

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

NOTICE OF FORECLOSURE SALE

FILED
AUG 05 2016
AMY FINCHER
County Clerk, County Court at Law
By: Angelina County, Texas
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THE STATE OF TEXAS §

COUNTY OF ANGELINA §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on the 21st day of February, 2014, Ruben Hernandez ("Debtor") executed that certain Deed of Trust (as extended and renewed, "Deed of Trust") conveying to Don Duran, Trustee ("Trustee"), the real property more particularly described in Exhibit "A" attached hereto, together with all improvements, fixtures, equipment, and other property located on the real property and any and all other items, rights, or interests described in the Deed of Trust, all of which property is more fully described in the Deed of Trust, to which reference is hereby made for further description of the property covered by this notice (collectively, "Property"); and

WHEREAS, the Deed of Trust was recorded under Document No. 2014-316188, Real Property Records of Angelina County, Texas; and

WHEREAS, the Deed of Trust was executed and delivered to secure the payment of the following items of indebtedness ("Indebtedness"):

That certain Promissory Note (as extended, renewed, modified or replaced, "Note") dated of even date with the Deed of Trust and executed by Debtor, payable to the order of Pearson Financial Corporation P-S Pension Plan ("Creditor"), in the original principal amount of \$57,500.00.

WHEREAS, the Indebtedness is due and payable, and despite Creditor's demands, Debtor has failed to pay, and continues to fail to pay, the Indebtedness; and

WHEREAS, Creditor and directed Trustee to exercise the power of sale under the Deed of Trust for the purpose of enforcing the collection of the Indebtedness;

NOW, THEREFORE, the undersigned hereby gives notice that, after due publication of this notice as required by law and the Deed of Trust, the undersigned will sell the Property, as an entirety or in parcels, by one or by several sales, held at one time or at different times, all as the undersigned may elect and announce at such sale or sales, at the Angelina County Commissioners Courtroom, Angelina County Courthouse Annex Building, located at 606 E. Lufkin Avenue, Lufkin, Texas; said location having been designated by the County Commissioners of Angelina County, Texas ("Commissioners"). In the event that early voting or elections is going on or in the event the Angelina County Courthouse Annex is closed due to observance of a designated holiday, all sales

will be held on the front steps of the entrance to Angelina County Courthouse Annex. If early voting is going on and the weather is bad the sales will be held in the Angelina County Courthouse Annex Foyer located at 606 E. Lufkin Avenue, Lufkin, Texas, (or such other location as may be designated by the Commissioners after the sending of this notice and before the time of the sale), in which county the Property is situated, on September 4, 2018, being the first Tuesday of said month, at 11:00 o'clock A.M. (or within three hours thereafter) to the highest bidder or bidders for cash at a public auction, and will make due conveyance of the Property to the purchaser or purchasers, with special warranty deed binding Debtor, his successors and assigns.

The sale noticed herein shall include the interest of Debtor in all fixtures with personal property covered by the Deed of Trust and any other documents executed in connection with or as security for the Indebtedness, Creditor having directed the undersigned to sell, and the undersigned hereby noticing the sale of, said fixtures and personally pursuant to rights granted to Creditor under Section 9.501(d) of the Texas Business & Commerce Code.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY, OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER CREDITOR NOR TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS, OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS, OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH SHALL BE EXPRESSLY WAIVED BY PURCHASER.

EXECUTED in multiple original copies on the 6th day of August, 2018.



