

**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:** 08/03/2000  
**Grantor(s):** DARRYL B. GILBERT AKA DARRYL BONNER GILBERT, HUSBAND AND TANYA M. GILBERT, WIFE  
**Original Mortgagee:** JIM WALTER HOMES, INC.  
**Original Principal:** \$55,449.00  
**Recording Information:** Book 1291 Page 122  
**Property County:** Angelina  
**Property:** (See Attached Exhibit "A")  
**Reported Address:** 307 GILBERT ROAD, LUFKIN, TX 75901

FILED  
AT 3:43 O'CLOCK P M

AUG 24 2023

AMY FINCHER  
County Clerk, County Court at Law  
Angelina County, Texas

By         

**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, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust X

**Mortgage Servicer:** Shellpoint Mortgage Servicing

**Current Beneficiary:** U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank as Trustee, for Mid-State Trust X

**Mortgage Servicer Address:** 75 Beattie Place, Suite 300, Greenville, SC 29601

**SALE INFORMATION:**

**Date of Sale:** Tuesday, the 3rd day of October, 2023

**Time of Sale:** 1:00PM or within three hours thereafter.

**Place of Sale:** The Angelina County Courthouse Annex 606 East Lufkin Ave, Lufkin, TX in the hallway outside the Commissioner's Courtroom adjacent to the Atrium; or the front steps of the main entrance to the Angelina County Courthouse if the Courtroom is closed for holidays or elections. in Angelina County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Angelina County Commissioner's Court, at the area most recently designated by the Angelina 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 Robert LaMont, Sheryl LaMont, Allan Johnston or Ronnie Hubbard, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, 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. Robert LaMont, Sheryl LaMont, Allan Johnston or Ronnie Hubbard, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, 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.

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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):** Robert LaMont, Sheryl LaMont, Allan Johnston or Ronnie Hubbard, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

**Substitute Trustee Address:** 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

Document Prepared by:  
Bonial & Associates, P.C.  
14841 Dallas Parkway, Suite 350, Dallas, TX 75254  
AS ATTORNEY FOR THE HEREIN  
IDENTIFIED MORTGAGEE AND/OR  
MORTGAGE SERVICER

#### Certificate of Posting

I am Sheryl LaMont whose address is 14841 Dallas Parkway, Suite 350, Dallas, TX 75254. I declare under penalty of perjury that on August 24, 2023 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Angelina County Clerk and caused it to be posted at the location directed by the Angelina County Commissioners Court.

By:   
Sheryl LaMont

Exhibit "A"

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, OUT OF THE J. T. WILLIAMS SURVEY, ABSTRACT NO. 671 AND THE E. H. GRIFFIN SURVEY, ABSTRACT NO. 1144 AND BEING ALL THAT CERTAIN 3 ACRE TRACT (FOUND TO CONTAIN 3.038 ACRES BY RE SURVEY) DESCRIBED IN A DEED FROM M. M. MASSEY, ET UX, TO J. E. GILBERT, DATED JANUARY 24, 1947 AND RECORDED IN VOLUME 124 ON PAGE 535 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, TO WHICH REFERENCE IS HEREBY MADE FOR ANY AND ALL PURPOSES AND THE SAID PART OR PORTION BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHWEST CORNER OF THE AFORESAID REFERRED TO 3 ACRE TRACT AN ANGLE IRON FOUND FOR CORNER, WITNESSED BY A 8" SWEET GUM BRG. S 28 DEGREES 04' W 16.80 FEET AND A 6" BLACK JACK BRG. N 48 DEGREES 28' E 11.60 FEET;

THENCE NORTH WITH THE WEST BOUNDARY LINE OF THE SAID 3 ACRE TRACT, AT 337.96 FEET AN IRON PIN SET FOR CORNER, WITNESSED BY A 10" FORKED PINE BRG. S 39 DEGREES 53' E 4.00 FEET AND A 10" PINE BRG. N 3 DEGREES 48' W 22.20 FEET;

THENCE N 89 DEGREES 06' 32" E AT 198.26 FEET INTERSECT THE EAST BOUNDARY LINE OF THE SAID 3 ACRE TRACT AN IRON PIN SET FOR CORNER;

THENCE S 1 DEGREE 14' 34" W WITH THE EAST BOUNDARY LINE OF THE SAID 3 ACRE TRACT, AT 412.38 FEET AN IRON PIN SET FOR CORNER;

THENCE N 69 DEGREES 22' 36" W WITH THE SOUTH BOUNDARY LINE OF THE SAID 3 ACRE TRACT, AT 202.26 FEET THE POINT AND PLACE OF BEGINNING, AND CONTAINING 1.672 ACRES OF LAND, MORE OR LESS.

**Return to:** Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 350, Dallas, TX 75254