

FILED
AT 12:19 O'CLOCK P.M.

NOV 12 2019

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

By 

Notice of Foreclosure Sale

November 12, 2019

Deed of Trust ("Deed of Trust"):

Dated: March 2, 2018

Grantor: Zoe Realty Investment Group, LLC, a Texas limited liability company

Trustee: Jeff "Marty" Barnhill

Lender: Gillespie Partners, Ltd.

Recorded in: Document No. 2018-00363059 in the Official Public Records of
Angelina County, Texas

Legal Description:

Tract One:

1.19 acres, more or less, part of the P.C. Abney Survey, Abstract No. 70, being situated in Angelina County.

Tract Two:

1.61 acres, more or less, part of the P.C. Abney Survey, Abstract No. 70, being situated in Angelina County.

Tract Three:

0.94 acres, more or less, part of the P.C. Abney Survey, Abstract No. 70, being situated in Angelina County.

Save and Except from Tract One and Tract Two:

0.986 acres, more or less, part of the P.C. Abney Survey, Abstract No. 70, being situated in Angelina County.

See Exhibit "B" attached hereto.

Secures: Promissory Note ("Note") in the original principal amount of \$775,000.00, executed by Zoe Realty Investment Group, LLC, a Texas limited liability company ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender.

Substitute Trustee: Robyn Gillespie

Substitute Trustee's Address: 8211 S. US Hwy 59
Nacogdoches, Texas 75964

Foreclosure Sale:

Date: December 3, 2019

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 10:00 a.m. and not later than three hours thereafter.**

Place: In the Commissioners courtroom in the annex building located at 606 E. Lufkin Avenue, Lufkin, Texas 75901

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.

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, Lender, 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 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.

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 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.

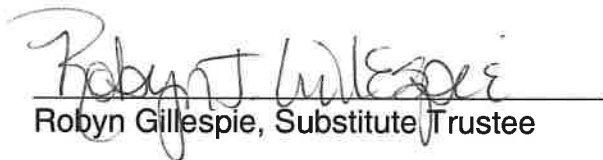
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 in the Deed of Trust by Lender. 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.


Robyn Gillespie, Substitute Trustee

cc: VIA REGULAR US MAIL AND
VIA CERTIFIED MAIL NO.
9414 7266 9904 2137 2599 43
RETURN RECEIPT REQUESTED

Zoe Realty Investment Group, LLC
2404 E. Denman Ave.
Lufkin, Texas 75901

Exhibit B

Tract One:

all that certain

tract or parcel of land lying and situated in Angelina County, Texas, being out of the P. C. ABNEY SURVEY, also being a part or portion of that certain 1.45 acre tract described in a deed from Jesse Belote, et ux, to Roy S. Parker, dated October 25, 1955, recorded in Vol. 195, Page 352, of the Deed Records of Angelina County, Texas, and a part or portion of that certain 1.34 acre tract described in a deed from Emma J. Belote, a feme sole, to Roy S. Parker, dated December 6, 1956, recorded in Vol. 205, Page 218, of the Deed Records of Angelina County, Texas, to which references are hereby made for any and all purposes, and the said tract or parcel of land being described by metes and bounds as follows, to-wit:

BEGINNING at a point 286.7 feet N 59 deg. 51 min. W from the N.E. corner of the aforesaid referred to 1.45 acre tract of land, a 1/2" pipe for corner in the South R.O.W. line of U.S. Highway No. 69;

THENCE S 9 deg. 30 min. W at 317.2 feet, a 1/2" iron pipe for corner in the S.E. line of the aforesaid referred to 1.34 acre tract;

THENCE N 80 deg. 14 min. W with said S.E. line at 150.0 feet the S.W. corner of said 1.34 acre tract, a 1/2" pipe for corner in the East R.O.W. of Joyce Lanas;

THENCE N 9 deg. 30 min. E with said East R.O.W. line at 223.0 feet pass the N.W. corner of said 1.34 acre tract and the S.W. corner of the aforesaid 1.45 acre tract at 373.0 feet, the N.W. corner of said 1.45 acre tract, a 1/2" pipe for corner in the South R.O.W. line of U. S. Highway No. 69;

THENCE S 59 deg. 51 min. E with said South R.O.W. line at 160.3 feet, the point and place of beginning, containing 1.19 acres of land, more or less.

