

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**ANGELINA County Deed of Trust:**

**Dated:** June 30, 2004

**Amount:** \$176,200.00

**Grantor(s):** KENNETH W WAGGONNER and MONA M WAGGONNER

**Original Mortgagee:** CAPITALBANC MORTGAGE, INC.

**Current Mortgagee:** CITIMORTGAGE, INC.

**Mortgagee Address:** CITIMORTGAGE, INC., 1000 Technology Drive, O'Fallon, MO 63368

**Recording Information:** Document No. 00186002

**Legal Description:** SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

**Date of Sale:** July 7, 2015 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.

SHERYL LAMONT OR ROBERT LAMONT OR MARIE SIMS OR KEN HAMMOND OR KAREN LILLEY OR BEN LILLEY 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. app. Section 501 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.

HUGHES, WATTERS & ASKANASE, L.L.P.  
333 Clay, Suite 2900  
Houston, Texas 77002  
Reference: 2013-010194

*Sheryl LaMont* 5-12-15  
SHERYL LAMONT OR ROBERT LAMONT OR MARIE SIMS OR KEN  
HAMMOND OR KAREN LILLEY OR BEN LILLEY  
c/o Service Link  
7301 N. Hwy 161, Ste. 305  
Irving, Texas 75039

FILED  
AT 4:30 O'CLOCK P.M.

MAY 12 2015

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



**EXHIBIT A**

K.H.W.

M.W.

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the J. T.P. IRVINE SURVEY, ABSTRACT NO. 368 and being all of that certain 5.000 acre tract described in a deed from Andrew F. Taylor, et ux to Herbert Gene Letney, et ux dated August 4, 1989 and recorded in Volume 771 on Page 486 of the Real Property Records of Angelina County, Texas, to which reference is hereby made for any and all purposes and the said tract or parcel being described by metes and bounds as follows, to-wit:

BEGINNING at the Northeast corner of the aforesaid referred to 5.000 acre tract, the Southeast corner of that certain 9.84 acre tract described as Tract 2 in a quit claim deed from Virginia V. Forrest to Hosea R. Forrest dated May 23, 1990 and recorded in Volume 804 on Page 62 of the Real Property Records of Angelina County, Texas (see Volumes 485 Page 350 for better description), and the Southwest corner of that certain 10.00 acre tract described in a deed from Jesse L. Sullivan, et ux to Robert Dale Williamson, et al dated March 31, 1979 and recorded in Volume 487 on Page 508 of the Real Property Records of Angelina County, Texas, a 1 1/4" pipe found for corner in the North boundary line of that certain 20.00 acre tract described in a deed from Charles F. Shofner to Andrew F. Taylor, et ux dated 1979 and recorded in Volume 485 on Page 388 of the Deed Records of Angelina County, Texas;

THENCE S 00° 39' 19" W (called S 00° 38' 14" W) with the East boundary line of the said 5.000 acre tract (land to the East is the residue of the said 20.00 acre tract), at 497.41 feet (called 497.33 feet) the Southeast corner of the said 5.000 acre tract and the Northeast corner of that certain 2.1813 acre tract described in a deed from Andrew F. Taylor, et ux to Rory R. Truss, et ux dated September 25, 2003 and recorded in Volume 1848 on Page 46 of the Real Property Records of Angelina County, Texas, a 1/2" rod found corner witnessed by a 1/2" rod found for the Southeast corner of the said 2.1813 acre tract bearing S 00° 39' 56" W 212.03 feet;

THENCE N 89° 20' 33" W (called N 89° 21' 46" W) with the South boundary line of the said 5.000 acre tract and the North boundary line of the said 2.1813 acre tract, at 437.97 feet (called 437.94 feet) the Southwest corner of the said 5.000 acre tract and the Northwest corner of the said 2.1813 acre tract, a 1/2" rod found for corner in the East margin of Hosea Forrest Road (County Road No. 194), said rod being approximately 22 feet from the existing centerline, said rod witnessed by a 1/2" rod found for corner of the said 2.1813 acre tract bearing S 00° 25' 17" W 174.31 feet and a 1/2" pipe bearing N 77° 23' 16" W 39.89 feet;

THENCE N 00° 39' 59" E (called N 00° 38' 14" E) with the West boundary line of the said 5.000 acre tract and the East margin of the said Hosea Forrest Road (appears to be a 40 feet wide strip of land left for road purposes - not known if county maintained or dedicated), at 497.25 feet (called 497.33 feet) the Northwest corner of the said 5.000 acre tract and the Southwest corner of the aforesaid 9.84 acre tract, a 1/2" rod found for corner approximately 14 feet from the existing centerline;

THENCE S 89° 21' 46" E (called S 89° 21' 46" E) with North boundary line of the said 5.000 acre tract and the South boundary line of the said 9.84 acre tract, at 437.88 feet (called 437.94 feet) the point and place of beginning and containing 5.00 acres of land, more or less.

Basis of Bearings: The North boundary line of the said 5.000 acre tract (deed call - S 89° 21' 46" E 437.94 feet - found 1/2" rod (N.W.C.) and 1 1/4" pipe (N.E.C) 437.88 feet apart).