

FILED  
AT 5:00 CLOK PM

APR 04 2019

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

By

0000008272536

420 PAUL HAWKINS ROAD  
LUFKIN, TX 75901

### NOTICE OF [SUBSTITUTE] 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.

**1. Date, Time, and Place of Sale.**

Date: May 07, 2019

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: 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 designated by the county commissioners.

**2. Terms of Sale.** Cash.

**3. Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated November 28, 2017 and recorded in Document CLERK'S FILE NO. 2017-00359533 real property records of ANGELINA County, Texas, with BRYAN ARTHUR NELSON AND TASIA NELSON, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS"), AS NOMINEE, mortgagee.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by BRYAN ARTHUR NELSON AND TASIA NELSON, securing the payment of the indebtednesses in the original principal amount of \$195,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. HIGHLANDS RESIDENTIAL MORTGAGE, LTD is the current mortgagee of the note and Deed of Trust or Contract Lien.

**5. Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

**6. Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. CENLAR FSB, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o CENLAR FSB  
425 PHILLIPS BLVD  
EWING, NJ 08618



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THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead BEATRICE CARRILLO, JOHN MCCARTHY, KEVIN MCCARTHY OR ZACH MCCARTHY whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Shawnika Harris

Certificate of Posting

My name is Yasmir Diaz, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on April 4, 2019 I filed at the office of the ANGELINA County Clerk and caused to be posted at the ANGELINA County courthouse this notice of sale.

X   
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Declarants Name: Yasmir Diaz

Date: April 4, 2019

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ANGELINA

**EXHIBIT "A"**

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, OUT OF THE JOSE LA BAUME SURVEY, ABSTRACT NO. 21 AND BEING ALL OF THOSE CERTAIN TWO TRACTS CONVEYED AS TRACT NO. 1 (9.729 ACRES) AND TRACT NO. 2 (1.0 ACRE) SECOND TRACT IN A DEED FROM CECIL RAY FERGUSON, ET UX TO CECIL RAY FERGUSON AND BARBARA B. FERGUSON, TRUSTEES OF THE FERGUSON FAMILY TRUST DATED SEPTEMBER 25, 2008 AND RECORDED IN INSTRUMENT NO. 2008-00248690 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS (SEE VOLUME 463, PAGE 534 FOR ACTUAL DESCRIPTIONS), 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 AT THE NORTHWEST CORNER OF THE AFORESAID REFERRED TO 9.729 ACRE TRACT AND THE SOUTHWEST CORNER OF THAT CERTAIN 4.994 ACRE TRACT DESCRIBED IN A DEED FROM JEANETTE HANCOCK TO WILLIAM DAVID RAGLUND, ET AL DATED APRIL 20, 2010 AND RECORDED IN INSTRUMENT NO. 2010-00267880 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, A 3/4" PIPE FOUND FOR CORNER (AT A FENCE CORNER) IN AN EAST BOUNDARY LINE OF THAT CERTAIN TRACT DESCRIBED IN A DEED FROM MARJENI, INC. TO WALTER D. KIRBY, ET UX DATED DECEMBER 20, 2002 AND RECORDED IN VOLUME 1686 ON PAGE 71 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, SAID PIPE WITNESSED BY A 3/8" ROD BEARING N 08° 52' 54" W 36.50 FEET;

THENCE S 80° 02' 51" E (CALLED S 80° 02' E) WITH THE NORTH BOUNDARY LINE OF THE SAID 9.729 ACRE TRACT, THE NORTH BOUNDARY LINE OF THE AFORESAID REFERRED TO 1.0 ACRE TRACT, AND THE SOUTH BOUNDARY LINE OF THE SAID 4.994 ACRE TRACT, AT 536.85 FEET PASS ON LINE A V2" ROD FOUND FOR REFERENCE, AT 562.03 FEET (CALLED 303.22 FEET AND 259.29 FEET) THE NORTHEAST CORNER OF THE SAID 1.0 ACRE TRACT, THE SOUTHEAST CORNER OF THE SAID 4.994 ACRE TRACT, AND AN ANGLE CORNER OF THAT CERTAIN 12.49 ACRE TRACT DESCRIBED IN A DEED FROM KENNETH HAWKINS, INDEPENDENT EXECUTOR OF THE ESTATE OF PAUL J. HAWKINS, DECEASED, TO STACIA BURNETT, F/K/A STACIA WARREN DATED MAY 28, 2009 AND RECORDED IN INSTRUMENT NO. 200900259047 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, A 1/2" ROD FOUND FOR CORNER IN THE EAST MARGIN OF PAUL HAWKINS ROAD, SAID ROD BEING APPROXIMATELY 9 FEET FROM THE EXISTING CENTERLINE, SAID ROD WITNESSED BY A 1/2" ROD FOUND FOR THE NORTHWEST CORNER OF THE SAID BURNETT 12.49 ACRE TRACT BEARING N 09° 37' 41" E 162.20 FEET, A FENCE CORNER BEARING N 82° W 26.8 FEET, AND AN END OF FENCE BEARING S 74° W 30.4 FEET;

