

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.

FILED
12:07 O'CLOCK
JAN 15 2020
AMY FINCHER
County Clerk, County Court at Law
Angelina County, Texas
ACS

NOTICE OF FORECLOSURE SALE

THE STATE OF TEXAS §

COUNTY OF ANGELINA §

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, on the 9th day of January, 2020, DAVID GOMEZ and MARIA ISABEL SERNA ("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. 2018-00361447, 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 \$69,937.90.

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 15th day of January, 2020.



Don W. Duran, Trustee under the Deed of Trust

EXHIBIT A
PROPERTY COMMON KNOWN AS
615 NORTH RAGUET
LUFKIN, TX 75904

BEING all that certain tract or parcel of land lying and situated in Lufkin, Angelina County, Texas out of the J.L. QUINALTY SURVEY, ABSTRACT NO. 40 and being all that certain called 1.3258 acre tract described in a deed from Persis Shearer, a femme sole as Co-Independent Executor of the Estate of Mrs. LD. Fairchild, deceased to Persis Shearer, Individually, dated January 12, 1981 and recorded in Volume 513, on Page 259 of the Deed Records of Angelina County, Texas to which reference is hereby made for all purposes and the said tract or parcel being more particularly described by metes and bounds as follows, to wit:

BEGINNING at the intersection of the North R.O.W. line of Persimmon Avenue with the West R.O.W. line of North Raguet Street, being at the Southeast corner of the aforesaid referred to called 1.3258 acre tract, a 3/4" iron pipe found for corner;

THENCE S 70° 34' 00" W, with the most Eastern South boundary line of the said called 1.3258 acre tract and the North R.O.W. line of the said Persimmon Avenue, at 140.69 feet the most Eastern Southwest corner of the said called 1.3258 acre tract, a 1/2" iron pin found for corner;

THENCE N 20° 23' 48" W, with the most Eastern West boundary line of the said called 1.3258 acre tract, at 118.35 feet an ell corner of same, a 1/2" iron pin found for corner;

THENCE S 70° 31' 02" W, with an intermediate South boundary line of the said called 1.3258 acre tract, at 80.29 feet an intermediate Southwest corner of same, a 1/2" iron pin found for corner;

THENCE N 20° 03' 05" W, with an intermediate West boundary line of the said called 1.3258 acre tract, at 21.67 feet an ell corner of same, a 1/2" iron pipe found for corner;

THENCE S 70° 36' 25" W, with the most Western South boundary line of the said called 1.3258 acre tract, at 159.95 feet the most Western Southwest corner of same, a 1/2" iron pin set for corner;

THENCE N 20° 07' 31" W, with the most Western West boundary line of the said called 1.3258 acre tract, at 106.75 feet the most Western Northwest corner of same, a 1/2" iron pipe found for corner;

THENCE N 71° 24' 50" E, with the most Western North boundary line of the said called 1.3258 acre tract, at 121.28 feet an ell corner of same, a 1/2" iron pipe found for corner;

THENCE N 19° 42' 40" W, with an intermediate West boundary line of the said called 1.3258 acre tract, at 9.93 feet and intermediate Northwest corner of same, a 1/2" iron pin set for corner;

THENCE N 70° 34' 26" E, with an intermediate North boundary line of the said 1.3258 acre tract, at 100.01 feet an intermediate Northeast corner of same, a 1/2" iron pin set for corner;

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THENCE S 20° 14' 01" E, with an intermediate East boundary line of the said called 1.3258 acre tract, at 35.00 feet an ell corner of same, a ½" iron pipe found for corner;

THENCE Two (2) lines with the most Eastern North boundary line of the said called 1.3258 acre tract as follows:

- (1) N 71° 11' 39" E, at 19.57 feet a ½" iron pipe found for corner;**
- (2) N 75° 50' 36" E, at 141.06 feet the most Eastern Northeast corner of same, a ½" iron pipe found for corner on the west R.O.W. line of the said North Raguet Street;**

THENCE S 20° 10' 31" E, with the most Eastern East boundary line of the said called 1.3258 acre tract and the West R.O.W. line of the said North Raguet Street, at 206.75 feet the point and place of beginning and found to contain 1.324 acres of land, more or less.

RECORDED IN BOOK 10, PAGE 11
LUFKIN, TEXAS
MAY 10 1984