

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

FILED  
AT 12:00 CLOCK P.M.

**NOTICE OF FORECLOSURE SALE**

DEC 06 2018

THE STATE OF TEXAS                    §  
  
COUNTY OF ANGELINA                 §

KNOW ALL MEN BY THESE PRESENTS,

AMY FINCHER  
County Clerk, County Court at Law  
City, Texas  
By MS

WHEREAS, on the 1<sup>st</sup> day of May, 2017, Daniela Gonzalez and Travoskey Ramone Garrett ("Debtor") executed that certain Deed of Trust (as extended and renewed, "Deed of Trust") conveying to Don W. Duran, Trustee ("Trustee"), the real property more particularly described in Exhibit "A" attached hereto, together with all improvements, fixtures, equipment, and other property located on the real property and any and all other items, rights, or interests described in the Deed of Trust, all of which property is more fully described in the Deed of Trust, to which reference is hereby made for further description of the property covered by this notice (collectively, "Property"); and

WHEREAS, the Deed of Trust was recorded under Document No. 2017-00352115, Real Property Records of Angelina County, Texas; and

WHEREAS, the Deed of Trust was executed and delivered to secure the payment of the following items of indebtedness ("Indebtedness"):

That certain Promissory Note (as extended, renewed, modified or replaced, "Note") dated of even date with the Deed of Trust and executed by Debtor, payable to the order of SAPCON Investments LLC 314-318 Homer Series ("Creditor"), in the original principal amount of \$28,500.00.

WHEREAS, the Indebtedness is due and payable, and despite Creditor's demands, Debtor has failed to pay, and continues to fail to pay, the Indebtedness; and

WHEREAS, Creditor requested and directed Trustee to exercise the power of sale under the Deed of Trust for the purpose of enforcing the collection of the Indebtedness;

NOW, THEREFORE, the undersigned hereby gives notice that, after due publication of this notice as required by law and the Deed of Trust, the undersigned will sell the Property, as an entirety or in parcels, by one or by several sales, held at one time or at different times, all as the undersigned may elect and announce at such sale or sales, at the Angelina County Commissioners Courtroom, Angelina County Courthouse Annex Building, located at 606 E. Lufkin Avenue, Lufkin, Texas; said location having been designated by the County Commissioners of Angelina County, Texas ("Commissioners"). In the event that early voting or elections is going on or in the event the Angelina County Courthouse Annex is closed due to observance of a designated holiday, all sales

will be held on the front steps of the entrance to Angelina County Courthouse Annex. If early voting is going on and the weather is bad the sales will be held in the Angelina County Courthouse Annex Foyer located at 606 E. Lufkin Avenue, Lufkin, Texas, (or such other location as may be designated by the Commissioners after the sending of this notice and before the time of the sale), in which county the Property is situated, on January 2, 2019, being the first Wednesday of said month, at 1:00 o'clock P.M. (or within three hours thereafter) to the highest bidder or bidders for cash at a public auction, and will make due conveyance of the Property to the purchaser or purchasers, with special warranty deed binding Debtor, his successors and assigns.

The sale noticed herein shall include the interest of Debtor in all fixtures with personal property covered by the Deed of Trust and any other documents executed in connection with or as security for the Indebtedness, Creditor having directed the undersigned to sell, and the undersigned hereby noticing the sale of, said fixtures and personally pursuant to rights granted to Creditor under Section 9.501(d) of the Texas Business & Commerce Code.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY, OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER CREDITOR NOR TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS, OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS, OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH SHALL BE EXPRESSLY WAIVED BY PURCHASER.

EXECUTED in multiple original copies on the 6<sup>th</sup> day of December, 2018.



Don W. Duran, Trustee under the Deed of Trust

## EXHIBIT 'A'

All that certain lot, tract or parcel of land lying and situated in Angelina County, Texas out of the J.L. Quinalty Survey, Abstract No. 40 and being a part or portion of that certain tract of land described in a deed from Paul Hawkins and wife, Vela Hawkins, to H.C. Rich, Jr. dated June 4, 1953 and recorded in Volume 176, Page 105 of the Deed Records of Angelina County, Texas, to which reference is hereby made for all purposes and the said part or portion being described by metes and bounds as follows, to-wit:

BEGINNING S 20° 00' W 11.59 feet and S 18° 29' E 417.92 feet from the South East corner of Lot No. 6, Block No. 23 of the original Townsite of Lufkin at  $\frac{3}{4}$ ' pipe found for the North East corner of the aforesaid referred to Rich tract, said beginning point being in the West Boundary line of Homer Street:

THENCE S 18° 29' E, with the East boundary line of said Rich tract and the West boundary line of the said Homer Street, at 74.60 feet a  $\frac{1}{2}$ " pipe set for the South East corner of said Rich tract and also being the North East corner of that certain tract of land described in a deed from Florence Arrington, a feme sole, to the Church of Christ, dated November 16, 1964 and recorded in Volume 303, Page 137 of the Deed Records of Angelina County, Texas;

THENCE S 69° 59' W with the South boundary line of the said Rich tract and the North boundary line of the said Church of Christ tract, at about 43 feet cross the East boundary line of Lot No. 5 of the Largent Addition to the City of Lufkin the official plat of which appears of record in Volume 7, Page 522 of the Deed Records of Angelina County, Texas, at 89.60 feet a  $\frac{1}{2}$ " pipe set for corner at board fence corner;

THENCE N 17° 10' W, with said board fence at 50.08 feet cross the North boundary line of Lot No. 5 of the said Largent Addition, at 75.10 feet intersect the North boundary line of said Rich tract, a  $\frac{1}{2}$ " pipe set for corner at fence corner;

THENCE N 70° 16' E with the North boundary line of the said Rich tract at about 46 feet cross the East boundary line of Lot No. 4 of the said Largent Addition, at 87.96 feet the point and place of beginning and containing 0.152 acres of land, more or less.