

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.

THE STATE OF TEXAS)
COUNTY OF ANGELINA)

FILED
AT 12:24 O'CLOCK P.M.
JUN 21 2018

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

Notice is hereby given that whereas, on December 27, 2007, Kelly D. Hamilton, executed a deed of trust to the State Director for Rural Development for the State of Texas and his successors in office as State Director or Acting State Director, Trustee, for the benefit of the United States of America, Beneficiary, as more fully shown by instrument recorded as Document No. 2007-00238644, Official Records, Angelina County, Texas, reference to which is hereby made for a more complete description of the property covered thereby and the terms and effects of such instrument; and

WHEREAS, said deed of trust specifically authorized the appointment of a substitute trustee by the Beneficiary of said deed of trust; and

WHEREAS, by authority of the said deed of trust, the United States of America, Beneficiary thereunder, acting by and through the duly authorized representative of the Secretary of Agriculture, pursuant to the delegations of authority contained in the Federal Register, the contents of which publication are to be judicially noticed pursuant to Section 1507, Title 44, United States Code, did on

May 30, 2018, appoint the undersigned as Substitute Trustee; and

WHEREAS, default has occurred in the payment of the promissory note described in said deed of trust and in the covenants contained in said deed of trust; and

WHEREAS, the Beneficiary, the United States of America, acting by and through the duly authorized representative of the Secretary of Agriculture, as aforesaid, has requested me to enforce this deed of trust;

NOW, THEREFORE, I hereby give notice that after the due publication of this notice as required by said deed of trust and the law, I will sell at public vendue to the highest bidder or bidders, for cash, at the Angelina County Annex, 606 East Lufkin Avenue, Lufkin, Texas, in the hallway outside the Commissioner's Courtroom adjacent to the Atrium in Lufkin, Angelina County, Texas, in which county such property is situated, at 10:00 a.m., or within three hours thereafter, on the first Tuesday of August, being the 7th day of August 2018, the following land located in said county and more particularly described as follows:

All that certain lot, tract or parcel of land lying and situated in Angelina County, Texas and being Lot 12, Block 5, of the Pinedale Addition to the City of Diboll, as the same appears upon the official map or plat, which is of record in Cabinet A, Slide 58-B, Map and Plat Records, of Angelina County, Texas, to which reference is hereby made for any and all purposes.

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. The restrictive covenant recorded at Volume 190, Page 472, Deed Records, Angelina County, Texas.

2. Shortages in area.
3. Any unpaid ad valorem taxes.
4. Visible and apparent easements on or across the property, the existence of which does not appear of record.
5. Any portion or the herein described property lying within the boundary of any road or roadway.
6. Title to oil, gas and other minerals of every kind and character, in, on and under the property herein described.
7. Title to all oil, gas and minerals and other elements not constituting part of the surface estate in the above described property, together with all rights, privileges and Immunities relating thereto.
8. Thirty-Five (35) Foot Building Setback Line(s) along the most Western property line as shown on the Mortgage Loan Survey dated December 12, 2007 and prepared by Michael G. Parker, R.P.L.S. No. 4S27 and per Restrictions recorded In Volume 190, Page 472, Deed Records, Angelina County, Texas.
9. Five (5) Foot Building Setback Line(s) along the most Northern and Southern property lines as shown on the Mortgage Loan Survey dated December 12, 2007 and prepared by Michael G. Parker, R.P.L.S. No. 4S27 and per Restrictions recorded In Volume 190, Page 472, Deed Records, Angelina County, Texas.
10. Twenty-Five (25) Foot Building Setback Line(s) along the most Eastern property line as shown on the Mortgage Loan Survey dated December 12, 2007 and prepared by Michael G. Parker, R.P.L.S. No. 4S27 and per Restrictions recorded in Volume 190, Page 472, Deed Records, Angelina County, Texas.
11. Five (5) Foot Utility Easement along the most Eastern property line as shown on the Mortgage Loan Survey dated December 12, 2007 and prepared by Michael G. Parker, R.P.L.S. No. 4S27 and per Restrictions recorded in Volume 190, Page 472, Deed Records, Angelina County, Texas.
12. Overhead electrical lines, telephone lines and television lines as shown on the Mortgage Loan Survey dated December 12, 2007 and prepared by Michael G. Parker, R.P.L.S. No. 4527.

13. Encroachment of pool and deck into the Twenty-Five (25) Foot Building Setback Line(s) as shown on the Mortgage Loan Survey dated December 11, 2007 and prepared by Michael G. Parker, R.P.L.S. No. 4527.

14. Encroachment of asphalt driveway into the Thirty-Five (35) Foot Building Setback Line(s) as shown on the Mortgage Loan Survey dated December 12, 2007 and prepared by Michael G. Parker, R.P.L.S. No. 4527.

EXECUTED this 14th day of June, 2018.

Bonita J. Davidson

Bonita J. Davidson
Substitute Trustee
1520 E. Denman, Suite #104
Lufkin, TX 75901
(936) 634-9900 ext. 4

ACKNOWLEDGMENT

THE STATE OF TEXAS)

COUNTY OF ANGELINA)

This instrument was acknowledged before me on June 14,
2018, by Bonita J. Davidson, as Substitute Trustee.



Melaney Morris
Notary Public, State of Texas