

Notice of Foreclosure Sale

September 8, 2018

"Deed of Trust":

Dated: 01/13/2017

Grantor: Zoe Realty Investment Group, LLC

Original Trustee: Jeff "Marty" Barnhill

Lender: Robert Wayne Campbell

Recorded in: Instrument No. 2017-00352258 of the real property records of **Angelina County, Texas** on May 4, 2017

Recorded in: Volume 2447, Page 806 of the real property records of **Cherokee County, Texas** on August 10, 2018

Property:

ANGELINA COUNTY, TEXAS

TRACT 1 Angelina County:

All that certain lot, tract or parcel of land lying and situated in Angelina County, Texas and being a part or portion of Lot 2 , Block 53, containing 0.240 acres, of the Town of Lufkin Addition to the City of Lufkin, as the same appears upon the official map or plat, which is of record in Cabinet B, Slide 44-B, Map and Plat Records, of Angelina County, Texas, to which reference is hereby made for any and all purposes and being more fully described by metes and bounds in Exhibit "A" attached.

TRACT 6 Angelina County:

0.343 acre of land, more or less, part of the J.L. Quinalty Survey , Abstract No. 40, being situated in Angelina County, Texas and being more fully described by metes and bounds in Exhibit "A" attached.

EASEMENT ESTATE Angelina County:

0.060 acre of land, more or less, part of the .I.E. Quinalty Survey. Abstract No. 40. being situated in Angelina County. Texas and being more fully described by metes and bounds in Exhibit "A" attached.

CHEROKEE COUNTY, TEXAS

FILED
AT 12:50 CLOCK PM

SEP 10 2018

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

By

MCS

TRACT 3 Cherokee County Property:

0.014 of one acre of land, more or less, part of the John Hundley Survey, Abstract No. 341, which is also out of the VJ. Long 1.48 acre tract in Block 69 of the Timmons Addition to the Town of Rusk, being situated in Cherokee County, Texas and being more fully described by metes and bounds in Exhibit "B" attached.

TRACT 4 Cherokee County Property:

All that certain tract or lot of land situated in the City of Rusk and in the John Hundley Survey, Abstract No. 341, and being part Block 69 of the Timmons Addition to the Town of Rusk, also being apart of Tract 1 (designated as Lot 7 of Dobbs Subdivision), being situated in Cherokee County, Texas and being more fully described by metes and bounds in Exhibit "B" attached.

TRACT 5 Cherokee County Property:

1.044 acres of land, more or less, part of the John Durst Grant Survey, Abstract No. 15, and being part of Alto City Block 20, Lot 6 and Lot 7, and in Block 5, map of Alto recorded in Volume I, Page 5 of the Plat Records, being situated in Cherokee County, Texas and being more fully described by metes and bounds in Exhibit "B" attached.

Secures: "Note" in the original principal amount of \$1,000,000.00, executed by Zoe Realty Investment Group, LLC ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Modifications: Reduction of Interest Rate dated January 19, 2017

Substitute Trustee: Greg Longino

Substitute Trustee's
Address: 101 S. 1st St., Lufkin, Texas, 75901

Foreclosure Sale:

Date: October 2, 2018.

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 11:00 a.m. and not later than three hours thereafter.

Place: **The foreclosure sale will be conducted at the Angelina County Courthouse Annex, 606 East Lufkin Ave., Lufkin, Texas in the**

hallway outside the Commissioner's Courtroom adjacent to the Atrium.

SPECIAL NOTE: PURSUANT TO THE TEX. PROP. CODE ANN. § 51.002(a), AS THE PROPERTY IS LOCATED IN MORE THAN ONE COUNTY, THE SALE OF THE PROPERTY LOCATED IN BOTH ANGELINA AND CHEROKEE COUNTIES SHALL BE MADE AT THE ANGELINA COUNTY LOCATION AND ADDRESS SET FORTH IN THE PARAGRAPH IMMEDIATELY ABOVE.

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 Robert Wayne Campbell's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

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

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Robert Wayne Campbell's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Robert Wayne Campbell's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Robert Wayne Campbell 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.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Robert Wayne Campbell. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

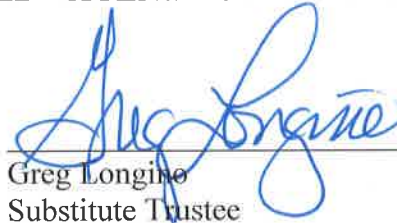
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent

investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

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.



