

1532 FM 706
LUFKIN, TX 75904

FILED
AT 12:50 O'CLOCK P M
NOV 08 2019
AMY FINCHER
County Clerk, County Court at Law
Angelina County, Texas
By MCS 08668733

NOTICE OF [SUBSTITUTE] TRUSTEE'S 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.

1. Date, Time, and Place of Sale.

Date: December 03, 2019

Time: The sale will begin at 1:00 PM or not later than three hours after that time.

Place: ANGELINA COUNTY COURTHOUSE ANNEX 606 E LUFKIN AVE, LUFKIN TX HALLWAY OUTSIDE COMMISSIONERS' COURTROOM ADJACENT TO THE ATRIUM OR FRONT STEP OF MAIN ENTRANCE IF COURTROOM IS CLOSED or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated June 27, 2016 and recorded in Document INSTRUMENT NO. 2016-00341284 real property records of ANGELINA County, Texas, with JANICE PEDEN, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by JANICE PEDEN, securing the payment of the indebtednesses in the original principal amount of \$96,658.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. FIRST GUARANTY MORTGAGE CORPORATION is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.


6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. RUSHMORE LOAN MANAGEMENT SERVICES, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o RUSHMORE LOAN MANAGEMENT SERVICES, LLC
15480 LAGUNA CANYON RD.
SUITE 100
IRVINE, CA 92618



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.

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead SHERYL LAMONT, ROBERT LAMONT, RONNIE HUBBARD, SHARON ST. PIERRE, ALLAN JOHNSTON, KATHLEEN ADKINS, EVAN PRESS, REID RUPLE BEATRICE CARRILLO, JOHN MCCARTHY, KEVIN MCCARTHY, OR ZACH MCCARTHY whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Israel Saucedo

Certificate of Posting

My name is Kevin McCarthy, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 11/08/2019 I filed at the office of the ANGELINA County Clerk and caused to be posted at the ANGELINA County courthouse this notice of sale.



Declarants Name: Kevin McCarthy

Date: 11/08/2019

EXHIBIT "A"

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, OUT OF THE JACINTO MAGANO SURVEY, ABSTRACT NO. 25 BEING ALL OF THAT CERTAIN 2.900 ACRE TRACT DESCRIBED IN A DEED CONVEYED FROM COMMUNITY SATE BANK TO WILLIAM B. YARBROUGH, ET UX DATED FEBRUARY 27, 1990 AND RECORDED IN VOLUME 790 ON PAGE 673 OF THE REAL PROPERTY 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 1/2" IRON PIPE FOUND FOR NORTHEAST CORNER OF THE AFORESAID REFERRED TO 2.900 ACRE TRACT AND THAT CERTAIN 6.36 ACRE TRACT-EXHIBIT "A" (GROSS) (OF WHICH THE SAID 2.900 ACRE TRACT IS APART) DESCRIBED IN A DEED CONVEYED FROM TRAE TREVATHAN, ET AL TO NATHAN WORTHEN DATED AUGUST 20, 2004 AND RECORDED IN VOLUME 2036 ON PAGE 125 OF THE SAID REAL PROPERTY RECORDS AND THE AN INTERIOR CORNER OF THAT CERTAIN 11.186 ACRE TRACT- EXHIBIT "A" DESCRIBED IN A DEED CONVEYED FROM ODUS HAAK, ET AL TO RICHARD GERACI DATED JULY 17, 2014 AND RECORDED IN DOCUMENT # 2014-00319149 OF THE OFFICIAL PUBLIC RECORDS OF THE SAID COUNTY;

