

SEP 05 2019

19-03001
1606 WALLACE STREET, LUFKIN, TX 75901

W. FINCHER
Clerk, County Court at Law
Angelina County, Texas
W. Fincher

NOTICE OF FORECLOSURE SALE

- Property: The Property to be sold is described as follows:

Being 1.548 acres, more or less, in the M. Boyce Survey, Abstract No. 742, Angelina County, Texas. See Exhibit "A" attached hereto and made a part hereof;
- Security Instrument: Deed of Trust dated July 25, 2012 and recorded on July 25, 2012 at Instrument Number 2012-00295038 in the real property records of ANGELINA County, Texas, which contains a power of sale.
- Sale Information: November 5, 2019, at 1:00 PM, or not later than three hours thereafter, at the Angelina County Courthouse Annex, located at 606 East Lufkin Ave., Lufkin, Texas in the hall outside of the Commissioner's Courtroom adjacent to the atrium, or the front steps of the main entrance to the Angelina County Courthouse if the courtroom is closed for holidays or elections, or as designated by the County Commissioners Court.
- Terms of Sale: Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.
- Obligation Secured: The Deed of Trust executed by NICK A. MAY AND KELLY D. MAY secures the repayment of a Note dated July 25, 2012 in the amount of \$120,772.00. U.S. BANK NATIONAL ASSOCIATION, whose address is c/o U.S. Bank National Association, 4801 Frederica Street, Owensboro, KY 42301, is the current mortgagee of the Deed of Trust and Note and U.S. Bank National Association is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.
- Substitute Trustee: In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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.



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.



Miller, Watson & George, P.C.
Dustin C. George, Attorney at Law
Tracey Midkiff, Attorney at Law
Jonathan Andring, Attorney at Law
5550 Granite Parkway, Suite 245
Plano, Texas 75024



Substitute Trustee(s) Sheryl LaMont, Robert LaMont,
Ronnie Hubbard, Sharon St. Pierre, Allan Johnston,
Kathleen Adkins, Evan Press, Stephanie Kohler,
Catrena Ward, Reid Ruple, Harriett Fletcher, Karen
Lilley, Vanessa McHaney
c/o Miller, Watson & George, P.C.
5550 Granite Parkway, Suite 245
Plano, Texas 75024

Certificate of Posting

I, _____, declare under penalty of perjury that on the _____ day of _____, 20____, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of ANGELINA County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

EXHIBIT "A"

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the MISSOURI BOYCE SURVEY, ABSTRACT NO. 742, and being a part or portion of those certain two tracts (2 acres and 1.28 acres) described in a deed from J.A. Conner, et ux to John C. Collier, et ux dated October 14, 1959 and recorded in Volume 235 on Page 353 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 1.28 acre tract, the Southeast corner of that certain 0.433 acre tract described as Tract 1 in a deed from Rodney Moore to Skywalker Family Limited Partnership dated March 27, 1997 and recorded in Volume 1097 on Page 285 of the Deed Records of Angelina County, Texas, and an angle corner in the North boundary line of Chestnut Square Condominiums (2.133 acres) as recorded in Volume 2 on Page 93 of the Condominium Records of Angelina County, Texas, an "x" in concrete found for corner;