Greg Longino
Substitute Trustee

Exhibit A

TRACT 1 Angelina County Property

BEING that certain tract or parcel of land situated in ANGELINA COUNTY, and being a part or portion of Lot 2, Blk. 53 of the Town of Lufkin, an addition to the City of Lufkin as the same appears on the official map or plat of said addition recorded in Cabinet B, Slide 44-B of the Map and Plat Records of Angelina County, Texas, and being all that called 0.240 acre tract of land described in a Warranty Deed with Vendors Lien from Stephen L. Hicks and wife, Nancy R. Hicks to Glenn A. Zachry, dated October 7, 1997 and recorded in Volume 1123, Page 390 of the Real Property Records of Angelina County, Texas (RPRACT), and to which reference is hereby made for any and all purposes, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch iron pipe found at the intersection of the southerly right of way (ROW) line of Abney Ave. (Record = 80 foot ROW) with the westerly ROW line of Douglas St. (Record = 60 foot ROW) for the northeast corner of the reference tract same being the northeast corner of the reference Lot 2, Blk 53, Town of Lufkin;

THENCE S 19° 45' 08" E, along the westerly ROW line of Douglas St. and the easterly line of the referenced tract, 74.02 feet to a 1/2 inch iron rod found for the southeast corner of the referenced tract, same being the east most northeast corner of that called 0.725 acre tract of land described as "Exhibit E" in a General Warranty Deed, Bill of Sale, and Dissolution of Partnership to K. Van Hicks and wife, Pamela P. Hicks, dated September 27, 1988 and recorded in Volume 730, Page 390, RPRACT, and from which a 1/2 inch iron pipe found for the southeast corner of said Hicks 0.725 acre tract bears S 19° 45' 08" E 76.34 feet;

THENCE Westerly and Northerly along of the common line of referenced tract and said Hicks 0.725 acre tract, crossings referenced Lot 2, Blk 53 as follows:

S 70° 15' 38" W 142.18 feet to 1/2 inch iron pipe found for the southwest corner of the referenced tract, and

N 19° 17' 30" W 73.38 feet to a 1/2 inch iron pipe found in the southerly ROW line of Abney Ave. for the northwest corner of the reference tract, same being the north most northeast corner of said Hicks 0.725 acre tract;

THENCE N 70° 00' 00" E (reference bearing), along the southerly ROW line of Abney Ave. and the northerly line of the reference tract, 141.59 feet to the POINT OF BEGINNING, and containing 0.240 acre of land, more or less.

TRACT 6 Angelina County Property

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the J.L. QUINALTY SURVEY, ABSTRACT NO. 40 and being all of that certain 0.344 acre tract described as Exhibit "A" in a deed from GSV Properties to Kenneth R. Hanks dated May 8, 1984 and recorded in Volume 560 on Page 166 of the Deed 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 0.344 acre tract and a Northeast corner of that certain 13.019 acre tract (14.262 acre site and except 0.899 acre and 0.344 acre) described in a deed from GSV Properties to Lufkin Business Park, Inc. dated December 31, 1990 and recorded in Volume 822 on Page 242 of the Real Property Records of Angelina County, Texas, a 1/4" rod found for corner in the West margin of Warren Street, said rod being approximately 24 feet from the existing centerline and approximately 13 feet from the edge of asphalt, said rod witnessed by a 1/4" rod found for a corner of the said 13.019 acre tract bearing S 17° 01' 01" E 651.26 feet;

THENCE S 76° 41' 53" W (called S 76° 41' 53" W) with the South boundary line of the said 0.344 acre tract a North boundary line of the said 13.019 acre tract, at 99.96 feet (called 100.00 feet) the Southwest corner of the said 0.344 acre tract, an interior ell corner of the said 13.019 acre tract, and the Southwest corner of that certain 20 feet wide strip of land described as Exhibit "B" - Easement Estate in the aforesaid Hanks deed (Volume 560 Page 166), a 5/8" rod found for corner,

THENCE N 17° 01' 58" W (called N 17° 01' 24" W) with the West boundary line of the said 0.344 acre tract, an East boundary line of the said 13.019 acre tract, and the East boundary line of the said Easement Estate (20 feet wide strip), at 129.73 feet pass on line an "x" chiseled in concrete in the South right-of-way line of Paul Avenue (said "x" being the Southwest corner of that certain 0.0380 acre tract described as and easement for road purposes in a right-of-way easement from K.R. Hanks to the City of Lufkin, Texas, dated March 20, 1986 and recorded in Volume 625 on Page 703 of the Real Property Records of Angelina County, Texas), at 149.91 feet (called 150.00 feet) the Northwest corner of the said 0.344 acre tract, a Northeast corner of the said 13.019 acre tract, the Northeast corner of the said Easement Estate tract, and the Northwest corner of the said 0.0380 acre tract, on "x" chiseled in the concrete pavement of the said Paul Avenue, said "x" being approximately 13 feet from the existing centerline and approximately 8 feet North of the back of curb;

