

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

AT 2 O'CLOCK PM  
OCT 04 2018  
AMY FINNHER  
County Clerk  
By Angelina County Court at Law

*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.*

THE STATE OF TEXAS )  
COUNTY OF ANGELINA )

Notice is hereby given that whereas, on October 29, 2003, Glenn Frushay and wife, Jeannie Frushay, 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 No. 00176388 in Volume 1870, Page 24, 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, 20 18, 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:

All that certain lot, tract or parcel of land lying and situated in Angelina County, Texas and being Lot SEVEN (7), of COPPER CREEK SUBDIVISION PHASE ONE, a Subdivision in the City of Hudson, Texas, as the same appears upon the official map or plat, which is of record in Cabinet D, Slide 67-A, Map and Plat Records, of Angelina County, Texas, to which reference is hereby made for any and all purposes.

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. Shortages in area.
2. Unpaid ad valorem taxes.

3. Restrictive covenant of record at Volume 1737, Page 85, Official Public Records, Angelina County, Texas.
4. Visible and apparent easements on or across the property, the existence of which does not appear of record.
5. Any portion of the herein described property lying within the boundary of any road or roadway.
6. Title to oil, gas, and other minerals of every kind and character, in, on, and under the property herein described.
7. Title to all oil, gas, and minerals and other elements not constituting part of the surface estate in the above described property, together with all rights, privileges and immunities resulting thereto.
8. Mineral and/or Royalty Interest, the royalties, bonuses, rentals and all other rights in connection with said mineral and/or royalty rights, bonuses and rentals, described in instrument from Doris E. Powell to Gary Bezanson and wife, June Bezanson and Dirk Crawford and wife, Lori Crawford, dated September 21, 2001, recorded in Volume 1462, Page 185, Official Public Records, Angelina, Texas.
9. Right-of-Way/Easement described in instrument from R.L. Powell and wife, Doris Powell to Hudson Water Supply Corporation, dated July 28, 1970, recorded in Volume 369, Page 151, Deed Records, Angelina County, Texas.
10. Right-of-Way/Easement described in instrument from R.L. Powell to Hudson Water Supply Corporation, dated January 5, 1976, recorded in Volume 434, Page 85, Deed Records, Angelina County, Texas.
11. Right-of-Way/Easement Agreement described in instrument from Doris Powell to Marshall J. Collins and wife Gwendolyn Collins, dated May 23, 1997, recorded in Volume 1105, Page 256, and having been corrected in instrument recorded in Volume 1585, Page 38, both in the Official Public Records, Angelina County, Texas.
12. Right-of-Way/Easement Agreement described in instrument from Doris E. Powell to Carol A. Walker, dated December 6, 2000, recorded in Volume 1335, Page 99, and having been corrected by instrument recorded in Volume 1462, Page 202, both in the Official Public Records, Angelina County, Texas.

13. Sewer Line Right-of-Way/Easement described in instrument from Doris E. Powell to Carol Walker, dated August 24, 2001, recorded in Volume 1448, Page 233, Official Public Records, Angelina County, Texas.

14. Fifteen (15) Foot Unrecorded Sewer line easement across subject property as shown on survey dated September 19, 2001, prepared by Karey L. Lee, Registered Professional Land Surveyor, No. 1733.

15. Right-of-Way/Easement reserved in instrument from Gary Bezanson, June Bezanson, Dick Crawford and Lori Crawford to VM Development, LLC, dated January 30, 2003, recorded in Volume 1705, Page 27 and being re-recorded in Volume 1716, Page 253, Official Public Records, Angelina County, Texas.

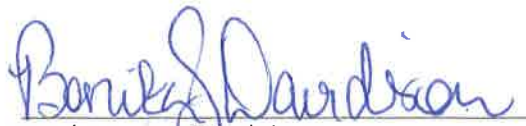
16. Thirty (30) Foot Building Setback Line(s) along and parallel with the most Southern or Southwestern portion of subject property as shown on the Map or Plat, recorded in Cabinet D, Slide 67-A, Map and Plat Records, Angelina County, Texas and as shown on the Mortgage Loan Survey, dated October 20, 2003, prepared by Michael G. Parker, Registered Professional Land Surveyor, No. 4527.

17. Ten (10) Foot Drainage and Utility Easement along and parallel with the most Southern or Southwestern portion of subject property as shown on the Map or Plat, recorded in Cabinet D, Slide 67-A, Map and Plat Records, Angelina County, Texas and as shown on the Mortgage Loan Survey, dated October 20, 2003, prepared by Michael G. Parker, Registered Professional Land Surveyor, No. 4527.

18. Twenty (20) Foot Drainage Easement along the most Western or Northwestern portion of subject property as shown on the Map or Plat, recorded in Cabinet D, Slide 67-A, Map and Plat Records, Angelina County, Texas and as shown on the Mortgage Loan Survey, dated October 20, 2003, prepared by Michael G. Parker, Registered Professional Land Surveyor, No. 4527.

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

EXECUTED this 1<sup>ST</sup> day of October, 2018.



Bonita J. Davidson  
Substitute Trustee  
1520 E. Denman Suite 104  
Lufkin, TX 75901  
(936) 634-9900 ext. 4

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.



(SEAL)

Melaney Morris  
Notary Public, State of Texas