THENCE N 19° 01' 38" W (called North and N 20° W) with the West boundary line of the said 1.28 acre tract, with in part the West boundary line of the aforesaid referred to 2 acre tract, the East boundary line of the said 0.433 acre tract (Tract 1), the East boundary line of that certain 10 feet wide strip of land described as Tract 2 in a deed from Rodney Moore to Skywalker Family Limited Partnership dated March 27, 1997 and recorded in Volume 1097 on Page 285 of the Deed Records of Angelina County, Texas, and with in part the East boundary of Lot No. 2 of M & M PROPERTIES SUBDIVISION NO. 1, a subdivision in the City of Lufkin, Texas, as recorded in Cabinet E on Slide 8-A of the Map and Plat Records of Angelina County, Texas, at 99.94 feet pass on line a 1/2" rod found for the Northeast corner of the said 0.433 acre tract and the Southeast corner of the said 10 feet wide strip, at 109.94 feet pass on line a 1/2" rod found for the Northeast corner of the said 10 feet wide strip and the Southeast corner of the said Lot No. 1, at 165.28 feet pass on line the Northwest corner of the said 1.28 acre tract and the Southwest corner of the said 2 acre tract, at 198.73 feet (called 198.91 feet in Volume 272 on Page 26) the Southwest corner of that certain 0.687 acre tract described in a deed from Jonnie Lou Green to Raymond L. Gumm dated December 4, 2001 and recorded in Volume 1497 on Page 35 of the Deed Records of Angelina County, Texas, a 1/2" pipe found for corner witnessed by a fence corner bearing N 45° E 0.5 feet and a 1/2" pipe found for the Northwest corner of the said 0.687 acre tract and the Northeast corner of Lot No. 1 of the said M & M PROPERTIES SUBDIVISION NO. 1 and the Northwest corner of the said 0.687 acre tract bearing N 19° 01' 38" W 149.85 feet;

THENCE N 71° 49' 13" E with the South boundary line of the said 0.687 acre tract, at 198.60 feet the Southeast corner of the said 0.687 acre tract and the Southwest corner of that certain 0.69 acre tract described in a deed from Jean Witt to Joe Lee Register dated June 6, 1990 and recorded in Volume 800 on Page 653 of the Deed Records of Angelina County, Texas, a 1/2" pipe found for corner witnessed by an end of fence bearing N 65° E 0.3 feet, a fence corner bearing S 12° W 0.3 feet, an end of fence bearing S 51° E 0.5 feet, and a 3/8" rod found for the Northeast corner of the said 0.687 acre tract and the Northwest corner of the said 0.69 acre tract bearing N 18° 15' 1" W 149.89 feet;

EXHIBIT "A"

THENCE N 71° 44' 08" E with the South boundary line of the said 0.69 acre tract, at 207.81 feet the Southeast corner of the said 0.69 acre tract, a 1/2" pipe found for corner in the West margin of Wallace Street, said pipe being approximately 21.5 feet from the existing centerline, said pipe witnessed by a fence corner bearing S 68° W 24.5 feet, an end of fence bearing S 63° W 7.6 feet, and a 1/2" pipe found for the Northeast corner of the said 0.69 acre tract bearing N 21° 18' 02" W 150.09 feet;

THENCE S 21° 16' 50" E with the West margin of the said Wallace Street, at 130.89 feet the Northeast corner of that certain 0.576 acre tract described in a deed from Connie Elizabeth Lazarine to Rodney Moore dated January 19, 1995 ad recorded in Volume 997 on Page 145 of the Deed Records of Angelina County, Texas, a 1/2" pipe found for corner in the South boundary line of the aforesaid 1.28 acre tract, said pipe being approximately 21 feet from the existing centerline, said pipe witnessed by a power pole bearing S 63° W 52.7 feet;

THENCE S 62° 22' 19" W (called S 62° 30' W) with the South boundary line of the said 1.28 acre tract, the North boundary line of the said 0.576 acre tract, and a North boundary line of the aforesaid Chestnut Square Condominiums, at 201.30 feet pass on line a 1/2" pipe found for the Northwest corner of the said 0.576 acre tract and the Northeast corner of the said Chestnut Square Condominiums, at 416.20 feet the point and place of beginning and containing 1.548 acres of land, more or less.

Basis of Bearings: The North boundary line of that certain 0.687 acre tract described in a deed from Jonnie Lou Green to Raymond L. Gumm dated December 4, 2001 and recorded in Volume 1497 on Page 35 of the Deed Records of Angelina County, Texas (deed call - S 71° 48' 11" E 200.62 feet - found a 1/2" pipe (N.W.C.) and a 3/8" rod (N. E.C.) 200.62 feet apart.