

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., 20405 State Highway 249, Suite 170, Houston, TX 77070

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated April 14, 2010 and recorded under Clerk's File No. 2010-00267530, in the real property records of ANGELINA County Texas, with Richard E. Fernandez and Brandy D. Fernandez, Husband and Wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Texas State Home Loans, Inc., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Richard E. Fernandez and Brandy D. Fernandez, Husband and Wife securing payment of the indebtedness in the original principal amount of \$67,450.00 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 Richard Fernandez. Arvest Bank 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. Arvest Bank F/K/A Arvest Central Mortgage Company is acting as the Mortgage Servicer for the Mortgagee. Arvest Bank F/K/A Arvest Central Mortgage Company, is representing the Mortgagee, whose address is: 801 John Barrow Road, Suite 1, Little Rock, AR 72205.

Legal Description:

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, OUT OF THE R. TREVATHAN SURVEY, ABSTRACT NO. 613 AND BEING ALL OF THAT CERTAIN 1.238 ACRE TRACT DESCRIBED IN A DEED FROM MICHAEL KIRK ROSS TO LUFKIN-CONROE TELEPHONE EXCHANGE, INC. DATED JULY 28, 1989 AND RECORDED IN VOLUME 770 ON PAGE 186 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS, TO WHICH REFERENCE IS HEREBY MADE FOR ANY AND ALL PURPOSES AND THE SAID TRACT OR PARCEL AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

SALE INFORMATION

Date of Sale: 05/06/2025

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 Commissioners Court and Annex at 211 East Shepherd Ave, Lufkin, TX 75901; or the front steps of the entrance to the Angelina County Commissioners Court and Annex on Shepherd Street if the courtroom is closed for holidays, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners 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.

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 Mortgagee, 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, Harriett Fletcher, Sharon St. Pierre, Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Kathleen Adkins, Evan Press, Reid Ruple, Michael Kolak, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, 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.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

Executed on April 7, 2025.

/s/ Will Morphis SBOT No. 24131905, Attorney at Law
Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

Posted and filed by:



Printed Name: Sheryl LaMont, April 11, 2025

C&M No. 44-23-2060

FILED
AT 12 O'CLOCK P M

APR 11 2025

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

By 

EXHIBIT 'A'

File No.: 6476800n (CLS)
Property: 124 HAYLIE WAY, LUFKIN, TX 75904

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, OUT OF THE R. TREVATHAN SURVEY, ABSTRACT NO. 613 AND BEING ALL OF THAT CERTAIN 1.238 ACRE TRACT DESCRIBED IN A DEED FROM MICHAEL KIRK ROSS TO LUFKIN-CONROE TELEPHONE EXCHANGE, INC. DATED JULY 28, 1989 AND RECORDED IN VOLUME 770 ON PAGE 186 OF THE REAL PROPERTY 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 THE NORTHWEST CORNER OF THE AFORESAID REFERRED TO 1.238 ACRE TRACT AND NORTHEAST CORNER OF THAT CERTAIN 28.021 ACRE TRACT DESCRIBED IN A DEED FROM CHARLES T. (TED) COLLINS TO LAWANDA COLLINS HORTON, ET AL DATED OCTOBER 13, 1983 AND RECORDED IN VOLUME 551 ON PAGE 586 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, A 1/2" PIPE FOUND FOR CORNER IN THE SOUTH BOUNDARY LINE OF THAT CERTAIN 1.99 ACRE TRACT DESCRIBED IN A DEED FROM ALWILDA M. HINES TO M.L. HINES DATED AUGUST 27, 1946 AND RECORDED IN VOLUME 124 ON PAGE 473 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS;

THENCE TWO CALLS WITH THE NORTH BOUNDARY LINE OF SAID 1.238 ACRE TRACT AS FOLLOWS:

(1) N 85° 00' 00" E WITH THE SOUTH BOUNDARY LINE OF THE SAID 1.99 ACRE TRACT, AT 267.20 FEET THE SOUTHEAST CORNER OF THE SAID 1.99 ACRE TRACT AND THE WEST CORNER OF THAT CERTAIN 0.009 ACRE TRACT DESCRIBED IN A DEED FROM GAYLE COLLINS, ET AL TO JOHN WHITE, ET UX DATED DECEMBER 14, 1977 AND RECORDED IN VOLUME 469 ON PAGE 840 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, A 1/2" PIPE FOUND FOR CORNER.

