

RECORDING REQUESTED BY
Law Offices of Jason C. Tatman

FILED
AT 8:40 O'CLOCK A.M.

APR 01 2025

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

And When Recorded Mail To
SECRETARY OF HOUSING AND URBAN DEVELOPMENT
C/O Compu-Link, HUD Division
14002 East 21st St., Suite 300
Tulsa, OK 74134

APN 29671

TS No. LO-53310-TX

Space above this line for recorder's purposes

**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
NOTICE OF DEFAULT AND FORECLOSURE SALE**

Recorded in accordance with 12 USCA 3764 (c)

WHEREAS, on 1/15/2010, a certain Deed of Trust was executed by JOHN H. DAY, AN UNMARRIED MAN as trustor in favor of URBAN FINANCIAL GROUP as beneficiary, and ALAN E. SOUTH, ATTORNEY AT LAW as trustee, and was recorded on 2/1/2010, as Instrument No. 2010-00264839, in Book XX, Page XX, in the Office of the County Recorder of Angelina County, Texas; and

WHEREAS, the Deed of Trust was insured by the United States Secretary of Housing and Urban Development (the Secretary) pursuant to the National Housing Act for the purpose of providing single family housing; and

WHEREAS, the beneficial interest in the Deed of Trust is now owned by the Secretary, pursuant to an Assignment of Deed of Trust dated 3/12/2018, recorded on 4/23/2018, as instrument number 0314033, book XX, page XX, in the Office of the County Recorder, Angelina County, Texas; and

WHEREAS, a default has been made in the covenants and conditions of the Deed of Trust in that the payment due on 10/5/2024, was not made due to the property ceases to be the principal residence of a borrower for reasons other than death and the property is not the principal residence of at least one other borrower and remains wholly unpaid as of the date of this notice, and no payment has been made sufficient to restore the loan to currency; and

WHEREAS, the entire amount delinquent as of 10/5/2024 is \$164,316.61; and

WHEREAS, by virtue of this default, the Secretary has declared the entire amount of the indebtedness secured by the Deed of Trust to be immediately due and payable;

NOW THEREFORE, pursuant to powers vested in me by the Single Family Mortgage Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR part 27, subpart B, and by the Secretary's designation of Law Offices of Jason C. Tatman as Foreclosure Commissioner (see attached), notice is hereby given that on 5/6/2025 at 10:00 AM local time, all real and personal property at or used in connection with the following described property will be sold at public auction to the highest bidder:

(5)

Legal Description:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ANGELINA, STATE OF TX, AND IS DESCRIBED AS FOLLOWS:

THE FOLLOWING DESCRIBED REAL PROPERTY IN ANGELINA COUNTY, TEXAS, TO-WIT: BEING A PART OR PORTION OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE MCKINNEY & WILLIAMS SURVEY AND THE MARTIN JONES SURVEY, AND BEING A PART OF A 5.02 ACRE TRACT CONVEYED BY ARTAMESE WILSON, ET AL TO MONROE A. NERREN, ET UX, BY DEED RECORDED IN VOLUME 190, PAGE 1 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: LOT NO. FOUR (4): BEGINNING AT A 3/8" IRON ROD SET IN THE NORTH LINE OF THE SAID 5.02 ACRE TRACT, S 89 DEG. 18' 18" W 290.21 FEET FROM ITS NORTHEAST CORNER; THENCE S 89 DEG. 18' 18" W ALONG THE SAID NORTH LINE AND THE SOUTH MARGIN OF AVENUE A, A DISTANCE OF 289.09 FEET TO A 3/8" IRON ROD SET FOR THE CORNER; THENCE S 00 DEG. 47' E THROUGH THE SAID 5.02 ACRE TRACT A DISTANCE OF 150.89 FEET TO A 3/8" IRON ROD SET IN ITS SOUTH LINE; THENCE N 89 DEG: 13' E ALONG THE SAID SOUTH LINE A DISTANCE OF 289.09 FEET TO A 3/8" IRON ROD SET FOR THE CORNER; THENCE N 00 DEG. 47' W A DISTANCE OF 150.44 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.00 ACRE OF LAND, AND BEING OUT OF THE MARTIN STONES SURVEY. SAVE AND EXCEPT: A STRIP OF LAND 25' FEET IN WIDTH ALONG AND PARALLEL TO THE WEST BOUNDARY LINE OF LOT NO. FOUR (4), BEING A PART, OF THE 50' STRIP DESCRIBED IN THAT CERTAIN WARRANTY DEED FROM T. D. MOREHEAD TO DOLL L. DOSSETT AND WIFE, TENNIS DOSSETT DATED OCTOBER 24, 1985 OF RECORD IN VOLUME 608, PAGE 650 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS. TITLE TO THE ABOVE REFERENCED PROPERTY CONVEYED TO JOHN H. DAY FROM JEFFREY W. HANCHEY, AS INDEPENDENT EXECUTOR OF THE ESTATE OF I. D. HANCHEY, DECEASED, AND AS ATTORNEY-IN-FACT FOR MARILYN HANCHEY AND RECORDED ON APRIL 30, 2004 IN BOOK 1968, PAGE 320.

Commonly known as: 706 AVENUE A, HUNTINGTON, TX 75949

The sale will be held at 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. The Secretary of Housing and Urban Development will bid an estimate of \$132,570.15.

