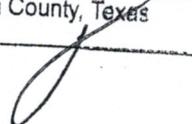


FILED
AT 10:00 O'CLOCK A.M.

SEP 03 2013

JOANN CHASTAIN,
County Clerk, County Court at Law
Angelina County, Texas

By _____


Prepared by: Robert S. McGinnis, Jr.
4102 Summerhill Road
Texarkana, Texas 75503
903/798-1717

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

STATE OF TEXAS }}{

COUNTY OF ANGELINA }}{

On July 27, 2005, Kenneth W. Waggonner, ("Grantor", whether one or more), executed a Deed of Trust conveying to Fay F. Paysse, as Trustee, the real estate hereinafter described to secure Hibernia National Bank, in payment of debts therein described, said Deed of Trust being recorded in the Real Property Records of Angelina County, Texas in Volume 2227, Page 52.

On July 27, 2005, Kenneth W. Waggonner, ("Grantor", whether one or more), executed a Deed of Trust conveying to Fay F. Paysse, as Trustee, the real estate hereinafter described to secure Hibernia National Bank, in payment of debts therein described, said Deed of Trust being recorded in the Real Property Records of Angelina County, Texas in Volume 2227, Page 59.

By instrument dated August 16, 2013, the Trustee was removed and James Bufkin was appointed Substitute Trustee in the place and stead of the original Trustee, and was requested and authorized to sell the real estate described in said Deeds of Trust to satisfy the debts.

Default has occurred in the payment of said debts and the same are now wholly due, and the owner and holder of said debts has requested the undersigned to sell the real estate described herein in partial satisfaction of the debts.

NOTICE IS HEREBY GIVEN that on Tuesday, November 5, 2013, between the hours of 10:00 o'clock a.m. and 4:00 o'clock p.m., local time, I will sell the real estate described herein in the Commissioner's Courtroom, as designated by the Angelina County Commissioner's Court, to the highest bidder for cash, binding the present obligors to warrant and forever defend the title to said property and making no further warranty. The sale will begin at 10:00 a.m. local time or within three hours after that time.

NOTICE IS FURTHER GIVEN that 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, and at the purchaser's own risk making no further warranty. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

①

Said real estate is located in Angelina County, Texas and is described as follows:

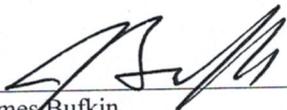
Being that certain tract or parcel of land situated in the J. L. Quinalty Survey, A-40, and being all of that called 0.452 acre tract of land described in a Warranty Deed from Francis W. Byerley and Winnie Aline Byerley to David Calhoun, dated January 1, 1989 and recorded in Volume 749, Page 269 of the Real Property Records of Angelina County, Texas (RPRACT), and more fully described in Exhibit "A" attached hereto and incorporated herein by reference as though set forth at length.
More commonly known as 1518 South First Street, Lufkin, TX 75901; and

Being a certain tract or parcel of land situated in the J.L. Quinalty Survey, A-40, and being Lot 11 and a portion of Lot 1, Block 1, of the J.S. Moore Revised Addition, an addition to the City of Lufkin as shown on the map or plat recorded in Cabinet A, Slide 21-A of the Map and Plat Records of Angelina County, Texas (MPRACT), and conveyed by an Assumption Deed from Philip Morris to Wayne Waggoner, dated June 4, 1993 and recorded in Volume 920, Page 293, of the Real Property Records of Angelina County, Texas (RPRACT), and more fully described in Exhibit "B" attached hereto and incorporated herein by reference as though set forth at length.
More commonly known as 801 North Timerland Drive, Lufkin, TX 75901.

ACTIVE MILITARY SERVICE NOTICE

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.

WITNESS MY HAND this 3rd day of September, 2013.


James Bufkin
Substitute Trustee

STATE OF TEXAS)(

COUNTY OF ANGELINA)(

BEFORE ME, the undersigned authority, on this day personally appeared James Bufkin, known to me to be the person whose name appears on the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

WITNESS my hand and official seal this 3rd day of September, 2013.

