

**NOTICE OF SUBSTITUTE TRUSTEE'S  
FORECLOSURE SALE ON MARCH 4, 2025**

Notice is hereby given of a public nonjudicial foreclosure sale.

**Deed of Trust:**

Date of Deed of Trust: August 18, 2023  
Grantor: Carl Clinton Morales and Meagan Morales  
Beneficiary: Austin Bank, Texas National Association  
Original Trustee: Michael L. Gunnels  
Substitute Trustee: Donald W. Cothorn and/or David W. Frost

**Recording information:**

Dated August 18, 2023, and recorded on August 18, 2023, at Document No. 2023-00437352, in the Official Records of Angelina County, Texas (the "Deed of Trust")

Secures payment of: Promissory Note dated August 18, 2023, in the original principal amount of \$61,200.00, executed by Carl Clinton Morales as Borrower, and by Austin Bank, Texas N.A. as Lender (the "Indebtedness").

**Property to be sold:**

The Real Property located in Angelina County, Texas, with an address commonly known as 1013 Thigpen Road, Pollok, TX 75969, and more particularly described as follows:

Legal Description of Property:

All that certain lot or parcel of land located in Angelina County, Texas, and more fully described below:

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the J. ALDRIDGE SURVEY, ABSTRACT NO. 55, and being a part or portion of that certain 9.14 acre tract-EXHIBIT "A" described in a deed conveyed from William Earl Luckey, et ux to Lee Roy Neal, et ux dated July 18, 2007 and recorded in Instrument No. 2007-00232664 of the Official Public Records of Angelina County, Texas, to which reference is hereby made for any and all purposes and the said tract or parcel

FILED  
AT 3:47 O'CLOCK P.M.  
FEB 10 2025  
AMY FINCHER  
County Clerk, County Court at Law  
Angelina County, Texas  
By: MO

being described by metes and bounds in Exhibit "A" attached to the Deed of Trust, a copy of which Exhibit "A" is also attached hereto (the "Property").

**Substitute Trustees:** Donald W. Cothorn and/or David W. Frost

Substitute Trustees'

Address: 2320 Dueling Oaks Drive, Tyler, Texas 75703  
Phone: 903-579-7531  
Email: dcothorn@kabfm.net

**Foreclosure Sale:**

Date of Sale: March 4, 2025

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 1:00 p.m., local time; and the earliest time at which the Foreclosure Sale will begin is 10:00 a.m., and not later than three (3) hours thereafter, and the sale will be completed no later than 4:00 p.m.

Place of Sale: At the Angelina County Courthouse Annex, 606 East Lufkin Ave., Lufkin, Texas, in the hall outside of the Commissioners' Courtroom adjacent to the Atrium; or if it is impractical to hold foreclosure sales in the preceding area due to designated holidays during which the Angelina County offices are closed or if the Courtroom is being used is being used for elections, then at the front steps of the main entrance to the Angelina County Courthouse is designated as the alternate place for conducting foreclosure sales, 215 East Lufkin Ave., Lufkin, Texas; or if the preceding areas are no longer designated areas, then at the area most recently designated by the Angelina County Commissioners' Court. as the place where foreclosures under contract are to take place.

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 Austin Bank, Texas N.A.'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 Indebtedness and in the performance of the obligations of the Deed of Trust. Because of that default, Austin Bank, Texas N.A., the owner and holder of the Note, and the Lender and Beneficiary under the Deed of Trust, has requested the Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Austin Bank, Texas N.A.'s election to proceed against and sell both the real property and

any personal property described in the Deed of Trust in accordance with Austin Bank, Texas N.A.'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, the Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Austin Bank, Texas N.A. 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 unpaid ad valorem taxes and 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 Austin Bank, Texas N.A. 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. Any purchaser acquires the Real Property "at purchaser's own risk."

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.

The undersigned, and also David W. Frost, have been appointed Substitute Trustees by Austin Bank, Texas N.A. by an instrument recorded in the Official Public Records of Angelina County, Texas.



