Notice of Foreclosure Sale

FILED
AT 2:37 O'CLOCK p M
AUG 23 2016
AMY FINCHER
County Clerk, County Court at Law
Angelina County, Texas
By MCS

October 4, 2016

Deed of Trust ("Deed of Trust"):

Dated:	December 5, 2013
Grantor:	Audrey Brannon
Trustee:	Orlanda Garcia
Lender:	Miguel Herrera and wife, Maria Herrera
Recorded in:	Vol. 2014-1942, Page 310 of the real property records of Polk County, Texas
Secures:	Promissory Note ("Note") in the original principal amount of $60,000.00, executed by Audrey Brannon ("Borrower") and payable to the order of Lender

Corrected Deed of Trust ("Corrected Deed of Trust")"

Dated:	May 28, 2014
Grantor:	Audrey Brannon
Trustee:	Orlando Garcia
Lender:	Miguel Herrera and wife, Maria Herrera
Recorded in:	Vol. 2014-1948, Page 289 of the real property records of Polk County, Texas
Secures:	Promissory Note ("Note") in the original principal amount of $60,000.00, executed by Audrey Brannon ("Borrower") and payable to the order of Lender

Substitute Trustee:	Jeremy Crew
Substitute Trustee's Address:	115 W Shepherd Ave, Lufkin, Texas, 75904

Foreclosure Sale:

Date:	Tuesday, October 4, 2016
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 1:00 P.M.
Place:	Angelina County Courthouse Annex in Lufkin, Texas, at the following location: The sale will be held in the area designated by the Angelina County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place.
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 Miguel Herrera and Maria Herrera'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, Miguel Herrera and Maria Herrera, the owners and holders of the Note, have requested Substitute Trustee to sell the Property.

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

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) DENTIFIED 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.

Jeremy Crew
115 W Shepherd Ave
Lufkin, Texas 75904
Telephone (936) 633-7583
Facsimile (936) 639-3049