

SELECT PORTFOLIO SERVICING, INC. (SPS)
NEW SR, JOHNNY AND ERICA NEW
131 ASHWOOD BEND, LUFKIN, TX 75904

CONVENTIONAL
Firm File Number: 15-022805

FILED
AT 12:57 O'CLOCK
MAY 31 2018
County Clerk, County of Angelina, Texas
AWY FINCHER
By _____ Attorney at Law

NOTICE OF TRUSTEE'S SALE

WHEREAS, on December 15, 2004, JOHNNY DALE NEW SR, AND ERICA P NEW, HUSBAND AND WIFE as Grantor(s), executed a Deed of Trust conveying to CTC REAL ESTATE SERVICES, as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR AMERICA'S WHOLESALE LENDER in payment of a debt therein described. The Deed of Trust was filed in the real property records of ANGELINA COUNTY, TX and is recorded under Clerk's File/Instrument Number 00193226 Volume 2108, Page 10, to which reference is herein made for all purposes.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon contingency and in the manner authorized by said Deed of Trust; and


NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on TUESDAY, **August 7, 2018** between ten o'clock AM and four o'clock PM and beginning not earlier than 1:00 PM or not later than three hours thereafter, I will sell said Real Estate in the area designated by the Commissioners Court, of **Angelina** county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

Said Real Estate is described as follows: In the County of Angelina, State of Texas:

SEE EXHIBIT "A"

Property Address: 131 ASHWOOD BEND
LUFKIN, TX 75904
Mortgage Servicer: SELECT PORTFOLIO SERVICING, INC.
Noteholder: THE BANK OF NEW YORK MELLON, F/K/A, THE BANK OF NEW YORK AS TRUSTEE
FOR CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2004-15
3217 S. DECKER LAKE DR.
SALT LAKE CITY, UTAH 84119

The Mortgage Servicer is authorized to represent the Noteholder by virtue of a servicing agreement with the Noteholder. 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 property securing the above referenced loan.


SUBSTITUTE TRUSTEE
Robert LaMont, Sheryl LaMont, David Sims, Allan Johnston or Ronnie Hubbard
c/o Shapiro Schwartz, LLP
13105 Northwest Freeway, Suite 1200
Houston, TX 77040
(713)462-2565

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 military service to the sender of this notice immediately.

EXHIBIT A

Doc 00193226 Bk RP Vol 2108 Pg 23

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the JOHN MASSINGILL SURVEY, ABSTRACT NO. 450 and being all of that certain 0.312 acre tract described in a deed from Robert & Janic Investments, Inc. to Johnny Dale New, Sr., et ux dated September 5, 2002 and recorded in Volume 1635 on Page 220 of the Real Property Records of Angelina County, Texas, (and being all of Tract No. 27 of WILL HEIGHT SUBDIVISION - an unrecorded subdivision) 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 0.312 acre tract, the Northwest corner of the aforesaid referred to Tract No. 27, the Northeast corner of that certain 0.367 acre tract (Tract No. 4 of WILL HEIGHT SUBDIVISION) described in a deed from Robert & Janic Investments, Inc. to Gemma Bautista dated October 20, 1999 and recorded in Volume 1232 on Page 884 of the Real Property Records of Angelina County, Texas, the Southeast corner of that certain 0.275 acre tract (Tract No. 24 of WILL HEIGHT SUBDIVISION) described in a deed from Diboll-Williams Construction, Inc. to Robert Mullins, et ux dated November 20, 2003 and recorded in Volume 1884 on Page 307 of the Real Property Records of Angelina County, Texas, and the Southwest corner of Tract No. 25 (portion of that certain 48.555 acre tract described in a deed from Gerald S. Tamplin, Individually and as Attorney in fact for Betty Marie Tamplin Knott and Van Evans Tamplin, being the heirs of Betty Evans Tamplin, Deceased to Robert & Janic Investment, Inc. and Royce Williams dated March 26, 1996 and recorded in Volume 1050 on Page 727 of the Real Property Records of Angelina County, Texas), a ½" rod found for corner (at a fence corner) witnessed by a ½" rod (at a fence corner) bearing S 80° 02' 13" W 79.99 feet and a ½" rod bearing N 10° 08' 26" W 149.82 feet;