THENCE N 76° 41' 57" E (called N 76° 41' 53" E) with the North boundary line of the said 0.344 acre tract and the North boundary line of the said 0.0380 acre tract, and within the said Paul Avenue, at 100.00 feet (called 100.00 feet) the Northeast corner of the said 0.344 acre tract and the Northeast corner of the said 0.0380 acre tract, on "x" chiseled in concrete for corner in the West margin of the aforesaid Warren Street, said "x" being approximately 16 feet from the existing centerline of the said Paul Avenue, approximately 5 feet from the back of curb of the said Paul Avenue, approximately 22 feet from the existing centerline of the said Warren Street, and approximately 11 feet from the edge of asphalt of the said Warren Street;

THENCE S 17° 01' 01" E (called S 17° 01' 24" E) with the East boundary line of the said 0.344 acre tract, the East boundary line of the said 0.0380 acre tract, and the West margin of the said Warren Street, at 16.75 feet pass on line a 1/4" pipe set in the South right-of-way line of Paul Avenue (said pipe being the Southeast corner of the said 0.0380 acre tract), at 149.90 feet (called 150.00 feet) the point and place of beginning and containing 0.343 acre of land, more or less, of which approximately 0.043 acre lies within the said Paul Avenue right-of-way easement;

Basis of Bearings: The South boundary line of that certain 0.344 acre tract described as Exhibit "A" in a deed from GSV Properties to Kenneth R. Hanks dated May 8, 1984 and recorded in Volume 560 on Page 166 of the Deed Records of Angelina County, Texas (deed call - S 76° 41' 53" W 100.00 feet - found; 1/4" rod (S.E.C.) and a 5/8" rod (S.W.C.) 99.96 feet apart).

EASEMENT ESTATE:

BEING all that certain tract or parcel of land lying and situated in the City of Lufkin, Angelina County, Texas out of the J. L. QUINALTY SURVEY, ABSTRACT NO. 40 and being a part of portion of that certain tract described in a deed from P. E. Lindsey et al to Keith L. Green et al, dated April 1, 1975, and recorded in Volume 423, on Page 189 of the Deed Records of Angelina County, Texas, to which reference is hereby made for all purposes and the said part or portion being described by metes and bounds as follows, to-wit:

BEGINNING S 76° 41' 53" W, 125.05 feet from the Northeast corner of the aforesaid referred to Green et al tract, a point for corner;

THENCE S 17° 01' 24" E, at 150.00 feet, a point for corner;

THENCE S 76° 41' 53" W, at 20.04 feet, a 1/2" iron pin set for corner;

THENCE N 17° 01' 24" W, at 150.00 feet, a point for corner;

THENCE N 76° 41' 53" E, at 20.04 feet the point and place of beginning and containing 0.060 acre of land, more or less.

TRACT 3 Cherokee County Property

0.014 of one acre of land, more or less, same being a part of and out of the V. J. Long 1.48 acre tract in Block 69 of the Timmons Addition to the Town of Rusk, John Hundley Survey, Abst. No. 341 in Cherokee County, Texas; said 1.48 acre tract being described in deed to V. J. Long from Estate of J. E. Lee, dated December 4, 1968, recorded in Vol. 604 page 262 of the Deed Records of Cherokee County, Texas; said 0.014 of an acre of land, more or less, being more particularly described by metes and bounds as follows:

Beginning at an old 3/4 inch rod at the southern most southeast corner of said 1.48 acre tract, same being the southwest corner of a 50 by 50 foot lot as described in deed of record in Vol. 489 page 39 of the Deed Records of Cherokee County, Texas;

Thence West with the south boundary line of said 1.48 acre tract, a distance of 5 feet to a 3/8 inch rod for corner;

Thence North 05 degrees 34' West 53.50 feet to a 3/8 inch rod for corner;

Thence North 84 degrees 15' 43" East 54.75 feet to a 3/8 inch rod for corner in an east boundary line of said 1.48 acre tract, same being the west right of way line of Loop 62;

Thence Southeastwardly with said right of way line, same following a curve to the right whose radius is 1095.9156 feet (long chord South 05 deg. 29' 23" East 9.00 feet) to another southeast corner of said 1.48 acre tract and the northeast corner of said 50 by 50 foot lot;

Thence West with the north boundary line of said 50 by 50 foot lot, a distance of 50 feet to its northwest corner;

Thence South 05 degrees 34' East with the west boundary line of said 50 by 50 foot lot, a distance of 50 feet to the place of beginning, containing 0.014 of one acre of land, more or less.

