

**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.

**FILED**  
AT 1:26 O'CLOCK P.M.

**FEB 22 2019**

AMY FINCHER  
County Clerk, County Court at Law  
HALLWAY County, Texas  
By MO

**1. Date, Time, and Place of Sale.**

**Date:** April 02, 2019

**Time:** The sale will begin at 1:00PM or not later than three hours after that time.

**Place** ANGELINA COUNTY COURTHOUSE ANNEX 606 E LUFKIN AVE, LUFKIN TX  
OUTSIDE COMMISSIONERS' COURTROOM ADJACENT TO THE ATRIUM OR FRONT STEP OF  
MAIN ENTRANCE IF COURTROOM IS CLOSED 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 October 26, 2017 and recorded in Document CLERK'S FILE NO 2017-00358313 real property records of ANGELINA County, Texas, with KATRINA J WHELESS, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by KATRINA J WHELESS, securing the payment of the indebtednesses in the original principal amount of \$58,585.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. DITECH FINANCIAL LLC 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 in the attached Exhibit A.

**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. DITECH FINANCIAL LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o DITECH FINANCIAL LLC  
345 SAINT PETER STREET  
ST. PAUL, MN 55102

SHERYL LAMONT, ROBERT LAMONT, RONNIE HUBBARD, SHARON ST. PIERRE, ALLAN JOHNSTON, KATHLEEN ADKINS, EVAN PRESS, STEPHANIE KOHLER, CATRENA WARD, REID RUPLE BEATRICE CARRILLO, JOHN MCCARTHY, KEVIN MCCARTHY, OR ZACH MCCARTHY  
Substitute Trustee

c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
4004 Belt Line Road, Suite 100  
Addison, Texas 75001

Certificate of Posting

My name is \_\_\_\_\_, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the ANGELINA County Clerk and caused to be posted at the ANGELINA County courthouse this notice of sale.

Declarants Name: \_\_\_\_\_  
Date: \_\_\_\_\_



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## EXHIBIT "A"

## TRACT ONE- FEE SIMPLE ESTATE:

FIELDNOTES TO ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING 1.001 ACRES, MORE OR LESS, LOCATED IN THE A. CHEVANO SURVEY, ABSTRACT NO. 9 IN ANGELINA COUNTY, TEXAS, BEING ALL OF THE CALLED 1.00 ACRE TRACT DESCRIBED IN A GENERAL WARRANTY DEED FROM CURTIS WAYNE WINDSOR, SR. AND WIFE, BETTY WINDSOR TO PEARSON FINANCIAL CORPORATION, DATED SEPTEMBER 30, 2010 AND RECORDED IN DOCUMENT NO. 272713 OF THE OFFICIAL PUBLIC RECORDS OF ANGELINA COUNTY, TEXAS (OPRACT) AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON PIPE FOUND FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 1.001 ACRE TRACT AND IN THE WEST LINE OF A CALLED 11.14 ACRE TRACT AS DESCRIBED IN A WARRANTY DEED FROM VIRGINIA GLASS CORNER TO WILLIAM D. THOMPSON AND WIFE, MARY ELLA THOMPSON, DATED NOVEMBER 26, 1976 AND RECORDED IN VOLUME 449, PAGE 14 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS (RPRACT);

THENCE NORTH 69° 23' 50" EAST 209.66 FEET TO A 1/2-INCH IRON ROD SET FOR THE NORTHEAST CORNER OF THE SAID 1.001 ACRE TRACT;

THENCE SOUTH 20° 00' 00" EAST 207.78 FEET TO A 1/2-INCH IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF THE SAID 1.001 TRACT IN THE SOUTH LINE OF THE SAID 11.14 ACRE TRACT AND IN THE NORTH LINE OF A CALLED 76.25 ACRE TRACT CONVEYED IN A SPECIAL WARRANTY DEED FROM ATSP PARTNERSHIP, LTD. TO ARTHUR TEMPLE, III AND CHARLOTTE ANN TEMPLE, DATED NOVEMBER 30, 2009 AND RECORDED IN DOCUMENT NO. 263108 OPRACT, SAID 76.25 ACRE TRACT BEING FURTHER DESCRIBED IN A CORRECTION DEED RECORDED IN VOLUME 212, PAGE 114 RPRACT;

