

510 PARK LANE
LUFKIN, TX 75904

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

20120031404078
JUN 14 2016
FILED
County Clerk, County Court at Law
Angelina County, Texas
AMY FINCHER
By _____

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.

1. Date, Time, and Place of Sale.

Date: July 05, 2016

Time: The sale will begin at 10:00AM or not later than three hours after that time.

Place: ANGELINA COUNTY COURTHOUSE ANNEX 606 EAST LUFKIN AVE, LUFKIN TEXAS, IN THE HALLWAY OUTSIDE COMMISSIONERS' COURTROOM ADJACENT TO THE ATRIUM or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated January 26, 2006 and recorded in Document CLERK'S FILE NO. 00209098 real property records of ANGELINA County, Texas, with EULA KELLY AND JIM H KELLY AKA JIM HENRY KELLY, SR, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by EULA KELLY AND JIM H KELLY AKA JIM HENRY KELLY, SR, securing the payment of the indebtednesses in the original principal amount of \$47,994.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2007-BC1 is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC
345 SAINT PETER STREET
ST. PAUL, MN 55102

BEATRICE CARRILLO, JOHN MCCARTHY, KEVIN MCCARTHY OR ZACH MCCARTHY
Substitute Trustee
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on _____ I filed at the office of the ANGELINA County Clerk and caused to be posted at the ANGELINA County courthouse this notice of sale.

Declarants Name: _____
Date: _____



NOS20120031404078

EXHIBIT "A"

LOT 6, BLOCK 4, PARK VIEW ADDITION, CITY OF LUFKIN, ANGELINA COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN CABINET B, SLIDE 38-A & 40-B, MAP AND PLAT RECORDS, ANGELINA COUNTY, TEXAS.



NOS20120031404078

477 SMITH FARM RD
LUFKIN, TX 75904

FILED
AT 3:27 O'CLOCK P.M.
JUN 14 2016
AMY FINCHER
County Clerk, County Court at Law
By Angelina County, Texas
00000004427548

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

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.

1. Date, Time, and Place of Sale.

Date: July 05, 2016

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Place: ANGELINA COUNTY COURTHOUSE ANNEX 606 EAST LUFKIN AVE, LUFKIN TEXAS, IN THE HALLWAY OUTSIDE COMMISSIONERS' COURTROOM ADJACENT TO THE ATRIUM or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated March 21, 2006 and recorded in Document INSTRUMENT NO. 2006 - 00210992 real property records of ANGELINA County, Texas, with BRIDGETT FERGUSON AND RICHARD FERGUSON, grantor(s) and HOME123 CORPORATION, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by BRIDGETT FERGUSON AND RICHARD FERGUSON, securing the payment of the indebtednesses in the original principal amount of \$60,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. GMAT LEGAL TITLE TRUST 2014-1, U.S. BANK, NATIONAL ASSOCIATION, AS LEGAL TITLE TRUSTEE is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. RUSHMORE LOAN MANAGEMENT SERVICES, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o RUSHMORE LOAN MANAGEMENT SERVICES, LLC
15480 LAGUNA CANYON RD. SUITE 100
IRVINE, CA 92618

BEATRICE CARRILLO, JOHN MCCARTHY, KEVIN MCCARTHY OR ZACH MCCARTHY
Substitute Trustee
c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001. I declare under penalty of perjury that on _____ I filed at the office of the ANGELINA County Clerk and caused to be posted at the ANGELINA County courthouse this notice of sale.

Declarants Name: _____
Date: _____



NOS00000004427548

EXHIBIT "A"

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, OUT OF THE T.C.R.R. SURVEY, ABSTRACT NO. 841 AND BEING ALL OF THAT CERTAIN 0.939 ACRE TRACT DESCRIBED IN A DEED FROM WILLIAM MICHAEL FULTON, ET UX TO W. A. FULTON, ET UX DATED AUGUST 31, 1987 AND RECORDED IN VOLUME 695 ON PAGE 124 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 0.939 ACRE TRACT AND NORTHWEST CORNER OF THAT CERTAIN 4.249 ACRE TRACT (5.188 ACRES SAVE AND EXCEPT 0.939 ACRE) DESCRIBED IN A DEED FROM ALLIE FULTON TO ALLIE FULTON, SOLE TRUSTEE FOR THE ALLIE FULTON LIVING TRUST DATED NOVEMBER 16, 1999 AND RECORDED IN VOLUME 1257 ON PAGE 66 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS, A 1/2" ROD FOUND FOR CORNER IN THE SOUTH BOUNDARY LINE THAT CERTAIN 4.954 ACRE TRACT DESCRIBED IN A DEED FROM ALLIE FULTON TO ALLIE FULTON, SOLE TRUSTEE FOR THE ALLIE FULTON LIVING TRUST DATED NOVEMBER 16, 1999 AND RECORDED IN VOLUME 1257 ON PAGE 63 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS, SAID ROD WITNESSED BY A FENCE CORNER BEARING S 08' 58' W 2.2 FEET,