TRACT 4 Cherokee County Property

All that certain tract or lot of land situated in the City of Rusk and in the John Hundley Survey, Abst. 341, in Cherokee County, Texas, and being a part of Block Number 69, of Timmons Subdivision of the Town of Rusk, also being a part of Tract Number One (designated as Lot No. Seven (7) of Dobbs Subdivision) in that certain deed from Ellen Smith to J. E. Lee, dated January 6, 1954, recorded in Vol. 388, page 322 of the Deed Records of Cherokee County, Texas, and

BEGINNING at the Southeast corner of the said Lot No. 7, same being in the Northeast corner of Lot No. 6, same being in the West Row line of U. S. Highway No. 69;

THENCE West with the South Boundary Line of said Lot No. 7 and the North Boundary Line of said Lot No. 6, said boundary line now being marked by a fence on the ground 50 feet, to a stake for corner;

THENCE North 5 deg. 15' West 50 feet to a stake for corner;

THENCE East parallel with said fence on the South Boundary Line of said Lot No. 7 50 feet to stake for corner on West Row line of said Highway No. 69;

THENCE Southeastwardly with said right of way along a curve of 5 deg. whose central angle is 45 deg. 54' the chord of which is South 5 deg. 15' East a distance of 50 feet to the place of beginning and being the same land described in Deed from J. E. Lee and wife, Lola B. Lee, to A. N. Powers and wife, Lou Verna Powers, dated March 5, 1959, recorded in Vol. 489, page 39 of the Deed Records of Cherokee County, Texas. Being the same land described in a Deed from A. N. Powers et al. to Bill H. Powers as shown by Deed dated September 26, 1969 and of record in Vol. 613, page 76 of the Deed Records of Cherokee County, Texas, to which reference is here made for description.

TRACT 5 Cherokee County Property

BEING 1.044 acres of land in Alto City Block No. 29, Lots No. 6 and 7, and in Block No. 5 of the JOHN DURST ORANT, ABSTRACT NO. 13, Cherokee County, Texas, map of Alto recorded in Volume 1, Page 5 of the Plat Records of Cherokee County, Texas, this tract being a portion of that tract described in deed from Ophelia Harrison et al to Kermit S. Sutton, June 4, 1986, recorded in Volume 1007, Page 512, Land Records of Cherokee County, Texas, (hereinafter shown as Volume Page, L.R., DR. for Deed Records, OPRORP, for Official Public Records of Real Property); and the residue of that tract from Naomi Morris to R. S. Sutton et al, Ruby Sutton, July 18, 1989, (102/59, L.R., SAID tract described as follows: Bearings are based on South 00 deg. 37 min. 14 sec. West, along the West line of Mill Street, w/cap = a 1.3/4" plastic cap marked Wayne Morgan RPLS 1969 Affiliated Surveyors;

BEGINNING at a 1/2" steel rod w/cap found in the West line of Mill Street at the Southeast corner of 0.185 acres, Ruby L. Sutton to Bill E. Staniland and Ann M. Staniland, September 15, 2000, 1473/71, OPRORP, located South 00 deg. 37 min. 14 sec. West, 95.00 feet from a 60d nail w/washer, marked Morgan, 1969, set in an asphalt driveway in the West line of Mill Street, which is located South 00 deg. 37 min. 14 sec. West, 416.65 feet from a 3/8" steel rod found marking the intersection of the South line of Gentryman Street with the West line of Mill Street, and South 00 deg. 37 min. 04 sec. West, 211.95 feet from a 1" iron pipe found in an asphalt driveway, for the Northeast corner of 1.146/397, OPRORP, said iron pipe having been shown by Kermit Sutton & William Shattuck to Surveyor Morgan in June of 1991 as their common corner, said pipe being the Southeast corner of these three tracts in deed from Kathryn Maude Maddox to Charles W. Singletary & Gwendolyn L. Singletary, May 5, 1999, 1422/729, OPRORP;

THENCE South 00 deg. 17 min. 08 sec. East, along the occupied West line of Mill Street, 424.95 feet to a 1/2" steel rod w/cap set for the Southeast corner of this tract;

THENCE South 77 deg. 30 min. 44 sec. West, 57.66 feet to a concrete highway monument found for the Southwest corner of this tract and Northwest corner of 0.049 acres, Naomi Morris to State of Texas, July 12, 1988, 1076/304, L.R., being in the East line of U. S. Highway No. 69;

THENCE North 11 deg. 13 min. 16 sec. West, 107.12 feet to a 1/2" steel rod found for offset corner in U. S. Highway No. 69;

THENCE South 79 deg. 37 min. 18 sec. West, 9.95 feet to a 1/2" steel rod found for offset corner in U. S. Highway No. 69;

THENCE North 10 deg. 02 min. 03 sec. West, 346.38 feet to a 1/2" steel rod w/cap set for the Northwest corner of this tract in the East line of U. S. Highway No. 69;

THENCE South 57 deg. 14 min. 06 sec. East, at 55.26 feet pass a 1/2" steel rod found for the Southwest corner of said 0.185 acres and continuing in all 145.35 feet to the PLACE OF BEGINNING and containing within these calls 1.044 acres of land;