THENCE TWO CALLS WITH IN PART THE EAST BOUNDARY LINE OF THE SAID 1.0 ACRE TRACT (CALLED S 09° 38' W 168.00 FEET), THE EAST BOUNDARY LINE OF THE AFORESAID 9.729 ACRE TRACT (CALLED S 09° 38' W 666.5 FEET), IN PART WITH THE WEST BOUNDARY LINE OF THE SAID BURNETT 12.49 ACRE TRACT, WITH IN PART THE WEST BOUNDARY LINE OF THAT CERTAIN 12.49 ACRE TRACT DESCRIBED IN A DEED FROM KENNETH HAWKINS, INDEPENDENT EXECUTOR OF THE ESTATE OF PAUL J. HAWKINS, DECEASED, TO LAURIA GREENWOOD DATED MAY 28, 2009 AND RECORDED IN INSTRUMENT NO. 2009-00259048 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, AND WITH THE EAST MARGIN OF THE SAID PAUL HAWKINS ROAD AS FOLLOWS:

(1) S 09° 44' 22" W, AT 532.92 FEET THE SOUTHWEST CORNER OF THE SAID BURNETT 12.49 ACRE TRACT AND THE NORTHWEST CORNER OF THE SAID GREENWOOD 12.49 ACRE TRACT, A 1/2" ROD FOUND FOR CORNER APPROXIMATELY 11 FEET FROM THE EXISTING CENTERLINE;

(2) S 09° 44' 33" W, AT 301.00 FEET THE SOUTHEAST CORNER OF THE SAID 9.729 ACRE TRACT AND THE NORTHEAST CORNER OF THAT CERTAIN 5.00 ACRE TRACT DESCRIBED IN A DEED FROM WILLIAM DAVID RAGLUND, ET AL TO CYNTHIA JONES DATED SEPTEMBER 29, 2017 AND RECORDED IN INSTRUMENT NO. 2017-00357475 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, A 1/2" PIPE FOUND FOR CORNER APPROXIMATELY 12 FEET FROM THE EXISTING CENTERLINE, SAID PIPE WITNESSED BY A 1/2" ROD BEARING S 80° 42' 28" W 2.87 FEET, A POWER POLE BEARING S 55° E 6.2 FEET, A FENCE CORNER BEARING N 80° W 31.1 FEET, AND A 1/2" ROD FOUND FOR THE SOUTHEAST CORNER OF THE SAID 5.00 ACRE TRACT AND THE SOUTHWEST CORNER OF THE SAID GREENWOOD 12.49 ACRE TRACT BEARING S 09° 44' 33" W 386.99 FEET;

THENCE N 79° 11' 03" W (CALLED N 79° 17' W) WITH THE SOUTH BOUNDARY LINE OF THE SAID 9.729 ACRE TRACT

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AND THE NORTH BOUNDARY LINE OF THE SAID 5.00 ACRE TRACT, AT 562.86 FEET (CALLED 562.86 FEET) THE SOUTHWEST CORNER OF THE SAID 9.729 ACRE TRACT AND THE NORTHWEST CORNER OF THE SAID 5.00 ACRE TRACT, A POINT FOR CORNER (IN A CROSS-TIE FENCE CORNER POST) IN AN EAST BOUNDARY LINE OF THE AFORESAID KIRBY TRACT, SAID POINT WITNESSED BY A 1/2" PIPE BEARING S 74° 23' 11" E 3.05 FEET, A 1/2" PIPE BEARING S 86° 22' 17" W 1.21 FEET, AND A 3/4" PIPE FOUND FOR THE SOUTHWEST CORNER OF THE SAID 5.00 ACRE TRACT AND THE SOUTHEAST CORNER OF THE KIRBY TRACT BEARING S 09° 44' 12" W 387.01 FEET;

THENCE N 09° 47' 30" E (CALLED N 09' 39" E) WITH THE WEST BOUNDARY LINE OF THE SAID 9.729 ACRE TRACT AND AN EAST BOUNDARY LINE OF THE SAID KIRBY TRACT, AT 825.43 FEET (CALLED 827.04 FEET) THE POINT AND PLACE OF BEGINNING AND CONTAINING 10.71 ACRES OF LAND, MORE OR LESS.