(2) N 89° 56' 55" E WITH THE SOUTH BOUNDARY LINE OF THE SAID 0.009 ACRE TRACT, AT 96.77 FEET THE NORTHEAST CORNER OF THE SAID 1.238 ACRE TRACT AND THE SOUTHEAST CORNER OF THE SAID 0.009 ACRE TRACT, A 1/2" ROD FOUND FOR CORNER IN A BOUNDARY LINE OF THE AFORESAID 28.021 ACRE TRACT AND THE WEST RIGHT-OF-WAY LINE OF A PRIVATE ROAD EASEMENT (TRACT TWO IN THE AFORESAID LCTX DEED- V. 770 P. 186);

THENCE S 05° 59' 51" W WITH AN EAST BOUNDARY LINE OF THE SAID 1.238 ACRE TRACT, A BOUNDARY LINE OF THE SAID 28.021 ACRE TRACT, AND THE WEST RIGHT-OF-WAY LINE OF THE SAID PRIVATE ROAD EASEMENT, AT 85.29 FEET A SOUTHEAST CORNER OF THE SAID 1.238 ACRE TRACT AND THE NORTHEAST CORNER OF THAT CERTAIN 0.500 ACRE TRACT DESCRIBED IN A DEED FROM ROY KEITH WINKLEMAN, ET UX TO RONALD S. MORRIS, ET UX DATED MAY 18, 1984 AND RECORDED IN VOLUME 5600N PAGE 342 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, A 1/2" PIPE FOUND FOR CORNER;

THENCE S 84° 45' 44" W WITH A SOUTH BOUNDARY LINE OF THE SAID 1.238 ACRE TRACT AND THE NORTH BOUNDARY LINE OF THE SAID 0.500 ACRE TRACT, AT 187.66 FEET AN INTERIOR ALL CORNER OF THE SAID 1.238 ACRE TRACT AND TH WEST CORNER OF THE SAID 0.500 ACRE TRACT, A 1/2" PIPE FOUND FOR CORNER;

THENCE S 05° 59' 00" W WITH AN EAST BOUNDARY LINE OF THE SAID 1.238 ACRE TRACT AND THE WEST BOUNDARY LINE OF THE SAID 0.500, AT 117.69 FEET A SOUTHEAST CORNER OF THE SAID 1.238 ACRE TRACT AND THE SOUTHWEST CORNER OF THE SAID 0.500 ACRE TRACT, A 1/2" PIPE FOUND FOR CORNER IN A NORTH BOUNDARY LINE OF THE AFORESAID 28.021 ACRE TRACT;

THENCE S 84° 57' 03" W WITH A SOUTH BOUNDARY LINE OF THE SAID 1.238 ACRE TRACT AND A NORTH BOUNDARY LINE OF THE SAID 28.021 ACRE TRACT, AT 177.50 FEET THE SOUTHWEST CORNER OF THE SAID 1.238 ACRE TRACT AND AN INTERIOR ALL CORNER OF THE SAID 28.021 ACRE TRACT, A 1/2" PIPE FOUND FOR CORNER;

THENCE N 05° 55' 27" WITH THE WEST BOUNDARY LINE OF THE SAID 1.238 ACRE TRACT AND AN EAST BOUNDARY LINE OF THE SAID 28.021 ACRE TRACT, AT 212.38 FEET THE POINT AND PLACE OF BEGINNING AND CONTAINING 1.238 ACRES OF LAND, MORE OR LESS.

A.P.N.