

Notice of Foreclosure Sale

1. *Property to Be Sold.* TRACT ONE: 15.22 ACRES, MORE OR LESS, PART OF THE JOSE LABAUME SURVEY, ABSTRACT NO. 21, BEING SITUATED IN ANGELINA COUNTY, TEXAS AND BEING MORE FULLY DESCRIBE IN THE ATTACHED EXHIBIT "A";

TRACT TWO: 3.996 ACRES, MORE OR LESS, PART OF THE JOSE LABAUME SURVEY, ABSTRACT NO. 21, BEING SITUATED IN ANGELINA COUNTY, TEXAS AND BEING MORE FULLY DESCRIBE IN THE ATTACHED EXHIBIT "A";

2. *Instrument to be Foreclosed* The instrument to be foreclosed is the deed of trust recorded under Clerk's Document No. 2018-00362118 of the Real Property Records of Angelina County, Texas
3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: August 4, 2020

Time: The sale will begin no earlier than 1:00 p.m. or no later than three hour thereafter.

Place: The sale will take place at the place that is designated on the Date of Sale as the place for conducting such sale.

If the beneficiary postpones, withdraws, or reschedule the sale for another day, the trustee, under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refileing may be after the date originally scheduled for this sale.

4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The 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 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. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

FILED  
AT 1:54 O'CLOCK P.M.

JUL 13 2020

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

By

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Foreclosure Services

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (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 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Tenderleaf Village, Inc.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the promissory note in the original principal amount of \$1,343,604.89 dated February 8, 2018, executed by Tenderleaf Village, Inc. and payable to the order of Ron Rose. Ron Rose is the current owner and holder of the Obligation and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated: July 13, 2020



Sheryl LaMont, Robert LaMont, Donna  
Caddenhead, Allan Johnston, Ronnie Hubbard,  
Penney Thornton, James W. King, Marc P. Henry  
Substitute Trustee  
6420 Wellington Place  
Beaumont, Texas 77706  
(830) 860-9000 – Telephone  
(409) 860-9199 – Facsimile

Tract Dec:

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the J. LABAUME SURVEY, ABSTRACT NO. 21 and being a part of portion of that certain 36.94 acre tract described in a deed from Brian D. Boudreaux, et ux to Mark Tyson Ramsey, et ux dated December 4, 1998 and recorded in Volume 1184 on Page 114 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 meters and bounds as follows, to-wit:

BEGINNING at a Southeast corner of the aforesaid referred to 36.94 acre tract and the Northeast corner of that certain 3.996 acre tract described in a deed from Robert & Janie Investments, Inc. to Michael K. Hudson, et ux dated January 26, 2000 and recorded in Volume 1246 on Page 305 of the Real Property Records of Angelina County, Texas, a 1/2" pipe found for corner in the West boundary line of that certain 17.14 acre tract described in a deed from Brian D. Boudreaux, et ux to Mark T. Ramsey, et ux dated August 24, 1998 and recorded in Volume 1169 on Page 619 of the Real Property Records of Angelina County, Texas, said pipe witnessed by an axle bearing N 12° 12' 29" W 21.40 feet and a 1/2" pipe found for the Southeast corner of the said 3.996 acre tract and a Southwest corner of the said 17.14 acre tract bearing S 10° 04' 56" W 400.00 feet;

THENCE N 80° 16' 01" W with a South boundary line of the said 36.94 acre tract, the North boundary line of the said 3.996 acre tract, and the North boundary line of that certain 4.00 acre tract described in a deed from Robert & Janie Investments, Inc. to Lance W. Redd, et ux dated January 6, 2000 and recorded in Volume 1243 on Page 846 of the Real Property Records of Angelina County, Texas, at 936.73 feet pass on line a 1/2" rod found for the Northwest corner of the said 3.996 acre and the Northeast corner of the said 4.00 acre tract, at 878.83 feet the Southwest corner of the said 36.94 acre tract and the Northwest corner of the said 4.00 acre tract, a 1/2" pipe found for corner (near a fence corner) in the East boundary line of that certain 25.58 acre tract described in a deed from Robert & Janie Investments, Inc. to John Eldon Werner, II, et ux dated September 8, 1999 and recorded in Volume 1226 on Page 479 of the Real Property Records of Angelina County, Texas, said pipe witnessed by a railroad iron found for the Southwest corner of the said 4.00 acre tract and the Southeast corner of the said 25.58 acre tract bearing S 10° 04' 56" W 400.00 feet;

