

Notice of Foreclosure Sale

FILED
AT 1:58 O'CLOCK P.M.
DEC 08 2014
JENNIFER WILSON
County Clerk, County Court at Law
Angelina County, Texas
BY _____

Deed of Trust ("Deed of Trust"):

Dated: July 22, 2005
Grantor: Derek Crawford and Terrance Shaw
Trustee: Don W. Duran
Lender: Lloyd Gillespie
Recorded in: Volume 2235, Page 124, Official Public Records of Angelina County, Texas
Secures: Real Estate Lien Note ("Note") dated July 22, 2005, in the original principal amount of One Hundred Twenty Thousand Four Hundred Eight and No/100 Dollars (\$120,408.00), executed by Derek Crawford and Terrance Shaw ("Borrower") and payable to the order of Lender

Property:

All that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the V. MICHELI SURVEY, ABSTRACT NO. 29, and being a part or portion of a 6.059 acre tract of land as set out and described as Tract No. 1-B in that certain deed from Howard Walker and David Walker to William G. Thompson, Jr. and wife Edna Joe Thompson, dated December 22, 1972, of record in Volume 395, Page 175 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 described by metes and bounds as follows, to-wit:

BEGINNING at the N.W. corner of the aforesaid referred to 6.059 acre tract, a railroad iron found for corner;

THENCE N 88° 22' 04" E, with the N.B. line of said 6.059 acre tract, at 668.16 feet the N.E. corner of said 6.059 acre tract, a railroad iron found for corner, same being the North corner of a 2.481 acre tract of land conveyed out of the said 6.059 acre tract of land;

THENCE S 41° 50' 57" W, with the Northwest boundary line of said 2.481 acre tract, at 531.30 feet intersect the Northeast right-of-way line of U.S. Highway No. 69 at the most Western corner of said 2.481 acre tract, a 1/2" iron pipe found for corner;

THENCE two (2) calls with the Northeast right-of-way line of said U.S. Highway No. 69 as follows:

(1) N 44° 48' 00" W, at 169.26 feet an angle point in said Northeast right-of-way line, a 1/2" iron pin set for corner at a broken and bent over concrete right-of-way monument;

(2) N 46° 23' 00" W, at 260.74 feet the most Northern S.W. corner of the aforesaid referred to 6.059 acre tract, a 1/2" iron pin set for corner;

THENCE N 04° 00' 49" W, with the W.B. line of said 6.059 acre tract, at 76.96 feet the point and place of beginning, containing 3.196 acres of land.

Substitute Trustee: Robyn Gillespie

Substitute Trustee's Address: 8211 S. US 59
Nacogdoches, Texas 75964
Nacogdoches County
(936) 569-6158

Foreclosure Sale:

Date: Tuesday, January 6, 2015

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time; **the earliest time at which the Foreclosure Sale will begin is 10:00 a.m.**

Place: At the Angelina County Commissioner's Courtroom, Angelina County Courthouse Annex Building located at 606 E. Lufkin Avenue, Lufkin, Texas as designated by Order of the County Commissioners Court.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Lender's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Lloyd Gillespie, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender's rights

and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Lender passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Lender. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold **"AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.** Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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 serve 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.


Robyn Gillespie, Substitute Trustee

cc: Derek Crawford
4530 Hwy 69 North
Lufkin, Texas 75904
Certified Mail No. 9414 7266 9904 2008 4260 92
Return Receipt Requested

Terrance Shaw
4530 Hwy 69 North
Lufkin, Texas 75904
Certified Mail No. 9414 7266 9904 2008 4261 08
Return Receipt Requested

Terrance Shaw
1707 Torrey Pines Lane
Frisco, Texas 75034
Certified Mail No. 9414 7266 9904 2008 4261 15
Return Receipt Requested

Terrance Shaw
1778 Torrey Pines Lane
Frisco, Texas 75034
Certified Mail No. 9414 7266 9904 2008 4261 22
Return Receipt Requested