

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

NOTICE OF FORECLOSURE SALE

THE STATE OF TEXAS §
COUNTY OF ANGELINA §

KNOW ALL MEN BY THESE PRESENTS;

FILED
1 O'CLOCK P M
JAN 14 2020
AMY FINCHER
County Clerk, County Court at Law
by Angelina County, Texas
110

WHEREAS, on the 27th day of January, 2017, Betty Catherine Pruitt ("Debtor") executed that certain Deed of Trust (as extended and renewed, "Deed of Trust") conveying to Don Duran, Trustee ("Trustee"), the real property more particularly described in Exhibit "A" attached hereto, together with all improvements, fixtures, equipment, and other property located on the real property and any and all other items, rights, or interests described in the Deed of Trust, all of which property is more fully described in the Deed of Trust, to which reference is hereby made for further description of the property covered by this notice (collectively, "Property"); and

WHEREAS, the Deed of Trust was recorded under Document No. 2017-00348459, Real Property Records of Angelina County, Texas; and

WHEREAS, the Deed of Trust was executed and delivered to secure the payment of the following items of indebtedness ("Indebtedness"):

That certain Promissory Note (as extended, renewed, modified or replaced, "Note") dated of even date with the Deed of Trust and executed by Debtor, payable to the order of Pearson Financial Corporation P-S Pension Plan ("Creditor"), in the original principal amount of \$75,000.00.00.

WHEREAS, the Indebtedness is due and payable, and despite Creditor's demands, Debtor has failed to pay, and continues to fail to pay, the Indebtedness; and

WHEREAS, Creditor requested and directed Trustee to exercise the power of sale under the Deed of Trust for the purpose of enforcing the collection of the Indebtedness;

NOW, THEREFORE, the undersigned hereby gives notice that, after due publication of this notice as required by law and the Deed of Trust, the undersigned will sell the Property, as an entirety or in parcels, by one or by several sales, held at one time or at different times, all as the undersigned may elect and announce at such sale or sales, at the Angelina County Commissioners Courtroom, Angelina County Courthouse Annex Building, located at 606 E. Lufkin Avenue, Lufkin, Texas; said location having been designated by the County Commissioners of Angelina County, Texas ("Commissioners"). In the event that early voting or elections is going on or in the event the Angelina County Courthouse Annex is closed due to observance of a designated holiday, all sales

will be held on the front steps of the entrance to Angelina County Courthouse Annex. If early voting is going on and the weather is bad the sales will be held in the Angelina County Courthouse Annex Foyer located at 606 E. Lufkin Avenue, Lufkin, Texas, (or such other location as may be designated by the Commissioners after the sending of this notice and before the time of the sale), in which county the Property is situated, on March 3, 2020, being the first Tuesday of said month, at 11:00 o'clock A.M. (or within three hours thereafter) to the highest bidder or bidders for cash at a public auction, and will make due conveyance of the Property to the purchaser or purchasers, with special warranty deed binding Debtor, his successors and assigns.

The sale noticed herein shall include the interest of Debtor in all fixtures with personal property covered by the Deed of Trust and any other documents executed in connection with or as security for the Indebtedness, Creditor having directed the undersigned to sell, and the undersigned hereby noticing the sale of, said fixtures and personally pursuant to rights granted to Creditor under Section 9.501(d) of the Texas Business & Commerce Code.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY, OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER CREDITOR NOR TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS, OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS, OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH SHALL BE EXPRESSLY WAIVED BY PURCHASER.

EXECUTED in multiple original copies on the 14th day of January, 2020.



Don W. Duran, Trustee under the Deed of Trust

EXHIBIT A
PROPERTY COMMONLY KNOWN AS
4022 TED TROUT DR. LUFKIN, TEXAS 75904

BEING all that certain tract or parcel of land lying and situated in the City of Hudson, Angelina County, Texas being out of the D. S. FREEMAN SURVEY, ABSTRACT NO. 265 and being a part or portion of that certain called 5 acre tract of land described in a Deed from Ola Clark to David E. Bazar et ux, dated July 9, 1963 and recorded in Volume 280, on Page 402 of the Deed Records of Angelina County, Texas and also being a part or portion of that certain called 5 acre tract of land described in a Deed from Joe E. Clark et al to David Edmond Bazar et ux, dated August 18, 1980 and recorded in Volume 507, on Page 591 of the Deed Records of Angelina County, Texas to which references are hereby made and the said part or portion being described by metes and bounds as follows, to-wit:

Commencing at the Southwest corner of that certain 7.326 acre tract of land described in a Deed from David E. Bazar et ux to Maurice Haney et ux, dated February 22, 1991 and recorded in Volume 827, on Page 370 of the Real Property Records of Angelina County, Texas, a 1/2" iron rod found for corner on the West Boundary line of the aforesaid referred to 5 acre tract, Volume 280, page 402, same being the West Boundary line of that certain 2.128 acre tract of land described in a Deed to Maurice Haney et ux, dated February 29, 1980 and recorded in Volume 501, on Page 856 of the Real Property Records of Angelina County, Texas:

THENCE N 06° 50' 00" E, (Daxis of Bearings), with the South Boundary line of the aforesaid 7.326 acre tract, at 168.43 feet, THE POINT AND PLACE OF BEGINNING, a 1/2" iron rod found for corner;

THENCE N 88° 50' 00" E, continuing with the South Boundary line of the said 7.326 acre tract, at 221.23 feet, the Southeast corner of the said 7.326 acre tract, a 1/2" iron rod found for corner on the East Boundary line of the aforesaid referred to 5 acre tract, Volume 507, page 591, same being the West Boundary line of that certain called 11.2 acre tract of land described in a Deed to Thomas Joseph Buschman, dated May 27, 1981 and recorded in Volume 518, on Page 534 of the Deed Records of Angelina County, Texas;

THENCE S 00° 34' 00" W, with the East Boundary line of the said 5 acre tract, Volume 507, page 591, (called South) and in part with the West Boundary line of the aforesaid 11.2 acre tract, (called S. 00° 50' W) and in part with a West Right-of-way line of State Highway No. 94, at 202.89 feet, pass on line a concrete right-of-way monument found, at 224.27 feet, the Southeast corner of the said 5 acre tract, a 1/2" iron rod set for corner, from which concrete right-of-way monument, (broken), found bears N 77° 41' 45" E 2.32 feet);

THENCE S 69° 52' 45" W, with the South Boundary line of the said 5 acre tract, Volume 507, page 591 (called S 60° 45' W) and with the North Right-of-way line of the aforesaid State Highway No. 94, at 180.63 feet, a 1/2" iron rod set for corner;

THENCE N 09° 55' 35" W, at 286.18 feet, the point and place of beginning and containing 1.153 acres of land, more or less.