

NOTICE OF FORECLOSURE SALE

FILED AT 1:34 O'CLOCK PM

AUG 24 2015

State of Texas §
County of Angelina §

AMY FINCHER
County Clerk, County Court at Law
Angelina County, Texas
By: [Signature]

Notice is hereby given of a public non-judicial foreclosure sale.

1. Property To Be Sold. The property to be sold is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

2. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: **October 6, 2015**

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

Place: **Angelina** County Courthouse in **Lufkin, Texas**, at the following location: the area designated by the Commissioners Court of **Lufkin, Angelina County, Texas**, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

The deed of trust permits the Mortgagee of Record to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

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.

Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the Mortgagee of Record thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The 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 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.

4. Type of Sale. The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by **The Estate of John C. Alexander, Jr.**
5. Obligations Secured. The Deed of Trust is dated **June 27, 2008**, and is recorded in the office of the County Clerk of **Angelina County, Texas**, in/under **Instrument No.2008-00245834, Official Public Records of Angelina County, Texas**. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to the promissory note in the original principal amount of **\$46,500.00**, executed by **The Estate of John C. Alexander, Jr.**, and payable to the order of **Financial Freedom Senior Funding Corporation, A Subsidiary of Indy Mac Bank, F.S.B.**

Original Mortgagee: Financial Freedom Senior Funding Corporation, A Subsidiary of Indy Mac Bank, F.S.B..

Current Mortgagee of Record: The Bank of New York Mellon, not individually but solely as Co-Trustee for RML Trust 2013-2 whose address is 2727 Spring Creek Drive, Spring, TX 77373.

6. Default and Request To Act. Default has occurred under the deed of trust, and the beneficiary has requested me, as Substitute Trustee, to conduct this public sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.
7. **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.**

Sent by: Jeffrey B. Lewis
Robertson Anschutz Vettors
10333 Richmond Avenue, Suite 550
Houston, TX 77042

DATED August 21, 2015.


Sheryl LaMont and/or Robert LaMont and/or Dinna Caddenhead and/or Norma Rasbeary, Substitute Trustee
c/o Robertson Anschutz Vettors
10333 Richmond Avenue, Suite 550
Houston, TX 77042
Phone: (713) 980-9500

Exhibit A

TRACT ONE:

0.435 acres, more or less, part of the A. Varilla League, being situated in Angelina County, Texas and being more fully described by metes and bounds in Exhibit "A" attached.

TRACT TWO:

0.486 acres, more or less, part of the A. Varilla League, being situated in Angelina County, Texas and being more fully described by metes and bounds in Exhibit "A" attached.

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

EXHIBIT "A"

PROPERTY DESCRIPTION-TRACT ONE

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the A. VARILLA SURVEY, ABSTRACT NO. 49 and being all that certain tract of land conveyed to John Alexander, Jr., et ux, in the document recorded in Volume 267 on Page 511 of the Deed Records of Angelina County, Texas, to which reference is hereby made for all purposes and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1" galvanized pipe found for the Northeast corner of the aforesaid referred to Alexander tract and the Southeast corner of a called 44/100 acre tract conveyed to Odis Odean Rhodes, et ux in the document recorded in Volume 287 on Page 417 of the said Deed Records at a chain link fence post, on the West margin of Booker Street;

THENCE, along the East boundary line of the said Alexander tract and along the said margin of Booker Street, South at 96.43 feet a point for the Southeast corner of the said Alexander tract on the North boundary line of a called acre tract conveyed to John Alexander, Jr., et ux in the document recorded in Volume 277 on Page 83 of the said Deed Records, from which a ½" iron pin set for reference bears East 1.68 feet;

THENCE, along the common boundary line of the said Alexander tract and the said Alexander ½ acre tract, West at 194.87 feet a ½" iron pin set for the Southwest corner of the said Alexander tract and the Northwest corner of the said Alexander ½ acre tract, from which a 15" Persimmon bears N 30° 15' W 4.4 feet;

THENCE, along the West boundary line of the said Alexander tract, N 02° 13' 09" W at 96.50 feet a ½" iron pipe found for the Northwest corner of the said Alexander tract and the Southwest corner of the said 44/100 acre tract, at a chain link fence post;

THENCE, along the common boundary line of the said Alexander tract and the said 44/100 acre tract and generally along a chain link fence, East at 198.60 feet the POINT AND PLACE OF

BEGINNING and containing 0.435 acre of land, more or less.

PROPERTY DESCRIPTION - TRACT TWO

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the A. VARILLA SURVEY, ABSTRACT NO. 49 and being all that certain called 1/2 acre tract conveyed to John Alexander, Jr., et ux in the document recorded in Volume 277 on Page 83 of the Deed Records of Angelina County, Texas, to which reference is hereby made for all purposes and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at the Northeast corner of the aforesaid referred to Alexander 1/2 acre tract, within Booker Street; from which a 1/2" iron pin set for reference bears West 23.46 feet and the Southeast corner of that certain tract of land conveyed to John Alexander, Jr., et ux in the document recorded in Volume 267 on. Page 511 of the said Deed Records bears West 25.14 feet;

THENCE, along the East boundary line of the said Alexander 1/2 acre tract within the said Booker Street, South at 97.15 feet the Southeast corner of the said Alexander 1/2 acre tract;

THENCE, along the South boundary line of the said Alexander 1/2 acre tract, West, at 21.76 feet a 1/2" iron pin found for the Northeast corner of a called 3400 square feet tract-TRACT NO. 2 conveyed to Frank Johnson, et ux in the document recorded in Volume 393 on Page 223 of the said Deed Records, at 216.25 feet a 1/2" iron pin set for the Southwest corner of the said Alexander 1/2 acre tract, (Note: This boundary line bisects an existing structure), from which a 1" iron pipe found bears N 02° 13' 09" W 9.44 feet;

THENCE, along the West boundary line of the said Alexander 1/2 acre tract, N 02° 13' 09" W at 97.22 feet a 1/2" iron pin set for the Northwest corner of the said Alexander 1/2 acre tract and the Southwest corner of the said Alexander tract, from which a 15" Persimmon bears N 30° 15' W 4.4 feet;

THENCE, along the common boundary line of the said Alexander 1/2 acre tract and the said Alexander tract, East at 220.01 feet the POINT AND PLACE OF BEGINNING and containing 0.486 acre of land, more or less, of which 0.051 acre lies within Booker Street.

The bearings for these tracts are based on the North boundary line of the said Alexander tract (East).