

## NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF 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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060**

### INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated February 04, 2019 and recorded under Clerk's File No. 2019-00377389, in the real property records of ANGELINA County Texas, with Zackery R Sigler and Christie M Sigler, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Citizens Bank, N.A., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Zackery R Sigler and Christie M Sigler, husband and wife securing payment of the indebtedness in the original principal amount of \$169,849.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Zackery R Sigler. Citizens Bank, N.A. is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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 property securing the above referenced loan. Citizens Bank, N.A. a/k/a Citizens One Home Loans is acting as the Mortgage Servicer for the Mortgagee. Citizens Bank, N.A. a/k/a Citizens One Home Loans, is representing the Mortgagee, whose address is: PO BOX 2800, Glen Allen, VA 23058.

**Legal Description:**

**ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS AND BEING LOT NO. FOUR (4), BLOCK NO. SIX (6), OF THE CROWN COLONY SECTION III ADDITION TO THE CITY OF LUFKIN, TEXAS, AS THE SAME APPEARS UPON THE OFFICIAL MAP OR PLAT, WHICH IS OF RECORD IN CABINET A, SLIDE 159-B, MAP AND PLAT RECORDS, OF ANGELINA, TEXAS, TO WHICH REFERENCE IS HEREBY MADE FOR ANY AND ALL PURPOSES.**

### SALE INFORMATION

**Date of Sale: 04/04/2023**

**Earliest Time Sale Will Begin: 1:00 PM**

**Location of Sale:** The place of the sale shall be: ANGELINA County Courthouse, Texas at the following location: Angelina County Courthouse Annex 606 East Lufkin Ave., Lufkin, TX in the hall outside of the Commissioners' 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 if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

### TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

2

44-23-0104  
ANGELINA



4772284

ServiceLink

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "AS IS," "WHERE IS" condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the Deed of Trust.

The sale will begin at the earliest time stated above, or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

**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.**

**WHEREAS**, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I **HEREBY APPOINT AND DESIGNATE Sheryl LaMont, Robert LaMont, David Sims, Harriett Fletcher, Sharon St. Pierre, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ServiceLink Agency Sales And Posting, as Substitute Trustee.**

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Executed on 01/23/2023.

/s/ Olufunmilola Oyekan SBOT No. 24084552, Attorney at Law  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Posted and filed by: Sheryl LaMont

Printed Name: Sheryl La Mont, January 26, 2023

C&M No. 44-23-0104

FILED  
AT 3:02 O'CLOCK P M

JAN 26 2023

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

JAN 26 2023

AMY FINCHER  
County Clerk, County Court at Law  
Angelina County, Texas**NOTICE OF FORECLOSURE 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 OR 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. Property to Be Sold.** The property to be sold is described as follows: BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, OUT OF THE V. MICHELLI SURVEY, ABSTRACT NO. 29 AND BEING ALL OF THAT CERTAIN 1.54 ACRE TRACT DESCRIBED IN DEED FROM WILLIAM D. SPENCER, ET UX TO ROYCE DEAN FREDERICK, ET UX DATED JUNE 29, 1993 AND RECORDED IN VOLUME 923 ON PAGE 316 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS, TO WHICH REFERENCE 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 WEST CORNER OF THE AFORESAID REFERRED TO 1.54 ACRE TRACT AND THE SOUTH CORNER OF THAT CERTAIN 1.734 ACRE TRACT DESCRIBED IN A DEED FROM CHRIS PETERSEN, ET UX TO LEE BYERS, ET UX DATED MARCH 25, 1980 AND RECORDED IN VOLUME 502 ON PAGE 239 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, A 1 INCH PIPE (CALLED 1/2 INCH PIPE) FOUND FOR CORNER IN THE NORTHEAST RIGHT-OF-WAY LINE OF THE ST. LOUIS AND SOUTHWESTERN RAILROAD (100 FEET RIGHT-OF-WAY NOW OWNED BY A. & N.R. RAILROAD - VOLUME 550 PAGE 11), SAID PIPE WITNESSED BY A FENCE CORNER BEARING NORTH 18 DEGREES WEST 1.0 FEET AND AN END OF FENCE BEARING SOUTH 39 DEGREES EAST 0.9 FEET;

THENCE NORTH 49 DEGREES 16 MINUTES 45 SECONDS EAST (CALLED NORTH 49 DEGREES 16 MINUTES 45 SECONDS EAST) WITH THE NORTHWEST BOUNDARY LINE OF THE SAID 1.54 ACRE TRACT AND THE SOUTHEAST BOUNDARY LINE OF THE SAID 1.734 ACRE TRACT AT 391.89 FEET PASS ON LINE A 3/4 INCH PIPE (CALLED 1/2 INCH PIPE), AT 401.41 FEET (CALLED 401.64 FEET) THE NORTH CORNER OF THE SAID 1.54 ACRE TRACT AND THE EAST CORNER OF THE SAID 1.734 ACRE TRACT, A "H" PIPE FOUND FOR CORNER IN THE SOUTHWEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 69 (APPROXIMATELY 13 FEET FROM THE BACK OF CURB);