Tract Two:

all that certain

tract or parcel of land lying and situated in Angelina County, Texas, being out of the P. C. ABNEY SURVEY, also being a part or portion of that certain 1.45 acre tract described in a deed from Jesse Belote, et ux, to Roy S. Parker, dated October 25, 1955, recorded in Vol. 195, Page 352, of the Deed Records of Angelina County, Texas, and a part or portion of that certain 1.34 acre tract described in a deed from Emma J. Belote, a feme sole, to Roy S. Parker, dated December 6, 1956, recorded in Vol. 205, Page 218, of the Deed Records of Angelina County, Texas, to which references are hereby made for any and all purposes, and the said tract or parcel of land being described by metes and bounds as follows, to-wit:

BEGINNING at the N.E. corner of the aforesaid referred to 1.45 acre tract of land, a pipe for corner in the South R.O.W. line of U. S. Highway No. 69;

THENCE S 10 deg. 53 min. W (called S 10 deg. W) at 217.4 feet the S. E. corner of the aforesaid referred to 1.34 acre tract;

THENCE N 80 deg. 14 min. W (called N 80 deg. W) with the S.E. line of said 1.34 acre tract at 263.0 feet, a 1/2" pipe for corner;

THENCE N 9 deg. 30 min. E at 317.2 feet, a 1/2" pipe for corner in the South R.O.W. line of U. S. Highway No. 69;

THENCE S 59 deg. 51 min. E with said South R.O.W. line at 287.70 feet, the point and place of beginning, containing 1.61 acres of land, more or less.

EXHIBIT "B" Cont'd.

Tract Three:

all that certain tract or parcel of land situated in the P. C. Abney Survey in Angelina County, Texas, and being a part of the 40.4 acre tract described in a deed from G. A. Gibson et ux to Jessie Belote, dated the 20th day of March, 1922, and recorded in Vol. 53 at page 532 of the Deed Records of Angelina County, Texas, to which reference is hereby made for any and all purposes, and described by metes and bounds as follows, to-wit:

BEGINNING on the E B line of said 40.4 acre tract at the S E corner of a 1.34 acre tract heretofore conveyed to Roy Parker by Emmie J. Belote by deed dated the 6th day of December, 1956, and recorded in Vol. 205, page 218, of the Deed Records of Angelina County, Texas, to which reference is hereby made for any and all purposes, an iron pipe for corner;

THENCE N 80 W with the S E line of said 1.34 acre tract 408 feet to the S W corner of same in the East margin of Joyce Lane, an iron pipe for corner;

THENCE S 9° 30' W with Joyce Lane 100 feet, an iron pipe for corner;

THENCE S 80 E 407.1 feet an iron pipe for corner in the E B line of said 40.4 acre tract;

THENCE N 10 E with said E. B. line 100 feet to the place of beginning, containing 0.94 of an acre, more or less.

EXHIBIT "B" Cont'd.

Save and Except from Tract One and Tract Two:

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the P.C. ABNEY SURVEY, ABSTRACT NO. 70 and being a part or portion of that certain 1.19 acre tract described in a deed from Roy S. Parker, et ux to Walter Dale Bollier, et ux dated June 1, 1963 and recorded in Volume 279 on Page 207 of the Deed Records of Angelina County, Texas, and a part or portion of that certain 1.61 acre tract described in a deed from Roy S. Parker, et ux to Walter Dale Bollier, et ux dated June 3, 1963 and recorded in Volume 279 on Page 209 of the Deed Records of Angelina County, Texas, to which references are 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 Northwest corner of the aforesaid referred to 1.19 acre tract, a 1/2" pipe found for corner in the East margin of Joyce Lane (approximately 28 feet from the existing centerline) and the South right-of-way line of U.S. Highway No. 69 (120 feet wide right-of-way);

THENCE S 59° 53' 55" E called (S 59° 51' E) with the North boundary line of the said 1.19 acre tract, the North boundary line of the aforesaid referred to 1.61 acre tract, and the South right-of-way line of the said U.S. Highway No. 69, at 298.78 feet a 1/2" pipe set for corner;

THENCE S 29° 59' 23" W 159.52 feet, a 1/2" pipe set for corner;

THENCE N 60° 00' 37" W, at 238.95 feet intersect the West boundary line of the aforesaid 1.19 acre tract, a 1/2" pipe set for corner in the East margin of the aforesaid Joyce Lane (approximately 28 feet from the existing centerline), said pipe witnessed by a 1/2" pipe found for the Southwest corner of the said 1.19 acre tract bearing S 09° 30' 00" W 202.26 feet;

THENCE N 09° 30' 00" E (called N 09° 30' E) with the West boundary line of the said 1.19 acre tract and the East margin of the said Joyce Lane, at 170.91 feet the point and place of beginning and containing 0.986 acre of land, more or less.

Accepted for Filing in:
Angelina County
On: Mar 09, 2018 at 02:13P