

**NOTICE OF FORECLOSURE SALE**  
February 7, 2018

AT 4:00 CLOCK P.M.  
FEB 07 2018  
AMY FINCHER  
County Clerk, County Court at Law  
Angelina County, Texas  
By *[Signature]*

Deed of Trust ("Deed of Trust"):

Dated: March 2, 2015  
Maker/Borrower: Wendy Goedicke  
Trustee: Billy J. Earley  
Lender: James Thomas Garrard

Recorded in: Volume 688, Page 629, Official Records, Angelina County, Texas

Property: All that certain five (5) acres of land, a part of the J.A. BONTON LEAGUE in Angelina County, Texas, and being a part of a 50 acre tract of land described in a deed from N.D. Wright to Mrs. M.E. Lovelady, which deed is of record in the Deed Records of Angelina County, Texas and in which reference is hereby made for all purposes, and said five (5) acres being out of the SW corner of said 50 acres and said five (5) acres being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$64,800.00, executed by Wendy Goedicke ("Maker/Borrower") and payable to the order of James Thomas Garrard ("Lender")

Substitute Trustee: David E. Ash

Trustee's Address: 515 North Street, Nacogdoches, Nacogdoches County, Texas 75961

Foreclosure Sale:

Date: March 6, 2018  
Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; **the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three hours thereafter.**  
Place: NOW THEREFORE IT IS HEREBY ORDERED that the foreclosure sales will be held at the Angelina County Courthouse Annex 606 East Lufkin Ave., Lufkin, Texas, in the hallway outside the Commissioners' Courtroom adjacent to the Atrium, or in the case it may become impractical to hold foreclosure sales in the hallway outside the Commissioners' Courtroom, the front steps of the main entrance to the Angelina County Courthouse will be designated as an alternate place for conducting foreclosure sales whenever the first

Tuesday of the month falls on a date that the Commissioners' Courtroom is closed in observance of a designated holiday or election.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Lender's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Lender, the owner and the holder of the Note, has requested Trustee to sell the property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with lender's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Lender passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Lender. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold **"AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.** Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee.

**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.**

Respectfully,

A handwritten signature in blue ink, appearing to read "David E. Ash", written over a horizontal line.

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David E. Ash  
Attorney for James Thomas Garrard  
State Bar No.: 00785671  
515 North Street, Nacogdoches, TX 75961  
(936) 569-2828

**EXHIBIT "A"**

**ALL THAT CERTAIN** five (5) acres of land, a part of the J. A. BONTON LEAGUE in Angelina County, Texas, and being a part of a 50 acre tract of land described in a deed from N. D. Wright to Mrs. M. E. Lovelady, which deed is of record in the Deed Records of Angelina County, Texas and in which reference is hereby made for all purposes, and said five (5) acres being out of the SW corner of said 50 acres and said five (5) acres being described as follows:

**BEGINNING** at the SW corner of said 50 acre tract an iron stake for corner in the North margin at the Old Union church Road;

**THENCE** North 70° East with the North margin of said road 150.2 varas to an iron stake for corner;

**THENCE** North 20° West at 188.1 varas to iron stake for corner;

**THENCE** South 70° West at 150.2 varas to a stake for corner in the SWBL of said 50 acre tract;

**THENCE** South 20° East with the SWBL of said 50 acre tract at 188.1 varas to the place of beginning, containing 5 acres;

**SAVE AND EXCEPT TRACT ONE:**

**BEING ALL THAT CERTAIN** tract or parcel of land lying and situated in Angelina County, Texas out of the J. A. BONTON LEAGUE, A-0005 and being a part or portion of that certain 4.975 acre tract, (called 5.00 acres) as recorded in Volume 688, Page 629 of the deed Records of Angelina County, Texas. Said part or portion being more particularly described by metes and bounds as follows, to-wit:

**COMMENCING** at a 3/4" iron pipe found in the North Right-of-Way line of Old Union Road same being the Southeast corner of the aforesaid referred to 4.975 acre tract;

**THENCE** South 70° 00' 00" West with said Right-of-Way line at a distance of 310.17 feet to a 1/2" iron rod set for the POINT OF BEGINNING of the tract herein described;