THENCE N 10° 04' 56" E with a West boundary line of the said 36.94 acre tract, the East boundary line of the said 25.58 acre tract, and in part with the East boundary of that certain 9.75 acre tract described in a deed from Ona Mae McDonald Futch to John L. Futch, et al dated May 25, 2001 and recorded in Volume 1410 on Page 60 of the Real Property Records of Angelina County, Texas, at 1287.68 feet pass on line a 1/2" pipe found for the Northeast corner of the said 25.58 acre tract and the Southeast corner of the said 9.75 acre tract, at 1360.06 feet the Northwest corner of the said 36.94 acre tract and the Southwest corner of that certain 20 acre tract described in a deed from Edmund Price Winston, Jr. to Edgar Robert Casper, Jr., et ux dated November 28, 1995 and recorded in Volume 1036 on Page 285 of the Real Property Records of Angelina County, Texas, a 1" pipe found for corner (at a fence corner) witnessed by a railroad iron bearing N 09° 34' 06" E 377.62 feet;

THENCE S 80° 55' 08" E with the North boundary line of the said 36.94 acre tract and the South boundary line of the said 20 acre tract, at 522.72 feet a 1/2" pipe set for corner;

THENCE S 00° 30' 50" E, at 4 feet cross the centerline of a creek, at 19.0 feet pass on line a fence corner, at 295.44 feet a 1/2" pipe set for corner;

THENCE S 34° 28' 59" W 328.19 feet, a 1/2" pipe set for corner;

THENCE S 11° 16' 24" W 514.37 feet, a 1/2" pipe set for corner;

THENCE S 14° 49' 33" E 262.59 feet, a 1/2" pipe set for corner;

THENCE S 80° 16' 01" E, at 347.48 feet intersect an East boundary line of the aforesaid 36.94 acre tract and the West boundary line of the aforesaid 17.14 acre tract, a 1/2" pipe set for corner;

THENCE S 10° 04' 56" W with an East boundary line of the said 36.94 acre tract and the West boundary line of the said 17.14 acre tract, at 25.00 feet the point and place of beginning and containing 15.22 acres of land, more or less.

Tract Two:

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas out of the J. LAFAYETTE SURVEY, ABSTRACT NO. 23 and being a part or portion of that certain 0 acre tract of land described as TRACT NO. TWO in a deed from J. P. Brinkert, Jr. of and to Robert & Janie Investments, Inc., dated April 16, 1928 and recorded in Volume 1148, on Page 597 of the Real Property Records of Angelina County, Texas in which reference is hereby made and the said part or portion being described by meter and bounds as follows, to-wit:

Commencing at the Northwest corner of the aforesaid referred to 0 acre tract, same being the Southwest corner of that certain 28.98 acre tract of land described in a deed to Mark Yoon Ramsey et al., dated December 4, 1898 and recorded in Volume 1164, on Page 119 of the Real Property Records of Angelina County, Texas, a 1/2" iron pipe found for corner on the East boundary line of that certain 28.98 acre tract of land described in a deed to John Eldon Warner, et al., dated September 5, 1928 and recorded in Volume 1128, on Page 178 of the Real Property Records of Angelina County, Texas;

THENCE S 80° 16' 01" E, along of bearings, Vol. 1148, Pg. 1141, with the North boundary line of the said 0 acre tract (called S 80° E) and with the South boundary line of the aforesaid 28.98 acre tract, at 435.68 feet, THE POINT AND PLACE OF BEGINNING, a 1/2" iron rod set for corner;

THENCE S 00° 15' 01" E, continuing with the North boundary line of the said 0 acre tract and continuing with the South boundary line of the said 16.94 acre tract, at 435.73 feet, the Northwest corner of the said 0 acre tract, same being the Southeast corner of the said 28.98 acre tract, a 1/2" iron pipe found for corner on the West boundary line of that certain 17.14 acre tract of land described in a deed to Mark Y. Ramsey et al., dated August 24, 1926 and recorded in Volume 1159, on Page 617 of the Real Property Records of Angelina County, Texas;

THENCE E 10° 09' 14" W, with the East boundary line of the said 0 acre tract, (called S 10° W 400 feet) and with the West boundary line of the aforesaid 17.14 acre tract, (called S 10° 06' 14" W), at 399.95 feet, the Southeast corner of the said 0 acre tract, same being the Southwest corner of the said 17.14 acre tract, a 1/2" iron pipe found for corner in County Road No. 272, said 1/2" iron pipe being approximately 8 feet North of the North boundary line of that certain 10.837 acre tract of land described in a Contract of Sale and Purchase to Randy Len Duvall, dated November 2, 1921 and recorded in Volume 534, on Page 751 of the Deed Records of Angelina County, Texas;

THENCE N 90° 16' 31" W, with the South boundary line of the said 0 acre tract, (called S 00° W), at 435.71, a point for corner in the aforesaid County Road No. 272, said point being approximately 7 feet North of the North boundary line of that certain 10.000 acre tract of land described in a deed to Jack Kenneth Richardson, Jr. et al., dated January 7, 1928 and recorded in Volume 784, on Page 217 of the Real Property Records of Angelina County, Texas;

THENCE N 10° 04' 30" E, at 7.87 feet, pass on line a 1/2" iron rod set for reference corner, at 399.95 feet, the point and place of beginning and containing 3.996 acres of land, more or less.