There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay, at or before closing, his prorata share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale.

When making their bids, all bidders except the Secretary must submit a deposit totaling \$13,257.02 [10% of the Secretary's bid] in the form of a certified check or cashier's check made out to the Secretary of HUD. Each oral bid need not be accompanied by a deposit. If the successful bid is oral, a deposit of \$13,257.02 must be presented before the bidding is closed. The deposit is nonrefundable. The remainder of the purchase price must be delivered within 30 days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a certified or cashier's check. If the Secretary is the high bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveyancing fees, all real estate and other taxes that are due on or after the delivery of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee of \$500.00, paid in advance. The extension fee shall be in the form of a certified or cashier's check made payable to the Secretary of HUD. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due.

If the high bidder is unable to close the sale within the required period, or within any extensions of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit or, at the election of the foreclosure commissioner after consultation with the HUD Field Office representative, will be liable to HUD for any costs incurred as a result of such failure. The commissioner may, at the direction of the HUD field office Representative, offer the Property to the second highest bidder for an amount equal to the highest price offered by that bidder.

There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant.

The amount that must be paid if the Mortgage is to be reinstated prior to the scheduled sale is \$132,570.15, as of 5/5/2025, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred in giving notice, mileage by the most reasonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out-of-pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement.

Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner provided below.

Date: 3/19/2025

Law Offices of Jason C. Tatman
U.S. Dept. of HUD Foreclosure Commissioner

BY: *Rhonda Rorie*

Rhonda Rorie

rr@tatmanlegal.com

9665 Chesapeake Dr., Ste. 365, San Diego, CA
92123

(858) 201-3590 Fax (858) 348-4976

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

On 3/19/2025 before me, C. Stewart, a Notary Public, personally appeared Rhonda Rorie who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature *C Stewart*





U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Fort Worth Regional Office, Region VI
Office of Regional Counsel
307 W 7th Street, Ste. 1000
Fort Worth, TX 76102
Phone: 817-978-5987 FAX: 202-485-9114

February 1, 2022

FORECLOSURE COMMISSIONER DESIGNATION

To: Jason C. Tatman
Law Office of Jason C. Tatman
5677 Oberlin Dr. Ste 210
San Diego, CA, 92121

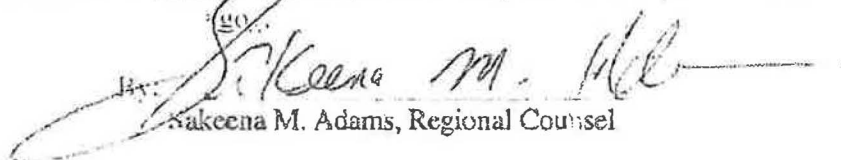
Pursuant to Section 805 of the Single Family Mortgage Foreclosure Act of 1994 (the "Act"), and the Delegation of Authority published in 76 FR 42466 on July 18, 2011, you are hereby designated as a Foreclosure Commissioner to act on behalf of the Secretary of Housing and Urban Development to conduct nonjudicial foreclosures in the State of Texas of the mortgages that may be referred to you by the Department of Housing and Urban Development ("HUD") including cases under Title I, Title II, and Section 312. A copy of the Act, as codified at 12 U.S.C. §§ 3751-3768 and the federal regulations (24 CFR 27, Subpart B, the "Regulations") applicable to your designation are available online through the Government Printing Office website. Foreclosures HUD refers to you are to be conducted pursuant to the Act, the Regulations, and the instructions that HUD will give to you at the time of referral.

HUD will pay you a commission for a completed foreclosure of \$1,350.00 (a "Commission"). HUD will pay you a percentage of the Commission for cases that HUD withdraws, based on the following:

- 20% of Commission for work completed if withdrawn prior to "service" of Notice of Foreclosure and Sale
- 80% of Commission for work completed if withdrawn after "service" of Notice of Foreclosure and Sale but prior to foreclosure sale, including the start of publication, or posting if required.

As a Foreclosure Commissioner, you are a fiduciary of the Secretary and not an employee of the Department of Housing and Urban Development or of the Federal Government. You will be responsible for your actions as any other fiduciary.

This designation is effective immediately and may be revoked by HUD with or without cause pursuant to the Act. An original and two copies of this Designation are enclosed. Please sign and date them, providing your Tax Identification or Social Security Number, and return one copy to Sakeena M. Adams at 307 W 7th Street Ste 1000, Fort Worth, TX 76102 and send a scanned copy to

By: 
Sakeena M. Adams, Regional Counsel

ACCEPTANCE OF DESIGNATION

I, JASON TATMAN, hereby accept designation as a Foreclosure Commissioner and agree to abide by the provisions of my appointment, the Act referred to above, the regulations, and the Instructions as provided to me by HUD.

2.8.2022
Date

LAW OFFICES OF JASON E. TATMAN
Name of Firm

By: [Signature]
416-5437418
Tax I.D. or Social Security No.

ACKNOWLEDGEMENT

State of _____)

[County/Parrish] of _____)

This instrument was acknowledged before me on the _____ day of _____, 20____,
by _____

Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Diego

On 2/8/2022 before me, Baron Tennelle III, a notary public, personally appeared Jason C. Tatman who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)