Donald W. Cothorn, Substitute Trustee  
2320 Dueling Oaks Drive  
Tyler, Texas 75703  
Phone: 903-579-7531  
Email: dcothorn@kabfm.net

**NOTICE**

**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.**

## EXHIBIT "A"

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the J. ALDRIDGE SURVEY, ABSTRACT NO. 55, and being a part or portion of that certain 9.14 acre tract-EXHIBIT "A" described in a deed conveyed from William Earl Luckey, et ux to Lee Roy Neal, et ux dated July 18, 2007 and recorded in Instrument No. 2007-00232664 of the Official Public 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 a 1/2" iron rod found for the Northwest corner of the aforesaid referred to 9.14 acre tract and the Northeast corner of that certain 0.975 acre tract described in a deed conveyed from John L. Rodgers, et ux to Lacinda Daniels Denning dated October 21, 2003 and recorded in Volume 1880 on Page 226 of the Real Property Records of said County, on the South margin of Thigpen Road, 25.4 feet south of the approximate centerline of the said road;

THENCE, along the most Northerly North boundary line of the said 9.14 acre tract and along the South margin of the said Thigpen Road, S 89° 52' 34" E at 20.00 feet a 1/2" iron rod found for the most Northerly Northeast corner of the said 9.14 acre tract and the Northwest corner of the residue tract of that certain 4.00 acre tract (gross)-Exhibit "A" described in a deed conveyed from William Earl Luckey, et ux to Rosalie J. Lowrey dated January 9, 2014 and recorded in Instrument No. 2014-00314974 of the said Official Public Records;

THENCE, along the most Northerly East boundary line of the said 9.14 acre tract, along the West boundary line of the said residue tract of the said 4.00 acre tract, and in part across the said 9.14 acre tract, S 01° 38' 49" W at 534.66 feet pass on line a 1/2 iron pipe set for an interior ell corner (3rd) of the said 9.14 acre tract and the most Westerly Southwest corner of the said residue tract of the said 4.00 acre tract, at a total distance of 724.61 feet a 1/2" iron rod found for an interior angle corner (6th) of the said 9.14 acre tract and the Northwest corner of that certain 2.011 acre tract-EXHIBIT "A" described in a deed conveyed from Delisa Rodgers Ellington to Stephen A. Marberry, et ux dated January 5, 2004 and recorded in Volume 1907 on Page 248 of the said Real Property Records;

THENCE, continuing along the most Northerly East boundary line of the said 9.14 acre tract and along the West boundary line of the said 2.011 acre tract, S 01° 40' 23" W at 219.97 feet a 1/2" iron rod found for an interior ell corner (7th) of the said 9.14 acre tract and the Southwest corner of the said 2.011 acre tract;

THENCE, along the most Southerly North boundary line of the said 9.14 acre tract and along the South boundary line of the said 2.011 acre tract, S 88° 14' 52" E at 398.28 feet a 1/2" iron rod found for the most Southerly Northeast corner of the said 9.14 acre tract and the Southeast corner of the said 2.011 acre tract, on the West boundary line of that certain 18.303 acre tract described in a deed conveyed from Estate of Lera H. Moss to

Roger Neil Moss dated April 13, 2015 and recorded in Instrument No. 2015-00327311 of the said Official Public Records, from which a 24" Pine bears N 01° 21' E at 16.7 feet;

THENCE, along the middle East boundary line of the said 9.14 acre tract and along the West boundary line of the said 18.303 acre tract S 01° 22' 46" W at 388.94 feet a 1/2" iron pipe found for the most Northerly Southeast corner of the said 9.14 acre tract and the Southwest corner of the said 18.303 acre tract, from which an 18" Red Oak bears N 75° 47' W at 4.3 feet;

THENCE, along the most Easterly South boundary line of the said 9.14 acre tract (lands to the South being that certain 27.83 acre tract referenced in a deed conveyed from Veterans Land Board of the State of Texas to Gus A. Kanakis dated September 12, 1994 and recorded in Volume 983 on Page 171 (described as that certain 27.83 acre tract in a deed conveyed from Robert Lansing Edwards to Veterans Land Board of the State of Texas dated August 13, 1971 and recorded in Volume 379 on Page 328 of the Deed Records of said County), N 87° 55' 15" W at 181.76 feet a 1-1/4" iron pipe found for an interior ell corner of the said 9.14 acre tract and the Northwest corner of the said 27.83 acre tract, from which a twin 24" Sweetgum at end of fence bears N 76° 40' East 6.6 feet;

THENCE, along the most Southerly East boundary line of the said 9.14 acre tract (lands to the East being that said 27.83 acre tract), S 04° 09' 08" W at 841.58 feet a 1/2" iron rod found for the Southeast corner of the said 9.14 acre tract and the Northeast corner of that certain 2.358 acre tract-Exhibit "A" described in a deed conveyed from Mindy Beth Richardson to Clayton Carroll Richardson dated August 20, 2013 and recorded in Instrument No. 2013-00309109 of the said Official Public Records and the Northwest corner of that certain 15.21 acre tract (gross)-TRACT TWO-EXHIBIT "A" described in a deed conveyed from Desiree Ann Richardson to Clayton Carroll Richardson dated June 24, 1988 and recorded in Volume 727 on Page 502 of the said Real Property Records, from which a 1" iron pipe found for reference bears S 53° 23' 56" W at 4.03 feet and a fence corner bears S 77° 04' E at 7.0 feet;

