

NOTICE OF FORECLOSURE 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. Property to Be Sold.** The property to be sold is described as follows: EXHIBIT A
- 2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 06/10/2005 and recorded in Document 00200021 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: 08/06/2019
Time: 01:00 PM
Place: Angelina County, Texas, at the following location: THE ANGELINA COUNTY COURTHOUSE ANNEX, 606 EAST LUFKIN AVENUE, LUFKIN TEXAS, IN THE HALLWAY OUTSIDE THE COMMISSIONERS' COURTROOM ADJACENT TO THE ATRIUM OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.
- 4. Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee 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 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.
- 5. Obligations Secured.** The Deed of Trust executed by LESTER GREG ENER AND TAMMY BLANKENSHIP, provides that it secures the payment of the indebtedness in the original principal amount of \$60,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Wells Fargo Bank, National Association, as Trustee for ABFC 2005-OPT1 Trust, ABFC Asset-Backed Certificates, Series 2005-OPT1 is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is Wells Fargo Bank, National Association, as Trustee for ABFC 2005-OPT1 Trust, ABFC Asset-Backed Certificates, Series 2005-OPT1 c/o PHH MORTGAGE CORPORATION, 1Mortgage Way, Mail Stop SV-22, Mt. Laurel, NJ 08054 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.
- 6. Order to Foreclose.** Wells Fargo Bank, National Association, as Trustee for ABFC 2005-OPT1 Trust, ABFC Asset-Backed Certificates, Series 2005-OPT1 obtained a Order from the 217th District Court of Angelina County on 05/23/2019 under Cause No. CV-00484-18-07. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.
- 7. Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint SHERYL LAMONT, ROBERT LAMONT, RONNIE HUBBARD, SHARON ST. PIERRE, ALLAN JOHNSTON, KATHLEEN ADKINS, EVAN PRESS, STEPHANIE KOHLER, CATRENA WARD, REID RUPLE, KAREN LILLEY OR HARRIETT FLETCHER
, Substitute Trustee to act under and by virtue of said Deed of Trust.

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.

Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
✓ L. Keller Mackie, Attorney at Law
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Parkway Office Center, Suite 900
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SHARON ST. PIERRE, ALLAN JOHNSTON, KATHLEEN ADKINS,
EVAN PRESS, STEPHANIE KOHLER, CATRENA WARD, REID
RUPLE, KAREN LILLEY OR HARRIETT FLETCHER

c/o AVT Title Services, LLC
5177 Richmond Avenue Suite 1230
Houston, TX 77056

Certificate of Posting

I am _____ whose address is c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall, TX 75087. I declare under penalty of perjury that on _____ 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.

FILED
AT 12:03 O'CLOCK P M

JUN 20 2019

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

By tw



Exhibit A

TRACT 1:

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the V. MICHELLI SURVEY, ABSTRACT NO. 29 and being all of those certain three tracts described as Lot 21-1, Lot 22, and Lot 23 in a agreement for sale of real estate from Perry Ray Trahan, et al to Tammy Blankenship and Lester Greg Ener dated February 5, 1999 and recorded in Volume 1193 on Page 325 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 at the Southeast corner of the aforesaid referred to Lot 23 and the Southwest corner of that certain tract described in a deed from Gordie P. Cloyd, individually and as independent executrix under the last will and testament of A.T. Cloyd, deceased to Tamara Renee Cargill as recorded in Volume 521 on Page 355 of the Deed Records of Angelina County, Texas, a 1/2" pipe found for corner (in a 6" clay tile) in the North margin of a 17 (also called 16) feet wide strip of land left for a road (not known if dedicated - does not show on the county road map - may still be owned by Dec Cloyd Decurs - Tract Three in Volume 750 Page 757), said pipe witnessed by a 3/4" pipe found for the Southeast corner of the said Cargill tract bearing S 89° 38' 40" E 25.05 feet, a 1/2" pipe bearing S 89° 53' 23" E 99.92 feet, a 1/4" pipe set for the Northeast corner of that certain tract described as Lot 26 in the aforesaid referred to agreement for sale of real estate (1193/325) bearing S 80° 11' 18" E 122.70 feet, and a concrete monument bearing S 63° 43' 20" E 134.84 feet;

THENCE S 89° 09' 42" W (called West) with the South boundary line of the said Lot 23, the South boundary line of the aforesaid referred to Lot 22, the South boundary line of the aforesaid referred to Lot 21-1, and the North margin of the aforesaid 17 feet wide strip left for a road, at 149.88 feet (called 150 feet - 50 feet, 50 feet, and 50 feet) the Southwest corner of the said Lot 21-1 and the Southeast corner of a 50 feet by 50 feet that still appears to be owned by Dec Cloyd Decurs (portion of the aforesaid Tract Three in Volume 750 Page 757), a 1/2" pipe set for corner witnessed by a 3/4" rod (in a 6" clay tile) bearing S 89° 56' 55" W 49.76 feet and a 1/4" pipe set for the Northwest corner of the aforesaid Lot No. 26 bearing S 84° 53' 17" W 210.07 feet;

THENCE N 00° 17' 28" W (called North) with the West boundary line of the said Lot 21-1, and the East boundary line of the said 50 feet by 50 feet Decurs tract, at 49.89 feet (called 50 feet) the Northwest corner of the said Lot 21-1, the Southeast corner of that certain tract described in deed from Gordie Perkins Cloyd, individually and as independent executrix under the last will and testament of A.T. Cloyd, deceased to Patricia Louise Cloyd Skahill as recorded in Volume 501 on Page 825 of the Deed Records of Angelina County, Texas, and the Southwest corner of another 50 feet by 50 feet that still appears to be owned by Dec Cloyd Decurs (portion of the aforesaid Tract Three in Volume 750 Page 757), a 1/4" pipe set for corner witnessed by a 6" clay tile bearing S 89° 31' 58" W 49.96 feet;

