

FILED
AT 9:00 O'CLOCK P.M.

NOV 05 2019

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

By MO

NOTICE OF TRUSTEE'S SALE

Date: November 5, 2019
Trustee: Jeff S. Chance
Mortgagee: Bobby C. Smith and June I. Smith
Note: Dated March 7, 2012 in the original principal amount of \$100,000.00

Deed of Trust

Date: March 7, 2012
Grantor: Timothy Hunter Matthews and Misti Lyn Matthews
Mortgagee: Bobby C. Smith and June I. Smith

Recording information: Vendor's lien retained in deed recorded in Instrument Number 2012-00289982 of the Official Records of Angelina County, Texas and additionally secured by a deed of trust recorded in Instrument Number 2012-00289983 of the Official Records of Angelina County, Texas.

Property: The real property located in Angelina County, Texas described in the attached Exhibit "A".

County: Angelina County, Texas

Date of Sale
(first Tuesday of month): December 3, 2019

Time of Sale: 10:00 a.m.

Place of Sale: Angelina County Courthouse Annex Building, 606 East Lufkin Avenue, Lufkin, Angelina County, Texas in the hallway outside of the Commissioners' Courtroom adjacent to the atrium.

Mortgagee has instructed Trustee to offer the Property for sale toward satisfaction of the Note.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash. The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than three hours thereafter.

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 Mortgagee. 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, 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 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 to Chance Law Firm, PLLC, 517 South First Street, Lufkin, Texas 75901.



Jeff S. Chance, Trustee

EXHIBIT "A"

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, being out of the J.B. PULVADOR SURVEY, ABSTRACT NO. 36 and the J. MAGANO SURVEY, ABSTRACT NO. 25 and also being a part or portion of those certain three (3) tracts described as Tract No. 1 and Tract No. 2 and Tract No. 3 in a deed from M and M Properties to Joe Edd Clark dated February 21, 1984 and recorded in Volume 558 on Page 169 of the Deed Records of Angelina County, Texas, to which reference is hereby made for any and all purposes and the said part or portion being described by metes and bounds as follows, to-wit:

COMMENCING at the Southwest corner of the aforesaid referred to Tract No. 1 a 1/2" iron pin set for corner; THENCE N 00° 11' 06" W with the West boundary line of said Tract No. 1, at 1356.10 feet the Northwest corner of same, also being on the South boundary line of a St. Regis Paper 372.309 acre tract, also being the North line of the J. Magano Survey, Abstract No. 25 and the South line of the J.B. Pulvador Survey, Abstract No. 36, a 1/2" iron pin set for corner; THENCE S 89° 07' 47" E with in part the Pulvador and Magano Survey line and the North boundary line of said Tract No. 1, at 2363.97 feet a 1/2" iron pin set for corner in same from which a 8" Pine bears S 47° E 6.7 feet and a 10" Pine bears N 45° E 9.5 feet, said point being the Point of Beginning;

THENCE N 09° 18' 56" E, at 706.59 feet intersect the South boundary line of a 6.000 acre tract conveyed by Joe E. Clark to Gerald M. Bundrick dated April 12, 1984 and recorded in Volume 558 on Page 413 of the Deed Records of Angelina County, Texas, a 1/2" iron pin set for corner from which a 10" Pine bears S 87° W 20.5 feet and a 12" Sweet Gum bears S 27° E 11.2 feet;

THENCE N 89° 14' 44" E with in part the South boundary line of said 6.000 acre tract, at 367.94 feet a 1/2" iron pin set for corner in same from which a 12" Pine bears S 22° E 8.5 feet and a 4" Black Gum bears S 60° W 17.3 feet;

THENCE S 10° 36' 15" W, at 718.70 feet intersect the common line between tract numbers 1 and 3 a 1/2" iron pin set for corner from which a 12" Pine bears N 54° E 15.5 feet and a 5" Pine bears S 73° E 33.2 feet;

THENCE S 42° 20' 48" W, at 696.69 feet pass on line a 1/2" iron pin set for reference corner, at 717.77 feet a 1/2" iron pin set in the center of an oiled county road from which a 5" Post Oak bears N 40° E 23.7 feet and a 10" Pine bears N 85° E 23.9 feet;

THENCE three (3) lines with said county road as follows:

- (1) N 38° 09' 10" W, at 80.26 feet a steel pin set for corner;
- (2) N 48° 49' 51" W, at 115.35 feet a 1/2" iron pin set for corner;
- (3) N 53° 20' 33" W, at 187.65 feet a 1/2" iron pin set for corner from which a 1/2" iron pin bears S 79° 49' 25" W 28.20 feet, a 5" Black Gum bears S 14° E 26.5 feet, and a 13" Black Jack bears N 83° E 36.5 feet;

THENCE N 55° 59' 11" E, at 28.50 feet pass on line a 1/2" iron pin set for reference, at 507.20 feet the point and place of beginning and containing 10.000 acres of land, more or less.