, a default under the Note and Deed of Trust was declared, such default was reported to not have been cured, and all sums secured by such Deed of Trust are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee under said Deed of Trust has been hereby removed and the herein described Substitute Trustees, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; 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 is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
2. The herein appointed Substitute Trustees, 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 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 imposed by the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the 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 sold "AS-IS", purchaser's 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 interest 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.
5. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagee, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.

  
\_\_\_\_\_  
Michael J. Burns / Vrutti Patel / Jonathan Smith

**CERTIFICATE OF POSTING**

My name is \_\_\_\_\_, and my address is c/o Padgett Law Group, 5501 LBJ Freeway, Suite 925, Dallas, TX 75240. I declare under penalty of perjury that on \_\_\_\_\_, I filed at the office of the Van Zandt County Clerk to be posted at the Van Zandt County courthouse this notice of sale.

\_\_\_\_\_  
Declarant's Name: \_\_\_\_\_

Date: \_\_\_\_\_

Padgett Law Group  
5501 LBJ Freeway, Suite 925  
Dallas, TX 75240  
TXAttorney@PadgettLawGroup.com  
(850) 422-2520