THENCE SOUTH 69° 23' 50" WEST (BASIS OF BEARINGS) 210.00 FEET ALONG THE SOUTH LINE OF THE SAID 11.14 ACRE TRACT AND THE NORTH LINE OF THE SAID 76.25 ACRE TRACT TO AN AXLE FOUND FOR THE SOUTHWEST CORNER OF THE SAID 1.001 ACRE TRACT AND THE SAID 11.14 ACRE TRACT AND THE SOUTHEAST CORNER OF A CALLED 2 ACRE TRACT DESCRIBED IN A DEED FROM PEYTON W. SCARBOROUGH AND WIFE, MILVER J. SCARBOROUGH TO C. D. MILLS AND WIFE, LINDA S. MILLS, DATED OCTOBER 29, 1957 AND RECORDED IN VOLUME 213, PAGE 495 RPRACT;

THENCE NORTH 19° 54' 26" WEST 207.78 FEET ALONG THE WEST LINE OF THE SAID 11.14 ACRE TRACT TO THE POINT OF BEGINNING AND CONTAINING 1.001 ACRES, MORE OR LESS, AS SHOWN ON THE ACCOMPANYING SURVEY PLAT OF EVEN DATE HEREWITH.

## TRACT TWO-EASEMENT ESTATE:

FIELDNOTES TO ROAD EASMENT, LOCATED IN THE A. CHEVANO SURVEY, A-9, IN ANGELINA COUNTY, TEXAS, BEING OVER AND ACROSS A PORTION OF A CALLED 11.14 ACRE TRACT AS DESCRIBED IN A WARRANTY DEED FROM VIRGINIA GLASS COMER TO WILLIAM D. THOMPSON AND WIFE, MARY ELLA THOMPSON, DATED NOVEMBER 26, 1976 AND RECORDED IN VOLUME 449, PAGE 14 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS (RPRACT) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED ROAD EASEMENT AND THE NORTHWEST CORNER OF A CALLED 1.00 ACRE TRACT AS DESCRIBED IN A GENERAL WARRANTY DEED FROM CURTIS WAYNE WINDSOR, SR. AND WIFE, BETTY WINDSOR TO PEARSON FINANCIAL CORPORATION, DATED SEPTEMBER 30, 2010 AND RECORDED IN DOCUMENT NO. 272713 OF THE OFFICIAL PUBLIC RECORDS OF ANGELINA COUNTY, TEXAS (OPRACT) AND IN THE WEST LINE OF THE SAID 11.14 ACRE TRACT;

THENCE NORTH 20 DEGREES 06' 21" WEST 296.61 FEET ALONG THE SAID WEST LINE TO A 1/2-INCH IRON PIPE FOUND FOR THE NORTHEAST CORNER OF A CALLED 0.84 ACRE TRACT AS DESCRIBED IN A WARRANTY DEED FROM MILVER J. SCARBOROUGH TO CHARLES D. MILLS AND WIFE, LINDA S. MILLS, DATED JULY 17, 1987 AND RECORDED IN VOLUME 690, PAGE 541 RPRACT AND THE MOST SOUTHERLY SOUTHEAST CORNER OF A ROADWAY EASEMENT AS RECORDED IN VOLUME 754, PAGE 34 RPRACT;

THENCE NORTH 20 DEGREES 00' 39" WEST 30.00 FEET CONTINUING ALONG THE SAID WEST LINE TO A 1/2-INCH IRON ROD SET FOR THE MOST EASTERLY NORTHEAST CORNER OF THE SAID ROADWAY EASEMENT AND THE NORTHWEST CORNER OF THE HEREIN DESCRIBED ROAD EASEMENT, FROM WHICH AN AXLE FOUND FOR THE NORTHWEST CORNER OF THE SAID 11.14 ACRE TRACT BEARS NORTH 20 DEGREES 00' 39" WEST 431.22 FEET;

THENCE NORTH 67 DEGREES 31' 57" EAST 30.00 FEET TO A 1/2-INCH IRON ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED ROAD EASEMENT;

THENCE SOUTH 20 DEGREES 06' 05" EAST 327.58 FEET TO A 1/2-INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED ROAD EASEMENT IN THE NORTH LINE OF THE SAID 1.00 ACRE TRACT;

THENCE SOUTH 69 DEGREES 23' 50" WEST 30.00 FEET TO THE NORTH LINE OF THE SAID 1.00 ACRE TRACT TO THE POINT OF BEGINNING AND ENCLOSING 0.2253 ACRE, MORE OR LESS, AS SHOWN ON THE ACCOMPANYING PLAT OF EVEN DATE HEREWITH.

