

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.

AT 5 O'CLOCK P.M. FILED OCT 04 2018 By ANGELINA GOWIN FINCHER Attorney at Law

THE STATE OF TEXAS)
COUNTY OF ANGELINA)

Notice is hereby given that whereas, on April 4, 2002, Jose Marquez and wife, Atanacia Marquez, executed a deed of trust to the State Director for Rural Development for the State of Texas and his successors in office as State Director or Acting State Director, Trustee, for the benefit of the United States of America, Beneficiary, as more fully shown by instrument recorded as Document Number 00154334 in Volume 1557, Pages 43-50, Real Property Records of Angelina County, Texas, reference to which is hereby made for a more complete description of the property covered thereby and the terms and effects of such instrument; and

WHEREAS, said deed of trust specifically authorized the appointment of a substitute trustee by the Beneficiary of said deed of trust; and

WHEREAS, by authority of the said deed of trust, the United States of America, Beneficiary thereunder, acting by and through the duly authorized representative of the Secretary of Agriculture, pursuant to the delegations of authority contained in the Federal Register, the contents of which publication are to be judicially noticed pursuant to Section 1507, Title 44, United States Code, did on

September 25, 2018, appoint the undersigned as Substitute Trustee; and

WHEREAS, default has occurred in the payment of the promissory note described in said deed of trust and in the covenants contained in said deed of trust; and

WHEREAS, the Beneficiary, the United States of America, acting by and through the duly authorized representative of the Secretary of Agriculture, as aforesaid, has requested me to enforce this deed of trust;

NOW, THEREFORE, I hereby give notice that after the due publication of this notice as required by said deed of trust and the law, I will sell at public vendue to the highest bidder or bidders, for cash, at the Angelina County Annex, 606 East Lufkin Avenue, Lufkin, Texas, in the hallway outside the Commissioner's Courtroom adjacent to the Atrium in Lufkin, Angelina County, Texas, in which county such property is situated, at 10:00 a.m., or within three hours thereafter, on the first Tuesday of November, being the 6th day of November 2018, the following land located in said county and more particularly described as follows:

Being all that certain lot, tract or parcel of land lying and situated in Angelina County, Texas, and being lot Number Four (4) of BENTON RIDGE SUBDIVISION, located in Angelina County, Texas, as the same appears upon the official map or plat of said Addition of record in Cabinet D, Slide 21-A & 21-B of the Map and Plat Records of Angelina County, Texas.

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. Restrictive covenants recorded in Volume 1521, Page 58, Official Public Records of Angelina County, Texas.
2. Shortages in area.

3. Visible and apparent easements on or across the property, the existence of which does not appear of record.
4. Any portion of the herein described property lying within the boundary of any road or roadway.
5. Reservation and/or conveyance of all oil gas and other minerals by predecessors in title.
6. Right-of-Way/Easement described in instrument from Angelina County Lumber Company to Texas Eastern Transmission Corporation, recorded in Volume 179, Page 368, Deed Records of Angelina County, Texas.
7. Right-of-Way/Easement described in instrument from Angelina County Lumber Company to Angelina County, Texas, recorded in Volume 197, Page 412, Deed Records, Angelina County, Texas.
8. Terms, conditions and stipulations set for in that certain Timber Purchase Agreement by and between Lufkin Timber Partners, L.P., a Texas limited partnership and Champion International Corporation, as evidenced by that certain Memorandum of Timber Purchase Agreement, recorded in Volume 1140, Page 814, Real Property Records of Angelina County, Texas.
9. Terms, Conditions and stipulations as set forth in that certain Timber Deed, by and between Cook Forestry Products, L.L.C., and Champion International Corporation, recorded in Volume 1197, Page 883, Real Property Records, Angelina County, Texas.
10. Right-of-Way/Easement described in instrument from Old River Land & Cattle, LP to TXU Electric Company, recorded in Volume 1518, Page 205, Official Public Records, Angelina County, Texas, and as shown on the Mortgage Loan Survey dated February 14, 2002, prepared by Michael G. Parker, RPLS No. 4527.
11. Twenty Five (25) Foot Building Setback Line(s) along the most Northern property line as shown on the Map or Plat, recorded in Cabinet D, Slide 21-A & 21-B, Map and Plat Records, Angelina County, Texas, and as shown on the Mortgage Loan Survey dated February 14, 2002, prepared by Michael G. Parker, RPLS No. 4527.
12. Ten (10) Foot Utility Easement along the most Northern property line as the same appears upon the official Map and plat which is recorded in Cabinet D, Slide 21-A & 21-B, of the Map and Plat Records of Angelina County, Texas, and as shown on the Mortgage Loan Survey dated February 14, 2002, prepared by Michael G. Parker, RPLS No. 4527.

13. Ten (10) Foot Utility Easement along the most Southern property line as the same appears upon the official map and plat which is recorded in Cabinet D, Slide 21-A & 21-B, Map and Plat Records of Angelina County, Texas, and as shown on the Mortgage Loan Survey dated February 14, 2002, prepared by Michael G. Parker, RPLS No. 4527.

14. Completion of Improvements on said land and any and all liens arising by reason of unpaid bills or claims for work performed or materials furnished in connection with improvements placed, or to be placed, upon the subject land.

15. The right to set aside any foreclosure sale under said deed of trust if an administration of the estate of Jose Mercedes Marquez is opened within four years of the date of death.

16. Unpaid ad valorem taxes.

EXECUTED this 1st day of October, 2018.


Bonita J. Davidson
Substitute Trustee

ACKNOWLEDGMENT

THE STATE OF TEXAS)

COUNTY OF ANGELINA)

This instrument was acknowledged before me on October 1,
2018, by Bonita J. Davidson, as Substitute Trustee.




Notary Public, State of Texas