THENCE SOUTH 44 DEGREES 48 MINUTES 54 SECONDS EAST (CALLED SOUTH 44 DEGREES 48 MINUTES 54 SECONDS EAST) WITH THE NORTHEAST BOUNDARY LINE OF THE SAID 1.54 ACRE TRACT AND THE SOUTHWEST RIGHT-OF-WAY LINE OF THE SAID U.S. HIGHWAY NO. 69, AT 168.43 FEET (CALLED 168.34 FEET) THE EAST CORNER OF THE SAID 1.54 ACRE TRACT AND THE NORTH CORNER OF THAT CERTAIN 13.009 ACRE TRACT DESCRIBED IN A DEED FROM RAYBURNE D. RICHARDSON, ET UX TO ANGELINA & NECHES RIVER RAILROAD DATED FEBRUARY 3, 1989 AND RECORDED IN VOLUME 752 ON PAGE 590 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS, AN ANGLE IRON FOUND FOR CORNER (APPROXIMATELY 13 FEET FROM THE BACK OF CURB) SAID ANGLE IRON WITNESSED BY A CONCRETE RIGHT-OF-WAY MONUMENT BEARING SOUTH 44 DEGREES 48 MINUTES 54 SECONDS EAST 118.49 FEET;

THENCE SOUTH 49 DEGREES 32 MINUTES 34 SECONDS WEST (CALLED SOUTH 49 DEGREES 31 MINUTES 59 SECONDS WEST) WITH THE SOUTHEAST BOUNDARY LINE OF THE SAID 1.54 ACRE TRACT AND THE NORTHWEST BOUNDARY LINE OF THE SAID 13.009 ACRE TRACT, AT 8.70 FEET PASS ON LINE A 1/2 INCH PIPE, AT 396.55 FEET PASS ON LINE A 1/2 INCH PIPE AT 403.37 FEET PASS ON LINE AN ANGLE IRON, AT 404.53 FEET THE SOUTH CORNER OF THE SAID 1.54 ACRE TRACT AND THE WEST CORNER OF THE SAID 13.009 ACRE TRACT, A 1/2 INCH PIPE FOUND FOR CORNER IN THE NORTHEAST

RIGHT-OF-WAY LINE OF THE AFORESAID ST. LOUIS & SOUTHWESTERN RAILROAD, SAID PIPE WITNESSED BY FENCE CORNER BEARING NORTH 06 DEGREES W 2.8 FEET;

THENCE NORTHWESTERLY WITH A 02 DEGREES 01 MINUTES 10 SECONDS CURVE TO THE LEFT (CENTRAL ANGLE = 03 DEGREES 21 MINUTES 37 SECONDS RADIUS = 2837.38 FEET WITH LONG CHORD BEARING AND DISTANCE = NORTH 43 DEGREES 47 MINUTES 26 SECONDS WEST 166.38 (CALLED NORTH 43 DEGREES 53 MINUTES 00 SECONDS WEST 166.33 FEET) WITH THE SOUTHWEST BOUNDARY LINE OF THE SAID 1.54 ACRE TRACT AND THE NORTHEAST RIGHT-OF-WAY LINE OF THE SAID RAILROAD AT 166.38 FEET (CALLED 166.36 FEET) THE POINT AND PLACE OF BEGINNING AND CONTAINING 1.54 ACRE OF LAND, MORE OR LESS. (3)

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 03/08/2017 and recorded in Document 2017-00350338 real property records of Angelina County, Texas.

**3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:

Date: 04/04/2023

Time: 01:00 PM

Place: Angelina County, Texas at the following location: THE ANGELINA COUNTY COURTHOUSE ANNEX AT 606 EAST LUFKIN AVE, LUFKIN, TX, IN THE HALLWAY OUTSIDE THE COMMISSIONERS' COURTROOM ADJACENT TO THE ATRIUM; OR IF THE SALE OCCURS ON A HOLIDAY, SALES ARE TO TAKE PLACE ON THE FRONT STEPS OF THE MAIN ENTRANCE TO THE ANGELINA COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE  
or as designated by the County Commissioners Court.

**4. Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.

5. **Obligations Secured.** The Deed of Trust executed by MARILYN PRESTON, provides that it secures the payment of the indebtedness in the original principal amount of \$147,750.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Mortgage Assets Management, LLC is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is Mortgage Assets Management, LLC c/o PHH MORTGAGE CORPORATION, 14405 Walters Road, Suite 200, Houston, TX 77014 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. **Order to Foreclose.** Mortgage Assets Management, LLC obtained a Order from the 159th District Court of Angelina County on 01/18/2023 under Cause No. CV-00655-22-10. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

7. **Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**



Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Michael Zientz, Attorney at Law  
Lori Liane Long, Attorney at Law  
Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Karla Balli, Attorney at Law  
Parkway Office Center, Suite 900  
14160 Dallas Parkway  
Dallas, TX 75254

Certificate of Posting

I am Sheryl La Mont whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on January 26, 2023 I filed this Notice of Foreclosure Sale at the office of the Angelina County Clerk and caused it to be posted at the location directed by the Angelina County Commissioners Court.



Sheryl La Mont, January 26, 2023.