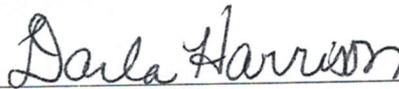

Notary Public
State of Texas



EXHIBIT "A"

BEING that certain tract or parcel of land situated in the J.L. Quinalty Survey, A-40, and being all of that called 0.452 acre tract of land described in a Warranty Deed from Francis W. Byerley and Winnie Aline Byerley to David Calhoun, dated January 1, 1989 and recorded in Volume 749, Page 269 of the Real Property Records of Angelina County, Texas (RPRACT), and to which reference is hereby made for any and all purposes and being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a 1/2-inch iron pipe found in the westerly right-of-way (ROW) line of South First Street (Business US 59-80' ROW), for the southeast corner of the referenced tract, same being the northeast corner of that tract of land described as the Second Tract in a Warranty Deed from Donald Stalling to Jimmy L. Tinkle and wife, Joyce O. Tinkle, dated July 10, 1971 and recorded in Volume 378, Page 705, RPRACT;

THENCE S 87° 33' 21" W 190.03 feet (R=N 88° 00' 00" W 197.98 feet) along the common line of the referenced tract and said Tinkle tract to a 1/2-inch iron pipe found for the southwest corner of the referenced tract, same being the southeast corner of that called 1.098 acre tract of land described in a Deed from Cloise Benjamin Hendley and Jill Delyte Hendley to Randy G. Stallard, dated May 13, 2004 and recorded in Volume 1978, Page 10, RPRACT;

THENCE N 00° 03' 15" W 100.10 feet (R=N 04° 23' 07" E 100.07 feet) along the common line of the referenced tract and said Stallard tract to a 1/2-inch iron pipe found for the northwest corner of the referenced tract, same being the southwest corner of that tract of land described in a Warranty Deed from Jimmie Balkcom, et al, to Ardie Dixon, dated August 10, 1995 and recorded in Volume 1023, Page 453, RPRACT;

THENCE N 87° 43' 50" E 195.61 feet (R=S 88° 00' 00" E 195.53 feet) along the common line of the referenced tract and said Dixon tract to a 1/2-inch iron pipe found in the westerly ROW line of South First Street for the northeast corner of the referenced tract, same being the southeast corner of said Dixon tract;

THENCE S 01° 26' 30" E 99.94 feet (R=S 02° 58' 48" W 100.00 feet) along the westerly ROW line of South First Street to the Point of Beginning and containing 0.451 acre of land, more or less, as shown on the accompanying survey plat of even date herewith.

EXHIBIT "B"

BEING a certain tract or parcel of land situated in the J.L. Quinalty Survey, A-40, and being Lot 11 and a portion of Lot 1, Block 1, of the J.S. Moore Revised Addition, an addition to the City of Lufkin as shown on the map or plat recorded in Cabinet A, Slide 21-A of the Map and Plat Records of Angelina County, Texas (MPRACT), and conveyed by an Assumption Deed from Philip Morris to Wayne Waggoner, dated June 4, 1993 and recorded in Volume 920, Page 293, of the Real Property Records of Angelina County, Texas (RPRACT), and to which reference is hereby made for any and all purposes and more particularly described by metes and bounds as follows, to wit:

BEGINNING at a 1/2-inch iron rod set at the point of intersection of the westerly right-of-way (ROW) line of Timberland Drive (Business US 59-120' ROW) with the northerly ROW line of Atkinson Drive (State Highway 103-80' ROW) for the southeast corner of the referenced tract);

THENCE Westerly, along the northerly line of Atkinson Drive and the southerly line of Lot 1 and Lot 11, along a curve to the Right (CA=05°49'40", R=1,145.92 feet, LC bears S 72°57'43" W 116.50 feet) at an arc length of 116.55 feet to a 1/2-inch iron rod set for the southwest corner of the referenced tract, same being the southwest corner of referenced Lot 11 and the southeast corner of Lot 10 of the referenced J.S. Moore Revised Addition;

THENCE N 18°30'00" W (referenced bearing), along the common line of Lot 11 and Lot 10, 146.35 feet to a 1/2-inch iron pipe found to the northwest corner of the referenced tract, same being the northwest corner of referenced Lot 11, the northeast corner of said Lot 10, and the southeast corner of Lot 8 and the southwest corner of Lot 2 of the referenced J.S. Moore Revised Addition;

THENCE N 71°09'55" E, along the northerly line of referenced Lot 11 and Lot 1 and the southerly line of said Lot 2, 115.12 feet to a 1/2-inch iron rod set in the westerly ROW line of Timberland Drive for the northeast corner of the referenced tract;

THENCE S 19°01'00" E 150.00 feet to the Point of Beginning and containing 0.396 acres of land, more or less, as shown on the accompanying survey plat of even date herewith.