

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
2020 FEB 19 10:00 AM
AMY FINCHER
County Clerk, County Court at Law
Angelina County, Texas
By MCS

NOTICE OF FORECLOSURE SALE

THE STATE OF TEXAS §

COUNTY OF ANGELINA §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on the 13th day of May, 2013, Marco A. Marines and Jacki Marines ("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. 2013-00310976, 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 \$44,900.00.

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 April 7, 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.

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU 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.

EXECUTED in multiple original copies on the 19th day of February, 2020.



Don W. Duran, Trustee under the Deed of Trust

EXHIBIT A

PROPERTY COMMONLY KNOWN AS:
951 OSCAR BERRY ROAD, LUFKIN, TX 75904
ANGELINA COUNTY ID: 96253

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas out of the J. H. KUYKENDALL SURVEY, ABSTRACT NO. 397 and being a part or portion of that certain 5.2 acre tract of land described as SECOND TRACT and that certain 3.1 acre tract of land described as THIRD TRACT in a Deed from Richard A. Levens to B. & S. Properties, dated December 21, 1998 and recorded in Volume 1186, on Page 768 of the Real Property Records of Angelina County, Texas to which reference is hereby made and the said part or portion being described by metes and bounds as follows, to-wit:

Commencing at the Northeast corner of the aforesaid referred to 3.1 acre tract, same being the Northwest corner of that certain 10 acre tract of land described of SECOND TRACT in a Deed to Lewis V. Duke, recorded in Volume 156, on Page 21 of the Deed Records of Angelina County, Texas, a cross tie fence corner post found for corner on the South Boundary line of that certain 10 acre tract of land described as FIRST TRACT in the aforesaid Lewis V. Duke Deed:

THENCE S 06° 00' 00" E, (Basis of Bearings), with the East Boundary line of the said 3.1 acre tract, (called S 06° E 461.11 feet), in part with the West Boundary line of the residue of the aforesaid 10 acre SECOND TRACT, (called South 461.11 feet) and in part with the West Boundary line, (called S 07° 45' E) of that certain 1 acre tract of land described in a Deed to Carl Bennett, dated April 24, 1985 and recorded in Volume 584, on Page 201 of the Real Property Records of Angelina County, Texas, at approximately 463.0 feet, end fence, at 520.68 feet, intersect the Northwest Right-of-way line of State F. M. Highway No. 1194, a point for corner, from which a concrete Right-of-way monument (broken) bears N 44° 52' 30" W 17.10 feet;

THENCE S 44° 52' 30" W, with the Northwest Right-of-way line of the aforesaid State F. M. Highway No. 1194, at 108.29 feet, THE POINT AND PLACE OF BEGINNING, a 1/2" iron rod set for corner;

THENCE S 44° 52' 30" W, continuing with the Northwest Right-of-way line of the said State F. M. Highway No. 1194, at 133.00 feet, a 1/2" iron rod set for corner;

THENCE N 25° 35' 10" W, at 142.48 feet, a 1/2" iron rod set for corner;

THENCE N 63° 47' 36" E, at 125.35 feet, a 1/2" iron rod set for corner;

THENCE S 25° 35' 10" E, at 99.36 feet, the point and place of beginning and containing 0.348 acre of land, more or less.