

FILED
AT 3:12 O'CLOCK P.M.
APR 10 2023

Notice of Foreclosure Sale

April 10, 2023

AMY FINCHER
County Clerk, County Court at Law
Angelina County, Texas

"Deed of Trust": Instrument No. 2017-00356828 of the real property records of Angelina County, Texas on September 13, 2017

Dated: 08/31/2017

Grantor: Michael Toole and April Toole (now April Taylor)

Original Trustee: Greg Longino

Lender: Charles Donald Sisson and Lodean Sisson

Recorded in: Instrument No. 2017-00356828 of the real property records of Angelina County, Texas on September 13, 2017

Legal Description:

TRACT ONE: All that certain 0.45 acre tract or parcel of land, more or less, lying and situated in Angelina County, Texas, out of the JAMES H. ELLISON SURVEY, ABSTRACT NO. 219, and being more particularly described by metes and bounds in Exhibit "A" attached hereto, incorporated herein and made a part hereof the same as if copied herein verbatim.

TRACT TWO: All that certain 0.27 acre tract or parcel of land, more or less, lying and situated in Angelina County, Texas, out of the JAMES H. ELLISON SURVEY, ABSTRACT NO. 219, and being more particularly described by metes and bounds in Exhibit "A" attached hereto, incorporated herein and made a part hereof the same as if copied herein verbatim.

TRACT THREE: All that certain 0.07 acre tract or parcel of land, more or less, lying and situated in Angelina County, Texas, out of the JAMES H. ELLISON SURVEY, ABSTRACT NO. 219, and being more particularly described by metes and bounds in Exhibit "A" attached hereto, incorporated herein and made a part hereof the same as if copied herein verbatim.

Secures: "Note" in the original principal amount of \$28,000.00, executed by J Michael Toole and April Toole ("Borrower") and payable to the order of Lender and other obligations or indebtedness as set forth in said Note and Deed of Trust.

Trustee: Greg Longino

Trustee's Address: 101 S. First St., Lufkin, Texas 75901

Foreclosure Sale:

Date: May 2, 2023

Time of Sale: 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 12:00 p.m. and not later than three hours thereafter.

Place of Sale: ANGELINA COUNTY COURTHOUSE ANNEX, 606 E. LUFKIN AVE., LUFKIN, TX., HALLWAY OUTSIDE COMMISSIONERS' COURTROOM ADJACENT TO THE ATRIUM OR FRONT STEP OF MAIN ENTRANCE IF COURTROOM IS CLOSED, or as otherwise designated by the County Commissioner's Office pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place or as designated by the County Commissioners.

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 original lender's or assigned current lender's, if different from the original lender, 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, original lender or assigned current lender, if different from the original lender, the owner and 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 original lender's or assigned current lender's, if different from the original lender, election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with original lender's or assigned current lender's, if different from the original lender, 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 original lender or assigned current lender, if different from the original 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 original lender or assigned current lender, if different from the original 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 the deed of trust, the original lender or assigned current lender, if different from the original lender, has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

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 such further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee.

Limitation of Damages: If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against the Mortgagor, the Lender, the Mortgagee, or the Mortgagee's attorney.

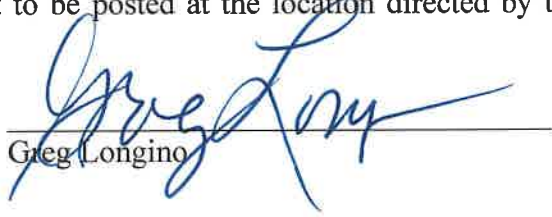
Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.



Greg Longino
Trustee
101 South First Street
Lufkin, Texas 75901
Telephone: (936) 639-5999

Certificate of Posting

I am Greg Longino, whose address is 101 South First Street, Lufkin, Texas, 75901. I declare under penalty of perjury that on April 10, 2023, I filed 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.



Greg Longino

EXHIBIT "A"

TRACT ONE:

BEING that tract or parcel of land situated in Angelina County, Texas, and being a portion of Block No. Eight (8) in the J. H. Ellison Survey, #219, said tract of land being recorded in Volume 140, Page 085 of the Deed Records of Angelina County, Texas, to which reference is hereby made for all purposes. Said tract of land herein conveyed being described by metes and bounds as follows, to-wit:

BEGINNING at a point on the South Boundary Line of Block No. Eight (8), 100' East of the right of way of Farm Road #1669, stake for corner;

THENCE East 100' along the SBL of Block No. Eight (8) to a stake for corner;

THENCE in a Northerly direction 100' to the Northern Boundary Line of Block No. Eight (8) to a point 200' E of the right of way of Farm Road #1669, stake for corner;

THENCE West 100' along the North Boundary Line of Block No. Eight (8) to a stake for corner;

THENCE in a Southerly direction 100' to the Place of Beginning.

There is reserved from the above conveyance an eight foot (8) right of way across the NBL of the above described property for public use.

EXHIBIT "A"

TRACT TWO:

all that certain

tract or parcel of land situated in Angelina County, Texas, and being a portion of Block No. Nine (9) in the J.H. Ellison Survey, #219 said tract of land being recorded in Volume 340, Page 805 of the Deed Records of Angelina County, Texas, to which reference is hereby made for all purposes. Said tract of land herein conveyed being described as follows, to-wit:

BEGINNING at a point in the South Boundary Line of Block No. Nine (9) 250 feet east of the right of way of Farm Road #1669, stake for corner;

THENCE 100 feet in a Westerly direction along the Southern Boundary Line of Block No. Nine (9), a stake for corner;

THENCE 108 feet in a Northerly direction to the Northern Boundary Line of Block No. Nine (9) at a point 150 feet east of the right of way of Farm Road #1669, stake for corner;

THENCE 100 feet in an Easterly direction along the Northern Boundary Line of Block No. Nine (9), stake for corner;

THENCE 108 feet in a Southerly direction to the Place of Beginning.

EXHIBIT "A"

TRACT THREE:

All that certain tract or parcel of land situated in Angelina County, Texas, and being a portion of Block No. Nine (9) in the J. H. Ellison Survey, § 219 said tract of land being recorded in Volume 340, Page 885 of the Deed Records of Angelina County, Texas, to which reference is hereby made for all purposes. Said tract of land herein conveyed being described by metes and bounds as follows, to-wit:

BEGINNING at a point on the north boundary line of Block No. Nine (9) 250' east of the right of way of Farm Road #1669, stake for corner;

THENCE 38' along the N.B.L., of Block No. Nine (9) to a stake for corner;

THENCE in a Southern Direction 100' to the S.B.L. of Block No. Nine (9) to a stake for corner;

THENCE West 38' along the S.B.L. to stake for corner;

THENCE in a Northerly Direction 100' to the place of beginning.

There is reserved from the above conveyance an eight foot (8) right of way across the SBL of the above described property for public use.

Accepted for Filing in:
Angelina County
On: Apr 10, 2023 at 03:12P

Accepted for Filing in:
Angelina County
On: Sep 13, 2017 at 02:41P