THENCE, along the most Westerly South boundary line of the said 9.14 acre tract and along the North boundary line of the said 2.358 acre tract, N 87° 03' 33" W at 201.02 feet a 1/2" iron rod found for the Southwest corner of the said 9.14 acre tract and the Northwest corner of the said 2.358 acre tract, on the East boundary line of that certain 6.366 acre tract-EXHIBIT A (Lot 12 - Central No. 3) described in a deed conveyed from Lawanda Jean Williamson to Raul Vazquez dated February 12, 2013 and recorded in Instrument No. 2013-00302121 of the said Official Public Records;

THENCE, along the West boundary line of the said 9.14 acre tract and along the East boundary line of the said 6.366 acre tract, that certain 0.901 acre tract-EXHIBIT "A" described in a deed conveyed from Terry Campbell, et al to Ron Conley dated October 25, 2012 and recorded in Instrument No. 2012-00299776, that certain 0.933 acre tract-EXHIBIT "A" (Lot 10 - Central # 3) described in a deed conveyed from LaVerne Deering to Tiffany Ann Taylor dated May 1, 2017 and recorded in Instrument No. 2017-00352136, that certain 0.935 acre tract-TRACT THREE (Lot 9 Central No. 3), that certain 0.937 acre tract-TRACT TWO (Lot 8 - Central No. 3), and that certain 0.940 acre tract-TRACT ONE (Lot 7 - Central No. 3), all described in EXHIBIT "A" in a deed conveyed from 21st Mortgage Corporation to Lamberto Jacobo, et al dated February 18, 2011 and recorded in Instrument No. 2011-00277588, that certain 0.942 acre tract-EXHIBIT "E" (Lot 6 - Central

#3) and that certain 1.1 acre tract-EXHIBIT "D" (Lot 5 Central No. 3), both described in a deed conveyed from Thomas G. Flournoy, et al to Hayflo Investments, LLC dated January 1, 2010 and recorded in Instrument No. 2010-00265318, all of the said Official Public Records, that certain 0.946 acre tract-EXHIBIT "A" (Lot 4 - Central No. 3) described in a deed conveyed from Thomas G. Flournoy to Kevin Adams dated February 4, 2004 and recorded in Volume 1924 on Page 192 of the said Real Property Records, that certain 0.949 acre tract-EXHIBIT "A" (Lot 3 - Central No. 3) described in a deed conveyed from Thomas G. Flournoy to Tony D. Boles dated March 23, 2010 and recorded in Instrument No. 2012-00293793 of the said Official Public Records, that certain 0.950 acre tract-EXHIBIT "A" described in a deed conveyed from Thomas G. Flournoy to Leonard S. Theobald, et al dated December 4, 1997 and recorded in Volume 1131 on Page 715 of the said Real Property Records and the said 0.975 acre tract, N 01° 38' 03" E, at 488.00 feet pass on line a 1/2" iron rod found for the Northeast corner of the said 6.366 acre tract and the Southeast corner of the said 0.901 acre tract, at 637.80 feet pass on line a 1/2" iron rod found for the Northeast corner of the said 0.901 acre tract and the Southeast corner of the said 0.933 acre tract, at 787.87 feet pass on line a 1/2" iron rod found for the Northeast corner of the said 0.933 acre tract and the Southeast corner of the said 0.935 acre tract, at 928.22 feet pass on line a 1/2" iron rod found for reference, at 1087.75 feet pass on line a 1/2" iron rod found for the Northeast corner of the said 0.937 acre tract and the Southeast corner of the said 0.940 acre tract, at 1237.69 feet pass on line a 1/2" iron rod found for the Northeast corner of the said 0.940 acre tract and the Southeast corner of the said 0.942 acre tract, at 1562.98 feet pass on line a 1/2" iron rod found for the Northeast corner of the said 1.101 acre tract and the Southeast corner of the said 0.946 acre tract, at 1862.80 feet pass on line a 1/2" iron rod found for the Northeast corner of the said 0.949 acre tract and the Southeast corner of the said 0.950 acre tract, at 2012.65 feet pass on line a 1/2" iron rod found for the Northeast corner of the said 0.950 acre tract and the Southeast corner of the said 0.975 acre tract, at a total distance of 2168.58 feet the POINT AND PLACE OF BEGINNING and containing 8.39 acres of land, more or less.