THENCE, ALONG THE RECOGNIZED COMMON BOUNDARY LINE OF THE SAID 2.900 ACRE TRACT, THE SAID 6.36 ACRE TRACT AND THE SAID 11.186 ACRE TRACT, SOUTH AT 158.33 FEET (CALLED S 0 DEGREES 04' 39" W AT 158.31 FEET) A 1/2" IRON ROD FOUND FOR SOUTHEAST CORNER OF THE SAID 2.900 ACRE TRACT, FROM WHICH A 1/2" IRON PIPE FOUND FOR REFERENCE BEARS N 86 DEGREES 25' 02" W AT 3.88 FEET, A 1/2" IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF THE SAID 6.36 ACRE TRACT AND NORTHEAST CORNER OF THAT CERTAIN 7.67 ACRE TRACT-EXHIBIT "A" DESCRIBED IN A DEED CONVEYED FROM CYNTHIA HUGHES TO RESORT AT LOST LAKE LLC DATED DECEMBER 1, 2010 AND RECORDED IN DOCUMENT # 2010-00275508 OF THE SAID OFFICIAL PUBLIC RECORDS BEARS SOUTH 160.52 FEET AND A 1/2" IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF THE SAID 7.67 ACRE TRACT BEARS SOUTH 638.30 FEET;

THENCE, ALONG THE SOUTH BOUNDARY LINE OF THE SAID 2.900 ACRE TRACT AND ACROSS THE SAID 6.36 ACRE TRACT, N 88 DEGREES 42' 54" W AT 799.78 FEET (CALLED WEST AT 802.28 FEET) A 1/2" IRON ROD FOUND, ON THE EAST RIGHT-OF WAY LINE OF FM 706 (80' ROW), FOR THE SOUTHWEST CORNER OF THE SAID 2.900 ACRE TRACT, FROM WHICH A 1/2" IRON PIPE FOUND FOR REFERENCE BEARS N 88 DEGREES 42' 54" W AT 6.10 FEET AND A 1/2" IRON PIPE FOUND FOR THE NORTHWEST CORNER OF THAT CERTAIN 0.655 ACRE TRACT DESCRIBED IN A DEED CONVEYED FROM PATRICK W. BRYAN TO JANET I. HARDIN DATED MARCH 8, 2002 AND RECORDED IN VOLUME 1542 ON PAGE 146 OF THE SAID REAL PROPERTY RECORDS BEARS S 03 DEGREES 49' 22" E 149.52 FEET;

THENCE, ALONG THE WEST BOUNDARY' LINE OF THE SAID 2.900 ACRE TRACT, ALONG THE SAID EAST ROW LINE OF FM 706 AND CONTINUING ACROSS THE SAID 6.36 ACRE TRACT, N 03 DEGREES 49' 22" E AT 158.41 FEET (CALLED N 03 DEGREES 18136" E AT 158.58 FEET) A 1/2" IRON PIPE SET FOR THE NORTHWEST CORNER OF THE SAID 2.900 ACRE TRACT, ON THE COMMON BOUNDARY LINE OF THE SAID 6.36 ACRE TRACT AND THE SAID 11.186 ACRE TRACT, FROM WHICH A 1/2" IRON PIPE FOUND FOR REFERENCE BEARS N 88 DEGREES 43' 02" W AT 3.92 FEET AND A CONCRETE ROW MONUMENT FOUND BEARS N 03 DEGREES 49' 22" E AT 351.24 FEET;

THENCE, ALONG THE COMMON BOUNDARY LINE OF THE SAID 2.900 ACRE TRACT, THE SAID 6.36 ACRE TRACT AND THE SAID 11.186 ACRE TRACT, S 88 DEGREES 43' 02" E AT 789.22 FEET (CALLED EAST 793.34 FEET) TO THE PLACE OF BEGINNING CONTAINING 2.887 ACRES OF LAND, MORE OR LESS.

BASIS OF BEARINGS: THE EAST BOUNDARY LINE OF THAT CERTAIN 7.67 ACRE TRACT-EXHIBIT "A" DESCRIBED IN A DEED CONVEYED FROM CYNTHIA HUGHES TO RESORT AT LOST LAKE LLC DATED DECEMBER 1, 2010 AND RECORDED IN DOCUMENT # 2010-00275508 OF THE OFFICIAL PUBLIC RECORDS OF ANGELINA COUNTY, TEXAS, (DEED CALL-SOUTH 477.78 FEET BETWEEN 1/2" IRON PIPES).