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SEP 18 2018

County Clerk County Court at Law
Angelina County Texas

By: *M*

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.

NOTICE OF FORECLOSURE SALE

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF ANGELINA

§

WHEREAS, on the 6th day of February, 2015, Juan Gonzalez and Erika Gonzalez ("Debtor") executed that certain Deed of Trust (as extended and renewed, "Deed of Trust") conveying to Don 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. 2015-00325929, 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 Pearson Financial Corporation P-S Pension Plan ("Creditor"), in the original principal amount of \$43,200.00,

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 November 6, 2018, being the first Tuesday of said month, at 11:00 o'clock A.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 18th day of September, 2018.



Don W. Duran, Trustee under the Deed of Trust

EXHIBIT "A"
FOR PROPERTY COMMONLY KNOWN AS
203 KYE STREET, LUFKIN, TX 75901
TAX ID 13099

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the S. HALE SURVEY, ABSTRACT NO. 12 and being all that certain called 0.468 acre tract conveyed to Templeton Mortgage Corporation in Document # 2010-00272401 of the Official Public Records of Angelina County, Texas, to which reference is hereby made for all purposes and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a $\frac{1}{4}$ " iron pipe found for the Southwest corner of the aforesaid referred to 0.468 acre tract and the Northwest corner of a called 0.939 acre tract conveyed to Maria Falcon Rojo in the document recorded in Volume 1118 on Page 531 of the Real Property Records of the said County, on the East margin of Kye Street;

THENCE, along the West boundary lines of the said 0.468 acre tract and along the East margin of Kye Street the following two (2) courses:

- 1) 15.36 feet along a $24^{\circ} 55' 43''$ curve to the left having a radius of 229.84 feet, a central angle of $03^{\circ} 49' 47''$ and a long chord bearing $N 18^{\circ} 54' 56'' W$ a distance of 15.36 feet to a point in a concrete driveway for the end of curvature;
- 2) $N 20^{\circ} 44' 40'' W$ at 99.88 feet the Northwest corner of the said 0.468 acre tract and the Southwest corner of a called 0.469 acre tract conveyed to Templeton Mortgage Corporation in Document # 2010-00264391 of the said Official Public Records, from which a $\frac{1}{4}$ " iron pin found for reference bears $N 72^{\circ} 59' 30'' E$ 2.79 feet;

THENCE, along the common boundary line of the said 0.468 acre tract and the said 0.469 acre tract, $N 72^{\circ} 59' 30'' E$ at 178.38 feet a $\frac{1}{4}$ " iron pin set for the Northeast corner of the said 0.468 acre tract and the Southeast corner of the said 0.469 acre tract;

THENCE, along the East boundary line of the said 0.468 acre tract, $S 17^{\circ} 56' 00'' E$ at 115.04 feet a $\frac{1}{4}$ " iron pipe found for the Southeast corner of the said 0.468 acre tract and the Northeast corner of the said 0.939 acre tract;

THENCE, along the common boundary line of the said 0.468 acre tract and the said 0.939 acre tract, $S 72^{\circ} 59' 30'' W$ at 173.22 feet the **POINT AND PLACE OF BEGINNING** and containing 0.464 acre of land, more or less.

The bearings for this tract are based on the East boundary line of the said 0.469 acre tract ($S 17^{\circ} 56' E$).