**THENCE** South 70° 00' 00" West at a distance of 104.80 feet to a 1 inch iron pipe found for corner, same being the SWC of said 4.976 acre tract and the SEC of a called 3.00 acre tract recorded in Volume 117, Page 542 of the Deed Records of Angelina County, Texas;

**THENCE** North 19° 08' 59" West with the West line of said 4.976 acre tract at a distance of 385.77 feet pass a 1/2" iron rod found at a fence corner, said iron rod marking the SEC of Lot 4, Block 1 of the FOUR SEASONS ADDITION SECTION II, recorded in Cabinet C, Slide 6B of the Plat Records of Angelina County, Texas and at a total distance of 519.31 feet to a concrete monument found for corner, same being the NWC of said 4.976 acre tract and the most Westerly Southwest corner of a called 12.0 acre tract recorded in Volume 157, Page 364 of the Deed Records of Angelina County, Texas;

**THENCE** north 69° 39' 01" East with the North line of said 4.976 acre tract at a distance of 104.81 feet to a 1/2" iron rod set for corner;

**THENCE** South 19° 08' 59" East crossing said 4.976 acre tract at a distance of 519.95 feet to the POINT OF BEGINNING and containing 1.250 acres of land.

**SAVE AND EXCEPT TRACT TWO:**

BEING ALL THAT CERTAIN tract or parcel of land lying and situated in Angelina County, Texas out of the J. A. BONTON LEAGUE, A-0005 and being a part or portion of that certain 4.976 acre tract, (called 5.00 acres) as recorded in Volume 688, Page 629 of the Deed Records of Angelina County, Texas, said part or portion being more particularly described by metes and bounds as follows, to-wit:

COMMENCING at a 3/4" iron pipe found in the North Right-of-Way line of Old Union Road, same being the Southeast corner of the aforesaid referred to 4.976 acre tract;  
THENCE South 70° 00' 00" West with said Right-of-Way line at a distance of 205.50 feet to a 1/2" iron rod set for the POINT OF BEGINNING of the tract herein described;

THENCE North 19° 08' 59" West crossing said 4.976 acre tract at a distance of 520.59 feet to a 1/2" iron rod set for corner in the North line of said 4.976 acre tract and the most Westerly South line of a called 12.0 acre tract recorded in Volume 157, Page 364 of the Deed Records of Angelina County, Texas;

THENCE South 69° 39' 01" West with the North line of said 4.976 acre tract at a distance

THENCE north 69° 39' 01" East with the North line of said 4.976 acre tract at a distance of 104.81 feet to a 1/2" iron rod set for corner;

THENCE South 19° 08' 59" East crossing said 4.976 acre tract at a distance of 519.95 feet to the POINT OF BEGINNING and containing 1.250 acres of land.

**SAVE AND EXCEPT TRACT TWO:**

BEING ALL THAT CERTAIN tract or parcel of land lying and situated in Angelina County, Texas out of the J. A. BONTON LEAGUE, A-0005 and being a part or portion of that certain 4.976 acre tract, (called 5.00 acres) as recorded in Volume 688, Page 629 of the Deed Records of Angelina County, Texas, said part or portion being more particularly described by metes and bounds as follows, to-wit:

COMMENCING at a 3/4" iron pipe found in the North Right-of-Way line of Old Union Road, same being the Southeast corner of the aforesaid referred to 4.976 acre tract;  
THENCE South 70° 00' 00" West with said Right-of-Way line at a distance of 205.50 feet to a 1/2" iron rod set for the POINT OF BEGINNING of the tract herein described;

THENCE North 19° 08' 59" West crossing said 4.976 acre tract at a distance of 520.59 feet to a 1/2" iron rod set for corner in the North line of said 4.976 acre tract and the most Westerly South line of a called 12.0 acre tract recorded in Volume 157, Page 364 of the Deed Records of Angelina County, Texas;

THENCE South 69° 39' 01" West with the North line of said 4.976 acre tract at a distance of 104.68 feet to a 1/2" iron rod set for corner;

THENCE South 19° 08' 59" East crossing said 4.976 acre tract at a distance of 519.95 feet to a 1/2" iron rod set for corner in the North Right-of-Way line of Old Union Road;

THENCE North 70° 00' 00" East with said Right-of-Way line at a distance of 104.67 feet to the POINT OF BEGINNING and containing 1.250 acres of land.