THENCE N 79° 58' 06" E (called N 80° 00' 00" E) with the North boundary line of the said 0.312 acre tract, the North boundary line of the said Tract No. 24, the South boundary line of the said Tract No. 25, and the South boundary line of that certain 0.310 acre tract (Tract No. 26 of WILL HEIGHT SUBDIVISION) described in a deed from Robert & Janic Investments, Inc. to John Cleveland, et al, as trustees or deacons of New Life Worship Center dated January 2, 2002 and recorded in Volume 1683 on Page 173 of the Real Property Records of Angelina County, Texas, at 169.81 feet (called 170.00 feet) the Northeast corner of the said 0.312 acre tract, the Northeast corner of the said Tract No. 27, and the Southeast corner of the said 0.310 acre tract, a ½" rod found for corner in the West right-of-way line of Ashwood Bend (50 feet wide right-of-way in Volume 1242 on Page 822), said rod witnessed by a ½" rod bearing N 10° 04' 17" W 149.85 feet;

THENCE S 10° 01' 56" E (called S 10° 00' 00" E) with the East boundary line of the said 0.312 acre tract, the East boundary line of the said Tract No. 27, and the West right-of-way line of the said Ashwood Bend (Willow Bend), at 80.20 feet (called 80.00 feet) the Southeast corner of the said 0.312 acre tract, the Southeast corner of the said Tract No. 27, and the Northeast corner of that certain 0.258 acre tract described as Tract One (Tract No. 2 of WILL HEIGHT SUBDIVISION) in a deed from Ricky D. Hayes to Kelby McCall, et ux dated January 15, 2004 and recorded in Volume 1911 on Page 81 of the Real Property Records of Angelina County, Texas, a ½" rod found for corner witnessed by a ½" rod bearing S 10° 03' 44" E 126.09 feet;

THENCE S 80° 01' 35" W (called S 80° 00' 00" W) with the South boundary line of the said 0.312 acre tract, the South boundary line of the Tract No. 27, the North boundary line of the said 0.258 acre tract, and the North boundary line of that certain 0.225 acre tract described as Tract Two (Tract No. 3 of WILL HEIGHT SUBDIVISION) in the said McCall deed (Volume 1911 on Page 81), at 169.98 feet (called 170.00 feet) the Southwest corner of the said 0.312 acre tract, the Southwest corner of the said Tract No. 27, and Northwest corner of the said 0.225 acre tract, a ½" rod found for corner in the East boundary line of the aforesaid 0.367 acre tract, a ½" rod found for corner witnessed by a ½" rod bearing S 10° 08' 56" E 121.37 feet;

THENCE N 09° 54' 29" W (called N 10° 00' 00" W) with the West boundary line of the said 0.312 acre tract, the West boundary line of the said Tract No. 27, and the East boundary line of the said 0.367 acre tract, at 80.03 feet (called 80.00 feet) the point and place of beginning and containing 0.312 acre of land, more or less.

Basis of Bearings:

The North boundary line of that certain 0.256 acre tract (Tract No. 10 of WILL HEIGHT SUBDIVISION) described in a deed from Diboll-Williams Construction, Inc. to Joseph P. Macaculop, et ux dated October 31, 2000 and recorded in Volume 1321 on Page 130 of the Real Property Records of Angelina County, Texas, (deed call - S 79° 54' 47" W 79.95 feet - unrecorded subdivision plat call - S 80° 00' 00" W 80.00 feet - found ½" rods 79.95 feet apart).

JW *CV*

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
On: Dec 30, 2004 at 01:57P

Document Number: 00193226

Amount 42.00

By
Kelly Smith

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 named records of: Angelina County as stamped hereon by me.

Jo Ann Chastain, County Clerk
Angelina County

193226

Return To:
Community Title
403 S. Chestnut
Lufkin, TX 75901

04-1172
B-136
15/42.00