THENCE S 27 DEGREES 55' 20" W (CALLED N 27 DEGREES 55' 20" W) WITH THE EAST BOUNDARY LINE OF SAID 0.939 ACRE TRACT AND A WEST BOUNDARY LINE OF SAID 4.249 ACRE TRACT, AT 140.08 FEET (CALLED 140.00 FEET) THE SOUTHEAST CORNER OF THE SAID 0.939 ACRE TRACT, AND AN INTERIOR ELL CORNER OF THE SAID 4.249 ACRE TRACT, A 1/2" ROD FOUND FOR CORNER WITNESSED BY A FENCE CORNER BEARING N 36 DEGREES 53' W 2.4 FEET;

THENCE N 71 DEGREES 37' 58" W (CALLED N 71 DEGREES 37' 38" W) WITH THE SOUTH BOUNDARY LINE OF THE SAID 0.939 ACRE TRACT AND A NORTH BOUNDARY LINE OF THE SAID 4.249 ACRE TRACT, AT 293.01 FEET PASS ON LINE A 1/2" ROD FOUND FOR REFERENCE, AT 313.07 FEET (CALLED 313.06 FEET) THE SOUTHWEST CORNER OF THE SAID 0.939 ACRE TRACT AND A NORTHWEST CORNER OF THE SAID 4.249 ACRE TRACT, A POINT FOR CORNER IN THE EAST BOUNDARY LINE OF THAT CERTAIN 6.005 ACRE TRACT DESCRIBED IN A DEED FROM JOE EDD CLARK, ET UX TO DOUGLAS HENRY BROCK, DATED JUNE 21, 1993 AND RECORDED IN VOLUME 922 ON PAGE 310 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS, SAID POINT BEING IN THE CENTERLINE OF A 40 FEET WIDE ROAD EASEMENT (VOLUME 1257 PAGE 66), SAID POINT BEING NEAR THE EXISTING CENTERLINE OF COUNTY ROAD NO. 49-H;

THENCE N 21 DEGREES 30' 11" E (CALLED N 21 DEGREES 38' 51" E) WITH THE WEST BOUNDARY LINE OF THE SAID 0.939 ACRE TRACT, THE EAST BOUNDARY LINE OF THE SAID 6.005 ACRE TRACT, THE EAST BOUNDARY LINE OF THAT CERTAIN 4.723 ACRE TRACT DESCRIBED IN AN ASSUMPTION AGREEMENT FROM FIRST BANK & TRUST EAST TEXAS, RONALD MCCREARY, ET AL TO MIKE THOMAS DATED JULY 31, 1998 AND RECORDED IN VOLUME 1166 ON PAGE 824 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS, AND THE CENTERLINE OF THE SAID 40 FEET WIDE ROAD EASEMENT, AT 59.19 FEET PASS ON LINE THE NORTHEAST CORNER OF THE SAID 6.005 ACRE TRACT AND THE SOUTHEAST CORNER OF THE SAID 4.723 ACRE TRACT, AT 117.76 FEET (CALLED 117.75 FEET) THE NORTHWEST CORNER OF THE SAID 0.939 ACRE TRACT AND THE SOUTHWEST CORNER OF THE AFORESAID 4.954 ACRE TRACT, A POINT FOR CORNER NEAR THE EXISTING CENTERLINE OF THE SAID COUNTY ROAD NO. 49-H, SAID POINT WITNESSED BY A 3/4" ROD (NEAR THE EXISTING CENTERLINE OF THE SAID COUNTY ROAD NO. 49-H) BEARING N 21 DEGREES 28' 14" E 340.95 FEET;

THENCE S 75 DEGREES 11' 54" E (CALLED S 75 DEGREES 01' 40" E) WITH THE NORTH BOUNDARY LINE OF THE SAID 0.939 ACRE TRACT AND THE SOUTH BOUNDARY LINE OF THE SAID 4.954 ACRE TRACT. AT 17.6 FEET PASS ON LINE A FENCE CORNER, AT 20.14 FEET PASS ON LINE A 1/2" ROD FOUND FOR REFERENCE, AT 330.52 FEET (CALLED 330.14 FEET) THE POINT AND PLACE OF BEGINNING AND CONTAINING 0.940 ACRE OF LAND, MORE OR LESS.



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