

FILED  
AT 10 O'CLOCK  
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AUG 09 2018

## 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.

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

### Deed of Trust

Dated: December 5, 2013

Grantor: Robert Gregory Williamson

Trustee: Mark Moore

Lender: BancorpSouth Bank

Recorded in: Clerk's Document No. 2013-00312569, Official Public Records, Angelina County, Texas

Legal Description: TRACT ONE: I, Karey L. Lee, Registered Professional Land Survey, do hereby certify that the attached plat is a true and correct plat showing all that certain tract or parcel of land lying and situated in Angelina County, Texas, within the ELI GILLILAND SURVEY, ABSTRACT NO. 281, being all that certain 10.00 acre tract which was conveyed from Brian Noel McGilvera to Robert Greg Williamson by deed dated April 7, 2004 and recorded in Volume 1957, on Page 97 of the Deed Records of Angelina County, Texas, to which reference is hereby made for any and all purposes being described by metes and bounds as follows, to wit:  
BEGINNING at a 1" iron pipe found for corner, at fence corner, for the Northwest corner of the above referred to 10.00 acre tract, same being the East corner of that certain 4.5 acre tract which conveyed from Nathan L. Griffith, Jr., et ux, to Alfred Brock, et ux, by deed dated September 26, 1986 and recorded in Volume 650, on Page 828 of the Deed Records of Angelina County, Texas, the North corner of the residual portion of that certain 12.78 acre tract which was conveyed from H.C. Rich, Jr., to Nathan Lynn Griffith, et ux, by deed dated April 10, 1970 and recorded in Volume 367, on Page 18 of the Deed Records of Angelina County, Texas, and an angle corner in the South boundary line of that certain 101.94 acre tract which was conveyed as Tract Two, from Timothy P. Womack, et ux, to Frank J. Womack by deed dated December 23, 1999 and recorded in Volume 1242, on Page 419 of the Deed Records of Angelina County, Texas;  
THENCE N 59°53'43" E with Womack's South boundary line, 316.78

conveyed from Brian Noel McGilvera to Robert Greg Williamson by deed dated April 7, 2004 and recorded in Volume 1957, on Page 97 of the Deed Records of Angelina County, Texas, and the East corner of that certain 4.5 acre tract which was conveyed from Nathan L. Griffith, Jr., et ux, to Alfred Brock by deed dated September 26, 1986 and recorded in Volume 650, on Page 828 of the Deed Records of Angelina County, Texas, located in the Southeast boundary line of that certain 15.07 acre tract which was conveyed from Tanya Jean Womack to Robert M. Diamond, et ux, by deed dated July 3, 2006 and recorded as Document No. 00215803 in the Deed Records of Angelina County, Texas, a 1" iron pipe found for corner from which a utility pole bears S 69°03' W 73.39 feet;

THENCE S 29°21'32" E with the Northeast boundary line of the above referred to 12.78 acre tract, common with the Southwest boundary line of said 10.00 acre tract, 508.95 feet to a ½" iron rod found for corner at the North corner of that certain 2.00 acre tract which was conveyed from Robert Ogburn to Edna Gail Moore by deed dated July 6, 1999 and recorded in Volume 1216, on Page 272 of the Deed Records of Angelina County, Texas;

THENCE N 75°15'52" W severing the above referred to 12.78 acre tract, 476.68 feet to a ½" iron pipe set for corner in the Northwest boundary line thereof, common with the Southeast boundary line of said Brock 4.5 acre tract, from which a pipe found bears S 33°16'04" W 419.66 feet;

THENCE N 33°16'04" E with last named boundary, 385.52 feet to the place of beginning containing 2.00 acres of land, more or less.

Basis of Bearings: The East boundary line of that certain 4.5 acre tract which was conveyed from Nathan L. Griffith, Jr., et ux, to Alfred Brock by dated September 26, 1986 and recorded in Volume 650, on Page 828 of the Deed Records of Angelina County, Texas, which line was called S 33°16'04" W 805.51 feet.

Secures: Promissory note ("Note") dated December 5, 2013 in the original principal amount of \$114,000.00 executed by Robert Gregory Williamson ("Borrower") and payable to the order of Lender

Modifications  
And Renewals: None

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described under the Legal Description above, and all rights and appurtenances thereto

Substitute Trustee: Michael E. Warwick, physical address 107 W. Austin Street, Marshall, Texas 75670; mailing address P.O. Box 1386, Marshall, Texas 75671-1386

### Foreclosure Sale Information

- Date of Sale: Tuesday, the 4<sup>th</sup> day of September, 2018
- Time of Sale: The sale of the Property will be held between the hours of 10:00 AM and 4:00 PM local time; the earliest time at which the Foreclosure Sale will begin is 10:00 AM and not later than three hours thereafter
- Place of Sale: The designated sale site being the Angelina County Courthouse Annex, located at 606 East Lufkin Avenue, Lufkin, Texas, in the hallway outside the Commissioner's Courtroom
- Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Lender's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust

WHEREAS, Grantor conveyed the Property in trust to secure payment of the Note set forth in the Deed of Trust; and,

WHEREAS, all notices according to law and the terms of the Deed of Trust were given to Grantor, and any other person(s) or entities that may be obligated on the Note, including but not limited to written demand for payment, opportunity to cure, and notification that Lender would proceed to exercise its rights and remedies under the Note and Deed of Trust if not paid in full; and,

WHEREAS, default occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Lender, the owner and holder of the Note, has requested the Substitute Trustee to sell the Property.

**NOW, THEREFORE, NOTICE IS HEREBY GIVEN** of the foregoing matters and that:

1. All sums under the Note secured by the Deed of Trust are due and payable, and Grantor/Borrower and all persons and entities obligated on the Note refused payment of said sums.
2. Substitute Trustee will sell the property on the date, at the place, and no earlier than the time set forth above in the Foreclosure Sale Information section of this Notice. The sale will be conducted in accordance with the Terms of Sale described above, the Deed of Trust and applicable Texas law.
3. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold **"AS IS, WHERE IS, WITH ALL FAULTS"** and **without any expressed or implied warranties, except as to the warranties (if any) provided under the Deed of Trust.** Neither the Substitute Trustee nor Lender makes any

representation as to title or the suitability of the Property for any purpose. Potential bidders should satisfy themselves as to title and suitability of purpose. The Foreclosure Sale shall be subject to any legal impediments to the sale of the property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of 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 the nature and extent of such matters, if any.

4. The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.
5. The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that the Lender's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Those desiring to purchase the Property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.
6. Pursuant to section 51.0075 of the Texas Property Code, the Substitute Trustee hereunder reserves the right to set further reasonable conditions for conducting the sale.
7. If Lender passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.
8. Questions concerning the sale may be directed to the undersigned Substitute Trustee whose address, telephone number and other contact information are listed below.

Dated: August 9, 2018



MICHAEL E. WARWICK,  
Substitute Trustee  
Physical address: 107 W. Austin Street,  
Marshall, Texas 75670  
Mailing address: P.O. Box 1386, Marshall,  
Texas 75671-1386  
Office telephone number: (903) 938-6611  
Office fax number: (903) 938-4572  
Email: [mikewarwick@abneywarwick.com](mailto:mikewarwick@abneywarwick.com)