BASIS OF BEARINGS IS THE SOUTH LINE OF THE CALLED 1.00 ACRE TRACT RECORDED IN DOCUMENT NO. 272713 OPRACT AS MONUMENTED BY A 1/2-INCH IRON PIPE FOUND AND AN AXLE FOUND (BEARING SOUTH 69 DEGREES 23'



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50" WEST 210.00 FEET).

TRACT THREE-EASEMENT ESTATE;

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS OUT OF THE A. CHEVANO SURVEY, ABSTRACT NO. 9, AND BEING A PART OR PORTION OF THAT CERTAIN 11.14 ACRE TRACT DESCRIBED AS FIRST AND SET ASIDE TO MRS. MILVER J. SCARBOROUGH IN THAT CERTAIN PARTITION DEED BY AND BETWEEN MRS. MILVER SCARBOROUGH, ET AL, DATED OCTOBER 17, 1949, OF RECORD IN VOLUME 145, PAGE 562 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 A ROAD EASEMENT OF 30.00 FEET IN WIDTH, AND SAID ROAD EASEMENT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEING AT THE MOST NORTHERN N.W. CORNER OF THE AFORESAID REFERRED TO 11.14 ACRE TRACT, A POINT FOR CORNER;

THENCE N 70 DEGREES 00' 00" E, WITH THE MOST NORTHERN N.B. LINE OF SAID 11.14 ACRE TRACT, AT 30.00 FEET TO A POINT FOR CORNER;

THENCE S 20 DEGREES 00' 00" E AT 189.40 FEET TO A POINT FOR CORNER;

THENCE S 28 DEGREES 23' 04" E AT 237.55 FEET A POINT FOR CORNER;

THENCE N 67 DEGREES 31' 57" E AT 162.81 FEET INTERSECT THE E.B. LINE OF THE AFORESAID REFERRED TO 11.14 ACRE TRACT, A POINT FOR CORNER;

THENCE S 20 DEGREES 00' 00" E, WITH THE E.B. LINE OF SAID 11.14 ACRE TRACT, AT 30.03 FEET THE N.E. CORNER OF A 0.84 OF AN ACRE TRACT OF LAND CONVEYED BY DEED FROM MILVER J. SCARBOROUGH TO CHARLES D. MILLS, ET UX, DATED JULY 17, 1987, OF RECORD IN VOL. 690, PAGE 541 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS, A 1/2" IRON PIPE FOR CORNER;

THENCE S 67 DEGREES 31' 57" W, WITH THE N.B. LINE OF SAID 0.84 ACRE TRACT, AT 188.57 FEET INTERSECT THE UPPER E.B. LINE OF A 5.801 ACRE TRACT OF LAND CONVEYED BY DEED FROM MILVER SCARBOROUGH TO ROBERT LAMAR, ET UX, DATED JULY 7, 1980, OF RECORD IN VOL. 505, PAGE 834 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, A 1/2" IRON PIPE FOR CORNER AT THE N.W. CORNER OF SAID 0.84 ACRE TRACT;

THENCE N 28 DEGREES 23' 04" W AT 131.42 FEET PASS ON LINE THE N.E. CORNER OF SAID 5.801 ACRE TRACT, AT A TOTAL DISTANCE OF 266.80 FEET INTERSECT THE UPPER W.B. LINE OF THE AFORESAID REFERRED TO 11.14 ACRE TRACT, A POINT FOR CORNER;

THENCE N 20 DEGREES 00' 00" W, WITH THE UPPER W.B. LINE OF SAID 11.14 ACRE TRACT, AT 191.60 FEET THE POINT AND PLACE OF BEGINNING, CONTAINING 0.426 OF AN ACRE, MORE OR LESS.



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