THENCE N 89° 31' 58" E (called East) with the North boundary line of the said Lot 21-1 and the South boundary line of the said second 50 feet by 50 feet Decurs tract, at 49.96 feet (called 50 feet) the Northeast corner of the said Lot 21-1 and the Southeast corner of the said second 50 feet by 50 feet Decurs tract, a 1/4" pipe set for corner in the West boundary line of the aforesaid Lot 22;

THENCE N 00° 17' 21" W (called North) with the West boundary line of the said Lot 22 and the East boundary line of the said second 50 feet by 50 feet Decurs tract, at 49.88 feet (called 50 feet) the Northwest corner of the said Lot 22 and the Northeast corner of the said second 50 feet by 50 feet Decurs tract, a 1/4" pipe set for corner in the South margin of a 32 feet wide strip of land left for a road (not known if dedicated - does not show on the county road map - may still be owned by Dec Cloyd Decurs - Tract Three in Volume 750 Page 757);

THENCE N 89° 32' 18" E (called East) with the North boundary line of the said Lot 22, the North boundary line of the aforesaid Lot 23, and the South margin of the aforesaid 32 feet wide strip left for a road, at 50.14 feet pass a 6" clay tile found for the Northeast corner of the said Lot 22 and the Northwest corner of the said Lot 23, at 99.93 feet (called 100 feet - 50 feet and 50 feet) the Northeast corner of the said Lot 23 and the Northwest of that certain tract described in a deed from Gordie P. Cloyd, individually and as independent executrix under the last will and testament of A.T. Cloyd, deceased to Ruby Brown dated February 27, 1974 and recorded in Volume 409 on Page 611 of the Deed Records of Angelina County, Texas, a 1/2" pipe set for corner;

THENCE S 00° 16' 46" E (called South) with the East boundary line of the said Lot 22, the West boundary line of the said Brown tract, and the West boundary line of the aforesaid Cargill tract, at 98.79 feet (called 100 feet) the point and place of beginning and containing 0.284 acre of land, more or less.

TRACT 2:

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the V. MICHELLI SURVEY, ABSTRACT NO. 29 and being all of that certain tract described as Lot 26 in a agreement for sale of real estate from Perry Ray Trahan, et al to Tammy Blankenship and Leser Greg Ener dated February 5, 1999 and recorded in Volume 1193 on Page 325 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 at the Northeast corner of the aforesaid referred to Lot 26, a 1/2" pipe set for corner approximately 9 feet East of the existing centerline of Duncan Slough Road, (County Road No. 116-A said pipe being in the South margin of a 17 (also called 16) feet wide strip of land left for a road (not known if dedicated - does not show on the county road map - may still be owned by Dee Cloyd Decurs - Tract Three in Volume 750 Page 757), said pipe witnessed by a 1/2" pipe (in a 6" clay tile) found for the Southeast corner of that certain tract described as Lot 23 in the aforesaid referred to agreement for sale of real estate (1193/325) bearing N 80° 11' 18" w 122.70 feet;

THENCE SOUTH (called South) with the East boundary line of the said Lot 26 and with the said Duncan Slough Road (land to the East is that certain tract in Volume 1085 Page 361), at 38.79 feet (called 40 feet) the Southeast corner of the aforesaid referred to Lot 26 and the Northeast corner of that certain 43.10 acre tract described in a deed from R.S. Perkins to Southland Paper Mills, Inc. dated April 17, 1958 and recorded in Volume 218 on Page 113 of the Deed Records of Angelina County, Texas, a concrete monument found for corner approximately 8 feet East of the existing centerline of the said road;

THENCE WEST (called West) with the South boundary line of the said Lot 26 and the North boundary line of the said 43.10 acre tract, at 480.00 feet (called 480 feet) the Southwest corner of the said Lot 26 and the Southeast corner of a tract of land that still appears to be owned by Dee Cloyd Decurs (portion of the aforesaid Tract Three in Volume 750 Page 757), a 1/2" pipe set for corner witnessed by a concrete monument (at a fence corner) found for the Northwest corner of the said 43.10 acre tract bearing West 225.49 feet;

THENCE NORTH (called North) with the West boundary line of the said Lot 26 and the East boundary line of the said Decurs tract, at 38.79 feet (called 40 feet) the Northwest corner of the said Lot 26 and a corner of the said Decurs tract, a 1/2" pipe set for corner witnessed by a 1/4" pipe set for the Southwest corner of that certain tract described as Lot No. 21-1 in the aforesaid agreement for sale of real estate (1193/325) bearing N 84° 53' 18" E 210.07 feet;

THENCE EAST (called East) with the North boundary line of the said Lot 26 and the South margin of the aforesaid 17 feet wide strip left for a road, at 480.00 feet (called 480.00 feet) the point and place of beginning and containing 0.427 acre of land, more or less.

Basis of Bearings: The North boundary line (deed call - West 716.20 feet - found concrete monuments 705.49 feet apart).

The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct, and there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements, or rights-of-way, except as shown hereon.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
On: Jun 22, 2005 at 11:01A

Document Number: 00200021

Amount 40.00

By
Maria Solis

STATE OF TEXAS COUNTY OF ANGELINA

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the Official Public Records of Angelina County as stamped hereon by me.

Jo Ann Chastain, County Clerk
Angelina County

200021

18/1/05

Texas United Title Inc