

FILED
AT 3:10 O'CLOCK P M
MAY 11 2015

NOTICE OF FORECLOSURE SALE

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 03/13/2007 and recorded in Document 2007-00226725 real property records of Angelina County, Texas.

AMY FINCHER
County Clerk, County Court at Law
Angelina County, Texas

3. **Date, Time, and Place of Sale.**

Date: 06/02/2015

Time: The sale will begin no earlier than 01:00 PM or no later than three hours thereafter.

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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Prospective bidders are reminded that by law the 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. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

5. **Obligations Secured.** The Deed of Trust executed by MARTHA L KIRKES AND JOE REX KIRKES, provides that it secures the payment of the indebtedness in the original principal amount of \$74,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. BANK OF AMERICA, N.A. is the current mortgagee of the note and deed of trust and BANK OF AMERICA, N.A. is mortgage servicer. A servicing agreement between the mortgagee, whose address is BANK OF AMERICA, N.A. c/o BANK OF AMERICA, N.A., 4500 PARK GRANADA, CALABASAS, CA 91302 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. **Default and Request to Act.** Default has occurred under the deed of trust, and the mortgagee has requested a Substitute Trustee conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.

Sheryl LaMont 5-11-15
SHERYL LAMONT, ROBERT LAMONT, DAVID SIMS,
KEN HAMMOND, KAREN LILLEY OR BEN LILLEY
c/o AVT Title Services, LLC
13770 Noel Road #801529
Dallas, TX 75380-1529

15-000422-570
1705 RALPH NERREN RD
HUNTINGTON, TX 75949

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.



4524548



Exhibit "A"

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the ALLEN NOBBS 320 ACRE SURVEY, ABSTRACT NO. 486, and being a part or portion of a 25.513 acre tract of land conveyed by deed from Evelyn Zeanon to William Gerald Conner, et ux, dated October 18, 1974, of record in Volume 418, Page 277 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 Southeast corner of the aforesaid referred to 25.513 acre tract, a 1/2" Iron bolt found for corner on the North side of Ralph Nerren Road;

THENCE North 88 degrees 36 minutes 42 seconds West, with the South boundary line of said 25.513 acre tract and along the North side of said Ralph Nerren Road, for a distance of 148.22 feet, to a 1/2" iron pin set for corner in the South boundary line of same on the North side of said Ralph Nerren Road;

THENCE North 04 degrees 57 minutes 14 seconds East, for a distance of 288.00 feet, to a 1/2" iron pin set for corner;

THENCE South 88 degrees 36 minutes 44 seconds East, for a distance of 130.13 feet, to a point of intersection with the East boundary line of the aforesaid referred to 25.513 acre tract, a 1/2" iron pin set for corner;

THENCE South 01 degrees 21 minutes 09 seconds West, with the East boundary line of said 25.513 acre tract, for a distance of 287.44 feet, to the point and place of beginning, containing 0.918 of an acre of land, more or less.