

**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:** 05/07/2004  
**Grantor(s):** JAMES E MILES JR, AS A MARRIED MAN  
**Original Mortgage:** WELLS FARGO HOME MORTGAGE, INC.  
**Original Principal:** \$69,600.00  
**Recording Information:** Book 939 Page 072 ; re-recorded under Instrument 2023-4764  
**Property County:** Milam  
**Property:** (See Attached Exhibit "A")  
**Reported Address:** 404 CR LOOP, GEORGETOWN, TX 78626

**MORTGAGE SERVICING INFORMATION:**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.  
**Current Mortgagee:** The Bank of New York Mellon, f/k/a The Bank of New York, successor in interest to JPMorgan Chase Bank, N.A. as Trustee for Bear Stearns Asset Backed Securities Trust 2005-SD2, Asset-Backed Certificates, Series 2005-SD2  
**Mortgage Servicer:** Shellpoint Mortgage Servicing  
**Current Beneficiary:** The Bank of New York Mellon, f/k/a The Bank of New York, successor in interest to JPMorgan Chase Bank, N.A. as Trustee for Bear Stearns Asset Backed Securities Trust 2005-SD2, Asset-Backed Certificates, Series 2005-SD2  
**Mortgage Servicer Address:** 75 Beattie Place, Suite 300, Greenville, SC 29601

**SALE INFORMATION:**

**Date of Sale:** Tuesday, the 3rd day of September, 2024  
**Time of Sale:** 10:00 AM or within three hours thereafter.  
**Place of Sale:** THE EAST DOOR OF THE MILAM COUNTY COURTHOUSE AT 107 WEST MAIN STREET IN CAMERON in Milam County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Milam County Commissioner's Court, at the area most recently designated by the Milam 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 David Ackel, Travis Kaddatz, Colette Mayers, Thomas Gilbraith, C Jason Spence, Mike Hanley, Stephen Mayers, Israel Curtis, Aarti Patel, Dylan Ruiz, Violet Nunez, Amy Ortiz, Ramiro Cuevas, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, 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. David Ackel, Travis Kaddatz, Colette Mayers, Thomas Gilbraith, C Jason Spence, Mike Hanley, Stephen Mayers, Israel Curtis, Aarti Patel, Dylan Ruiz, Violet Nunez, Amy Ortiz, Ramiro Cuevas, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, 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.

Filed 8<sup>th</sup> day of Aug  
in 2024, At 11:20 AM.  
JODI MORGAN  
County Clerk, Milam County, Texas  
By [Signature]  
Deputy

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):** David Ackel, Travis Kaddatz, Colette Mayers, Thomas Gilbraith, C Jason Spence, Mike Hanley, Stephen Mayers, Israel Curtis, Aarti Patel, Dylan Ruiz, Violet Nunez, Amy Ortiz, Ramiro Cuevas, Cary Corenblum, Joshua Sanders, Aleena Litton, Matthew Hansen, 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 Pete Florez whose address is 14841 Dallas Parkway, Suite 350, Dallas, TX 75254. I declare under penalty of perjury that on 8-8-24 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Milam County Clerk and caused it to be posted at the location directed by the Milam County Commissioners Court.

By:   
Exhibit "A"

BEING A 1.00 ACRE TRACT OUT OF TRACT NUMBER 12, AGAPE RANCHES, SECTION 1, A SUBDIVISION LOCATED IN MILAM COUNTY, TEXAS, AS SHOWN ON PLAT OF SAID SUBDIVISION OF RECORDED IN CABINET A, SLIDE 70-A&B, PLAT RECORDS OF MILAM COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" CONSISTING OF 2 PAGES ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

1.0 ACRE TRACT

BEING A 1.00 ACRE TRACT OF LAND OUT OF THE MIGUEL DAVILA SURVEY, ABSTRACT NO. 13, MILAM COUNTY, TEXAS AND BEING OUT OF AND A PART OF THAT CERTAIN 5.05 ACRE TRACT DESCRIBED AS TRACT 12, AGAPE RANCHES SECTION 1, ACCORDING TO A PLAT OF RECORD IN CABINET A, SLIDE 70-A, PLAT RECORDS OF MILAM COUNTY, TEXAS, AND BEING THE SAME TRACT 12 DESCRIBED IN A DEED TO JAMES E. MILES, RECORDED IN VOLUME 927, PAGE 778, OFFICIAL RECORDS OF MILAM COUNTY, TEXAS, SAID 1.00 ACRE TRACT BEING SHOWN ON ATTACHED PLAT AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1/2" IRON ROD WITH YELLOW CAP SET AT THE NORTHEAST CORNER OF THE ABOVE MENTIONED TRACT 12, SAME BEING THE NORTHWEST CORNER OF TRACT 11, LOCATED IN THE SOUTH LINE OF COUNTY ROAD LOOP 404;