Don W. Duran, Trustee under the Deed of Trust

EXHIBIT "A"

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the J.MAGANO SURVEY, ABSTRACT NO. 25 and being all of those certain two tracts described as Tract One (0.623 acre tract) and Tract Two (0.22 acre) in a deed from Joe Deel, et ux to Craig Acree, et ux dated July 17, 2000 and recorded in Volume 1278 on Page 95 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 Southwest corner of the aforesaid referred to 0.623 acre tract and the Southeast corner of that certain 10.000 acre tract described in a deed from Dependent Baptist Church to Dependent Family Church, dated December 16, 1996 and recorded in Volume 1085 on Page 617 of the Real Property Records of Angelina County, Texas, a ½" rod found for corner (at a t-post) in the North boundary line of that certain 168.192 acre tract described in a deed from John S. Redditt to The University of Texas Law School Foundation dated May 18, 1972 and recorded in Volume 388 on Page 22 of the Deed Records of Angelina County, Texas, said rod witnessed by a ½" rod found for the Southwest corner of the said 10.000 acre tract bearing N 77° 24' 01" W 263.27 feet;

THENCE N 12° 14' 36" E (called N 12° 05' 56" E) with the West boundary line of the said 0.623 acre tract, the West boundary line of the aforesaid referred to 0.22 acre tract, and the East boundary line of the said 10.000 acre tract, at 283.12 feet pass on line a ½" pipe found for the Northwest corner of the said 0.623 acre tract and the Southwest corner of the said 0.22 acre tract, at 333.12 feet (called 281.03 feet - 0.623 acre tract and 50.00 feet - 0.22 acre tract) the Northwest corner of the said 0.22 acre tract and the Southwest corner of Lot No. 6 of WOODLAWN ACRES REVISED SUBDIVISION, a subdivision in Angelina County, Texas, as recorded in Cabinet A on Slide 181-B of the Map and Plat Records of Angelina County, Texas, a ½" pipe found for corner witnessed by a ½" rod bearing N 71° 33' 06" W 3.95 feet and a ½" rod found for the Northwest corner of the said Lot No. 6 bearing N 12° 14' 36" E 115.14 feet;

THENCE S 77° 47' 45" E (called S 77° 54' 04" E) with the North boundary line of the said 0.22 acre tract and the South boundary line of the said Lot No. 6, at 188.99 feet (called 189.35 feet) the Northeast corner of the said 0.22 acre tract and the Southeast corner of the said Lot No. 6, a ½" rod found for corner in the West right-of-way line of Meadowview (50 feet wide right-of-way);

THENCE S 12° 05' 56" W (called N 12° 05' 56" W) with the East boundary line of the said 0.22 acre tract and the West right-of-way line of the said Meadowview, at 50.25 feet the Southeast corner of the said 0.22 acre tract, a ½" pipe found for corner in the North boundary line of that certain 0.612 acre tract described in a deed from William R. Ricks, et al to Nina Rodriguez dated June 25, 1986 and recorded in Volume 641 on Page 620 of the Real Property Records of Angelina County, Texas, and in the South right-of-way line of Kelly Field (50 feet wide right-of-way), said pipe witnessed by a ½" rod found for the Northeast corner of the said 0.612 acre tract bearing S 77° 43' 28" E 2.43 feet;

THENCE N 77° 43' 28" W (called N 77° 54' 04" W) with the South boundary line of the said 0.22 acre tract and the North boundary line of the said 0.612 acre tract, at 92.68 feet the Northeast corner of the aforesaid 0.623 acre tract and the Northwest corner of the said 0.612 acre tract, a ½" rod found for corner;

THENCE S 12° 05' 56" W (called S 12° 05' 56" W) with the East boundary line of the said 0.623 acre tract and the West boundary line of the said 0.612 acre tract, at 282.84 feet (called 280.87 feet) the Southeast corner of the said 0.623 acre tract and the Southwest corner of the said 0.612 acre tract, a ½" rod found for corner in the North boundary line of the aforesaid 168.192 acre tract, said rod witnessed by a ½" rod found for the Southeast corner of the said 0.612 acre tract bearing S 77° 59' 42" E 94.97 feet;

THENCE N 77° 53' 10" W (called N 78° 00' 00" W) with the South boundary line of the said 0.623 acre tract and the North boundary line of the said 168.192 acre tract, at 97.15 feet (called 96.68 feet) the point and place of beginning and containing 0.846 acre of land, more or less.

Basis of Bearings: The East boundary line of the said 0.623 acre tract (deed call - S 12° 05' 56" W 280.87 feet - found ½" rods 282.84 feet apart).