

NOTICE OF ACCELERATION AND NOTICE OF 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.

DEED OF TRUST INFORMATION:

Date: 09/15/2017
Grantor(s): RUBEN AYALA, AND WIFE, YENNY C. AYALA
Original Mortgagee: COMMERCIAL BANK OF TEXAS, N.A.
Original Principal: \$142,554.00
Recording Information: Instrument 2017-00356964
Property County: Angelina
Property: (See Attached Exhibit "A")
Reported Address: 202 HICKORY HILL DR, LUFKIN, TX 75901

FILED
AT 3:28 O'CLOCK P.M.
APR 06 2023
AMY FINCHER
County Clerk, County Court at Law
Angelina County, Texas
By mcs

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: U.S. Bank National Association
Mortgage Servicer: U.S. Bank National Association
Current Beneficiary: U.S. Bank National Association
Mortgage Servicer Address: 2800 Tamarack Rd, Owensboro, KY 42301

SALE INFORMATION:

Date of Sale: Tuesday, the 2nd day of May, 2023
Time of Sale: 1:00PM or within three hours thereafter.
Place of Sale: The Angelina County Courthouse Annex 606 East Lufkin Ave, Lufkin, TX in the hallway outside the Commissioner's Courtroom adjacent to the Atrium; or the front steps of the main entrance to the Angelina County Courthouse if the Courtroom is closed for holidays or elections. in Angelina County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Angelina County Commissioner's Court, at the area most recently designated by the Angelina County Commissioner's Court.

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Kathleen Adkins, Evan Press, Reid Ruple, Michael Kolak, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Kathleen Adkins, Evan Press, Reid Ruple, Michael Kolak, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.

4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Substitute Trustee(s): Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Kathleen Adkins, Evan Press, Reid Ruple, Michael Kolak, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am Sheryl La Mont whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on April 6, 2023 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Angelina County Clerk and caused it to be posted at the location directed by the Angelina County Commissioners Court.

By: 
Sheryl LaMont, April 6, 2023

Exhibit "A"

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS AND BEING LOT NO. FORTY-NINE (49) OF WHISPER CREEK SECTION ONE, A SUBDIVISION TO THE CITY OF LUFKIN, TEXAS, AS THE SAME APPEARS UPON THE OFFICIAL MAP OR PLAT, WHICH IS OF RECORD IN CABINET A, SLIDES 171-A & 171-B, MAP AND PLAT RECORDS OF ANGELINA COUNTY, TEXAS, TO WHICH REFERENCE IS HEREBY MADE FOR ANY AND ALL PURPOSES.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254