THENCE ALONG THE NORTH LINE OF SAID TRACT 12, COMMON WITH THE SOUTH LINE OF SAID COUNTY ROAD, NORTH 76 DEGREES 05 MINUTES 15 SECONDS WEST A DISTANCE OF 60.00 FEET TO A 1/2" IRON ROD WITH YELLOW CAP SET FOR THE POINT OF BEGINNING, AND THE NORTHEAST CORNER OF THIS;

THENCE DEPARTING SAID COUNTY ROAD AND THROUGH THE INTERIOR OF SAID TRACT 12, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 38 DEGREES 24 MINUTES 18 SECONDS WEST A DISTANCE OF 274.95 FEET TO A 1/2" IRON ROD WITH YELLOW CAP SET FOR AN ANGLE POINT OF THIS;

SOUTH 60 DEGREES 57 MINUTES 44 SECONDS WEST A DISTANCE OF 90.75 FEET TO A 1/2" IRON ROD WITH YELLOW CAP SET FOR AN INTERIOR CORNER OF THIS;

SOUTH 76 DEGREES 05 MINUTES 15 SECONDS EAST A DISTANCE OF 84.58 FEET TO A 1/2" IRON ROD WITH YELLOW CAP SET FOR AN EXTERIOR CORNER OF THIS;

SOUTH 31 DEGREES 09 MINUTES 34 SECONDS WEST A DISTANCE OF 203.36 FEET TO A 1/2" IRON ROD WITH YELLOW CAP SET FOR THE SOUTHEAST CORNER OF THIS;

THENCE NORTH 76 DEGREES 05 MINUTES 15 SECONDS WEST A DISTANCE OF 134.58 FEET TO 1/2" IRON ROD WITH YELLOW CAP SET FOR THE SOUTHWEST CORNER OF THIS;

THENCE CONTINUING THROUGH THE INTERIOR OF SAID TRACT 12, THE FOLLOWING COURSES AND DISTANCES:

NORTH 31 DEGREES 09 MINUTES 34 SECONDS WEST A DISTANCE OF 203.36 FEET TO A 1/2" IRON ROD WITH YELLOW CAP SET FOR AN ANGLE POINT OF THIS;

NORTH 37 DEGREES 26 MINUTES 30 SECONDS EAST A DISTANCE OF 39.91 FEET TO A 1/2" IRON ROD WITH YELLOW CAP SET FOR AN ANGLE POINT OF THIS;

NORTH 64 DEGREES 01 MINUTES 17 SECONDS EAST A DISTANCE OF 71.67 FEET TO A 1/2" IRON ROD WITH YELLOW CAP SET FOR AN ANGLE POINT OF THIS;

NORTH 39 DEGREES 25 MINUTES 06 SECONDS EAST A DISTANCE OF 254.26 FEET TO A 1/2" IRON ROD WITH YELLOW CAP SET IN THE SOUTH LINE OF COUNTY ROAD LOOP 404 FOR THE NORTHWEST CORNER OF THIS;

THENCE ALONG THE SOUTH LINE OF SAID COUNTY ROAD, COMMON WITH THE NORTH LINE OF SAID TRACT 12, SOUTH 76 DEGREES 05 MINUTES 15 SECONDS EAST A DISTANCE OF 50.00 FEET TO THE POINT OF

BEGINNING, AND CONTAINING 1.00 ACRES OF LAND, MORE OR LESS.  
BEARING BASIS: FOR DIRECTIONAL CONTROL A BEARING OF SOUTH 19 DEGREES 04 MINUTES 00  
SECONDS WEST IS USED FOR RELATIVE DIRECTION ALONG THE RECORD EAST LINE OF THE ABOVE  
MENTIONED TRACT 12 AS MONUMENTED ON THE GROUND.

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