

FILED
AT 11:30 O'CLOCK PM

JUN 10 2025

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

NOTICE OF SUBSTITUTE TRUSTEE'S FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

Deed of Trust:

Dated: January 4, 2024
Grantor: REI of Lufkin, L.L.C.
Beneficiary: Austin Bank, Texas National Association
Original Trustee: Michael L. Gunnels
Substitute Trustee: Donald W. Cothorn

Recording information:

Dated January 4, 2024, to secure payment of the Indebtedness, and recorded on January 4, 2024, in the Official Public Records of Angelina County, Texas, Instrument No. 2024-00441758 (the "Deed of Trust")

Secures payment of: Promissory Note dated January 4, 2024, in the original principal amount of \$240,000.00, in which REI of Lufkin, L.L.C. ("REI") is Borrower and Austin Bank, Texas N.A. is Lender, as renewed, extended and modified by the Renewal, Extension, And Modification Agreement (Promissory Note and Deed of Trust), made effective January 5, 2025, (the "Indebtedness" or "Note").

Property to be sold:

The Real Property located in Angelina County, Texas, with an address commonly known as 181 Dena Kay Drive, Lufkin, TX 75904, and more particularly described as Lot No. Nine (9) of KEATHLEY ROAD SUBDIVISION, a subdivision to Angelina County, Texas, as recorded in Cabinet G, Slide 22-B of the Map and Plat Records of Angelina County, Texas (the "Property").

Substitute Trustee: Donald W. Cothorn

Substitute Trustee's

Address: 2320 Dueling Oaks Drive, Tyler, Texas 75703
Phone: 903-579-7531
Email: dcothorn@kabfm.net

Foreclosure Sale:

Date of Sale: July 1, 2025

Time: The sale of the Property will be held between the hours of 11:00 a.m. and 4:00 p.m., local time; and the earliest time at which the Foreclosure Sale will begin is 11:00 a.m., and not later than three (3) hours thereafter, and will be completed no later than 4:00 p.m.

Place of Sale: In Angelina County, Texas, at the Angelina County Commissioners Courtroom and Annex located at 211 East Shepherd Avenue, Lufkin, Texas 75901; and the front steps of the entrance to the Angelina County Commissioner's Court and Annex as the alternate place whenever the sale falls on a date when the Commissioner's Court and Annex is closed; or if the preceding areas are no longer designated areas, then at the area most recently designated by the County Commissioners' Court.

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 Austin Bank, Texas N.A.'s 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 Indebtedness and in the performance of the obligations of the Deed of Trust. Because of that default, Austin Bank, Texas N.A., the owner and holder of the Note, and the Lender and Beneficiary under the Deed of Trust, has requested the Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Austin Bank, Texas N.A.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Austin Bank, Texas N.A.'s 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, the Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Austin Bank, Texas N.A. 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 unpaid ad valorem taxes and 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 Austin Bank, Texas N.A. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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. Any purchaser acquires the Real Property "at purchaser's own risk."

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute 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 Substitute Trustee.

The undersigned has been appointed Substitute Trustee by Austin Bank, Texas N.A. by an instrument recorded in the Official Public Records of Angelina County, Texas.



Donald W. Cothorn, Substitute Trustee
2320 Dueling Oaks Drive
Tyler, Texas 75703
Phone: 903-579-7531
Fax: 903-581-3701
Email: dcothorn@kabfm.net

NOTICE

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.