

FILED
AT 12:00 P.M.
DEC 12 2016
County Clerk, County of
By Angelina County

NOTICE OF FORECLOSURE 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.

- 1. **Property to Be Sold.** The property to be sold is described as follows: SEE EXHIBIT "A"
- 2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 03/18/2011 and recorded in Document 2011-00278724 real property records of Angelina County, Texas.
- 3. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:
Date: 02/07/2017
Time: 01:00 PM
Place: Angelina County Courthouse, Texas, at the following location: THE ANGELINA COUNTY COURTHOUSE ANNEX, 606 EAST LUFKIN AVENUE, LUFKIN TEXAS, IN THE HALLWAY OUTSIDE THE COMMISSIONERS' COURTROOM ADJACENT TO THE ATRIUM OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.
- 4. **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.
- 5. **Obligations Secured.** The Deed of Trust executed by JANIE RUTH LANE, provides that it secures the payment of the indebtedness in the original principal amount of \$121,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. CIT Bank, N.A. is the current mortgagee of the note and deed of trust and FINANCIAL FREEDOM SENIOR FUNDING CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is CIT Bank, N.A. c/o FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, 2900 Esperanza Crossing, Austin, TX 78758 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. **Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint SHERYL LAMONT, ROBERT LAMONT, DAVID SIMS, KAREN LILLEY, HARRIETT FLETCHER, SHARON ST. PIERRE OR ALLAN JOHNSTON, Substitute Trustee to act under and by virtue of said Deed of Trust.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.


 Mackie Wolf Zientz & Mann, P.C.
 Brandon Wolf, Attorney at Law
 ✓ L. Keller Mackie, Attorney at Law
 Lori Liane Long, Attorney at Law
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 14160 North Dallas Parkway
 Dallas, TX 75254


 SHERYL LAMONT, ROBERT LAMONT, DAVID SIMS, KAREN LILLEY, HARRIETT FLETCHER, SHARON ST. PIERRE OR ALLAN JOHNSTON
 c/o AVT Title Services, LLC
 1101 Ridge Rd. Suite 222
 Rockwall, TX 75087

Certificate of Posting
 I am _____ whose address is 14160 N. Dallas Pkwy, Suite 900, Dallas, TX 75254. I declare under penalty of perjury that on _____ I filed this Notice of Foreclosure Sale at the office of the Angelina County Clerk and caused it to be posted at the location directed by the Angelina County Commissioners Court.



EXHIBIT "A"

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the P.C. ABNEY SURVEY, ABSTRACT NO. 70 and being all of that certain tract described in a deed from Frank Lane to Janie Ruth Lane dated April 3, 2003 and recorded in Volume 1739 on Page 86 of the Deed Records of Angelina County, Texas, to which reference is hereby made for any and all purposes and the said tract or parcel being described by metes and bounds as follows, to-wit:

BEGINNING at the Northwest corner of the aforesaid referred to Lane tract and the Southwest corner of that certain 1.00 acre tract described in a deed from Ralph R. Jones, et ux to Abbott L. Hargraves, Sr., et ux dated February 20, 2007 and recorded in Document No. 2007-00226286 of the Deed Record of Angelina County, Texas, a 1" pipe found for corner in the East margin of Joyce Lane (approximately 30 feet from the existing centerline), said pipe witnessed by a 1/2" pipe (at the end of a fence) bearing N 08° 42' 13" E 173.45 feet and a power pole bearing S 16° W 0.6 feet;

THENCE S 80° 53' 43" E (called S 80° E) with the North boundary line of the said Lane tract and the South boundary line of the said 1.00 acre tract, at 124.86 feet (called 125 feet) the Northeast corner of the said Lane tract and a corner of the said 1.00 acre tract, a 1/2" pipe (at a fence corner) found for corner witnessed by a 1/2" pipe bearing S 80° 53' 43" E 128.98 feet;

THENCE S 09° 37' 02" W (called S 09° 30' W) with the East boundary line of the said Lane tract (and to the East is the residue of that certain 5.03 acre tract (5.46 acre tract) conveyed as Tract #3 in a deed from Alta Jordan Slack and Robert Brex Slack, Co-Trustees of the Slack Family Trust to Albert Slack Family Limited Partnership dated November 6, 1997 and recorded in Volume 1128 on Page 324 of the Deed Records of Angelina County, Texas - Volume 306, Page 412 for actual description of 5.46 acre tract), at 125.14 feet the Southeast corner of the said Lane tract and the Northeast corner of that certain 0.358 acre tract described in a deed from Robert E. Baggett, et ux to The Church at Lufkin dated August 1, 2003 and recorded in Volume 1815 on Page 18 of the Deed Records of Angelina County, Texas, a 1" pipe (at a fence corner) found for corner;

THENCE N 80° 46' 46" W (called N 80° W) with the South boundary line of the said Lane tract and the North boundary line of the said 0.358 acre tract, at 124.92 feet (called 125 feet) the Southwest corner of the said Lane tract and the Northwest corner of the said 0.358 acre tract, a 1" pipe found for corner in the East margin of the aforesaid Joyce Lane, said pipe being approximately 30 feet from the existing centerline, said pipe witnessed by a sounding bearing S 09° 27' 51" W 125.13 feet;

THENCE N 09° 38' 38" E (called N 09° 30' E) with the West boundary line of the said Lane tract and the East margin of the said Joyce Lane, at 124.89 (called 125 feet) the point and place of beginning and containing 0.358 acre of land, more or less.

Basis of Bearing: A South boundary line of that certain 1.00 acre tract described in a deed from Ralph R. Jones, et ux to Abbott L. Hargraves, Sr., et ux dated February 20, 2007 and recorded in Document No. 2007-00226286 of the Deed Record of Angelina County, Texas (deed call-N 80° 53' 43" W 124.86 feet - found 1/2" pipe and 1" pipe (S.W.c.) 124.86 feet apart).

NOTE: The Company is prohibited from insuring the area or quantity of the land described above. Any statement in the legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

FOR INFORMATIONAL PURPOSES ONLY: The above described property is also known as 203 Joyce Lane, Lufkin, TX 75901