

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
AT 1:39 O'CLOCK
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NOTICE OF FORECLOSURE SALE

APR 09 2019

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

THE STATE OF TEXAS §
COUNTY OF ANGELINA §

KNOW ALL MEN BY THESE PRESENTS,

WHEREAS, on the 10th day of October, 2017, Jerrell Dean Bean and Sheila Yvette Bean ("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. 2018-00361406, 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 Janis Conner Family Partners, Ltd. ("Creditor"), in the original principal amount of \$68,181.55.

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 May 7, 2019, 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 9th day of April, 2019.



Don W. Duran, Trustee under the Deed of Trust

EXHIBIT "A"

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the S. ERIE SURVEY, ABSTRACT NO. 12 and being a part or portion of Block (or Lot) No. 13 of the FULLER SPRINGS FARM ACRES, a subdivision to Angelina County, Texas as recorded in Cabinet A on Slide 29 B of the Map and Plat Records of Angelina County, Texas (and being a part or portion of that certain tract described in an Assumption Deed from Kenneth E. Thompson, et al to Charles O. Hopson, et ux dated October 7, 1987 and recorded in Volume 699 on Page 285 of the Real Property Records of Angelina County, Texas), to which reference is hereby made for any and all purposes and the said tract or parcel being described by metes and bounds as follows, to-wit: BEGINNING N 19° 14' 53" E 120.02 feet from a concrete monument found for the Southwest corner of the aforesaid referred to Block 13, the Southwest corner of the aforesaid referred to Hopson tract, the Northwest corner of Block No. 14, the Northwest corner of Block No. 3 of HARVEY SUBDIVISION, a subdivision to Angelina County, Texas as recorded in Cabinet A on Slide 111 A of the Map and Plat Records of Angelina County, Texas, the Northeast corner of Block No. 31, the Northeast corner of that certain tract described in a deed from Mae Dorsett Havard to Leslie Karen Love dated September 15, 1985 and recorded in Volume 781 on Page 12 of the Real Property Records of Angelina County, Texas, the Southeast corner of Block 30, and the Southeast corner of that certain tract described as TRACT TWO in it deed from Cynthia Joyce Gibson Murray, et al to Charles Gibson dated March 20, 1989 and recorded in Volume 757 on Page 154 of the Real Property Records of Angelina County, Texas, a 1/2" pipe set for corner in the West boundary line of the said Block No. 13, the West boundary line of the said Hopson tract, the East boundary line of the said Block No. 30, and the East boundary line of the said Gibson tract;

THENCE N 19° 14' 53" E (called N 19° 05' E) with the West boundary line of the said Block No. 13, the West boundary line of the said Hopson tract, the East boundary line of the said Block No. 30, and the East boundary line of the said Gibson tract, at 180.31 feet the Northwest corner said Block No. 13, the Northwest corner of the said Hopson tract, the Northeast corner of the said Block No. 30, the Northeast corner of the said Gibson tract, the Southeast corner of Block 29, the Southeast corner of that certain 0.725 acre tract described in a deed from Allen Redd, et ux to Alagean C. Ryan, dated April 14, 1977 and recorded in Volume 454 on Page 760 of the Deed Records of Angelina County, Texas, the Southwest center of Block No. 12, and the Southwest corner of that certain 0.35 acre tract described in a deed from Lufkin National Bank to Harvey Ray Powell, et ux dated February 24, 1993 and recorded in Volume 909 on Page 28 of the Real Property Records of Angelina County, Texas, a 3/4" pipe found for corner (at a fence corner), said pipe witnessed by a 1/2" rod bearing N 69° 55' 16" W 217.29 feet:
THENCE S 69° 33' 02" E (called S 70° 00" E) with the North boundary line of the said Block No. 13, the North boundary line of the said Hopson tract, the South boundary line of the said Block No. 12, and the South boundary line of the said Powell tract, at 351.87 feet (called 353.1 feet) the Northeast corner said Block No. 13, the Northeast corner of the said Hopson tract, the Southeast corner of the said Block No. 12, and the Southeast corner of the said Powell tract, a 1/2" pipe set for corner in the West right-of-way line of

Hughes Road (50' row), said pipe witnessed by a flat iron bearing N 21° 01' 01" E 300.20 feet;

THENCE S 21° 01' 01" W (called S 21° 05' W) with the East boundary line of the said Block No. 13, the East boundary line of the said Hopson tract, mid the West right-of-way line of the said Hughes Road, at 180.00 feet a 1/2" pipe set for corner, said pipe witnessed by a 1/2" pipe set for the Southeast corner of the said Block No. 13, the Southeast corner of the said Hopson tract, the Northeast corner of the aforesaid Block No. 14, and the Northeast corner of the aforesaid Block No. 3 of the HARVEY SUBDIVISION bearing S 21° 01' 01" W 120.00 feet;

THENCE N 69° 35' 46" W, at 346.30 feet the point and place of beginning and containing 1.444 acres of land, more or less.

Basis of Bearings: The West boundary line of the said Block No. 3 of the HARVEY SUBDIVISION (Plat Call N 19° 03' 52" E).

SAVE AND EXCEPT:

That 35/100 of an acre of land, more or less, heretofore conveyed to Charles S. Stillson by deed dated April 25, 1961, recorded in Volume 255, Page 92 of the Deed Records of Angelina County, Texas.