

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

ANGELINA County

Deed of Trust Dated: March 6, 2006

Amount: \$61,496.00

Grantor(s): DAVID D WHITEHURST

Original Mortgagee: TEXAS RAINY DAY INVESTMENTS, INC.

Current Mortgagee: M & T BANK

Mortgagee Address: M & T BANK, P. O. Box 1364, Buffalo, NY 14240-1364

Recording Information: Document No. 2006-00209998

Legal Description: SEE EXHIBIT "A"

Date of Sale: January 3, 2017 between the hours of 1:00 PM and 4:00 PM.

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue 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, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

AMY BOWMAN OR REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, KRISTIE ALVAREZ, JULIAN PERRINE, DOUG WOODARD, MATTHEW WOLFSON, CHRIS DEMAREST, SHERYL LAMONT, ROBERT LAMONT, DAVID SIMS, HARRIETT FLETCHER, SHARON ST. PIERRE, KAREN LILLEY OR ALLAN JOHNSTON have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

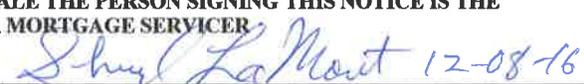
A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. Assert and protect your rights as a member 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.

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER



RACHEL U. DONNELLY, ATTORNEY AT LAW

HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, Suite 2800
Houston, Texas 77002
Reference: 2016-015852



AMY BOWMAN OR REID RUPLE, KATHLEEN ADKINS, EVAN PRESS, KRISTIE ALVAREZ, JULIAN PERRINE, DOUG WOODARD, MATTHEW WOLFSON, CHRIS DEMAREST, SHERYL LAMONT, ROBERT LAMONT, DAVID SIMS, HARRIETT FLETCHER, SHARON ST. PIERRE, KAREN LILLEY OR ALLAN JOHNSTON
c/o AUCTION.COM, LLC
1 Mauchly
Irvine, California 92618

FILED
AT 3:00 o'clock P.
DEC 08 2016
AMY FINCHER
County Clerk, County Court at Law
Angelina County, Texas

EXHIBIT "A"

All that certain tract or parcel of land situated in the JOHN R. CROFTON SURVEY in Angelina County, Texas, and being a part or portion of Lot No. ONE (1), and a part or portion of Lot No. FOUR (4) both in Block No. THIRTY-THREE (33) of the WESTERN LAND SUBDIVISION of said CROFTON SURVEY, which Map or Plat of same is of record in Volume 1, Page 95 of the Map and Plat 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 SW corner of said Lot No. Four (4), also being the SW corner of said Block No. 33, a stake for corner;

THENCE N 10 deg. 03 min. W with the WB lines of said Lot No. Four (4), and Lot No. One (1) at 690.00 feet an iron pipe for corner on the WB line of said Lot No. One (1);

THENCE N 80 deg. 00 min. E at 377.00 feet an iron pipe for corner in the WB line of a public road;

THENCE S 10 deg. 03 min. E with the WB line of said road, at 690.00 feet, an iron pipe for corner on the SB line of said Lot No. Four (4), also being the SB line of said Block No. 33;

THENCE S 80 deg. 00 min. W with the SB lines of said Lot No. Four (4), and Block No. 33 at 377.00 feet, the place of beginning.