

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.

5965-800

### NOTICE OF FORECLOSURE SALE

**1 THE PROPERTY TO BE SOLD**

COMMONLY KNOWN AS

1707 SPRUCE STREET, LUFKIN, TEXAS 75901

LEGAL DESCRIPTION

SEE EXHIBIT A.

**2 THE DEED OF TRUST TO BE FORECLOSED UPON**

RECORDED IN REAL PROPERTY RECORDS OF ANGELINA COUNTY

RECORDED ON OCTOBER 8, 2013

UNDER DOCUMENT# 2013-00310414

**3 THE SALE IS SCHEDULED TO BE HELD**

PLACE

DATE

TIME

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

DECEMBER 3, 2024

1:00 PM - 4:00 PM

#### 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 § 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.

#### OBLIGATIONS SECURED

The Deed of Trust executed by NICHOLAS H. OWENS, provides that it secures the payment of the indebtedness in the original principal amount of \$146,250.00, 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 the current mortgage servicer. A servicing agreement between the mortgager, whose address is 1661 Worthington Road, Suite #100, West Palm Beach, Florida 33409, and the mortgage service exists. TEXAS PROPERTY CODE § 51.0025 authorizes the mortgage servicer to collect the debt.

**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.**

In accordance with Texas Property Code § 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint the following as Substitute Trustee to act under and by virtue of said Deed of Trust:

ROBERT LaMONT, SHERYL LaMONT, ALLAN JOHNSTON, RONNIE HUBBARD, NICHOLAS S. CAMPBELL, ANNAROSE M. HARDING, SARA A. MORTON, HALEY SHEPPARD, and/or BRANCH M. SHEPPARD.

ATTORNEYS AT LAW  
Branch M. Sheppard  
Annarose M. Harding  
Sara A. Morton

FILED  
AT 10 O'CLOCK P.M.

OCT 31 2024

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

By [Signature]

GALLOWAY, JOHNSON, TOMPKINS, BURR & SMITH  
A PROFESSIONAL LAW CORPORATION  
1301 McKinney Street, Suite 1400  
Houston, Texas 77010  
(713) 599-0700

[Signature]

#### CERTIFICATE OF POSTING

I declare under penalty of perjury that I filed this Notice of Foreclosure Sale at the office of the County Clerk and caused it to be posted at the location directed by the County Commissioners Court.

POSTED October 31, 2024

NAME Sheryl LaMont

[Signature]

TRUSTEE

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## **EXHIBIT A – LEGAL DESCRIPTION for 1707 Spruce Street, Lufkin, Texas 75901**

ALL THOSE CERTAIN LOTS, TRACTS OR PARCELS OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, DESCRIBED AS FOLLOWS:

TRACT NO. ONE:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, AND BEING LOT NO. TWELVE (12) OF THE CASTLEWOOD SUBDIVISION TO THE CITY OF LUFKIN, ANGELINA COUNTY, TEXAS, AS THE SAME APPEARS UPON THE OFFICIAL MAP OR PLAT OF SAID SUBDIVISION, WHICH IS OF RECORD IN CABINET A, SLIDE 163-A, OF THE MAP AND PLAT RECORDS OF ANGELINA COUNTY, TEXAS, TO WHICH REFERENCE IS HEREBY MADE FOR ANY AND ALL PURPOSES.

TRACT NO. TWO:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, OUT OF THE MCKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 46, AND BEING A PART OR PORTION OF LOT NO. ELEVEN (11) OF THE CASTLEWOOD SUBDIVISION, A SUBDIVISION OF 7.758 ACRES OF LAND, RECORDED IN CABINET A, SLIDE 163-A, OF THE MAP AND PLAT RECORDS OF ANGELINA COUNTY, TEXAS, TO WHICH REFERENCE IS HEREBY MADE FOR ANY AND ALL PURPOSES, AND THE SAID PART OR PORTION BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF THE AFORESAID REFERRED TO LOT NO. 11, ALSO BEING THE NORTHEAST CORNER OF LOT 12 OF THE AFORESAID REFERRED TO CASTLEWOOD SUBDIVISION, AN IRON PIN FOR CORNER IN THE EAST BOUNDARY LINE OF THE SAID CASTLEWOOD SUBDIVISION;

THENCE N 70 DEG. 00 MIN. 00 SEC. W WITH THE SOUTH BOUNDARY LINE OF THE AFORESAID LOT 11 AND THE NORTH BOUNDARY LINE OF THE AFORESAID LOT 12, AT 111.26 FEET A POINT FOR CORNER;

THENCE N 32 DEG. 19 MIN. 30 SEC. W WITH THE SOUTHWEST BOUNDARY LINE OF THE AFORESAID LOT 12, AT 29.98 FEET INTERSECT THE EAST RIGHT-OF-WAY LINE OF SPRUCE STREET, AN IRON PIN FOR CORNER;

THENCE S 62 DEG. 16 MIN. 12 SEC. E, AT 136.23 FEET THE POINT AND PLACE OF BEGINNING, AND CONTAINING 0.023 ACRES OF LAND, MORE OR LESS.

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS OUT OF THE MCKINNEY AND WILLIAMS SURVEY, ABSTRACT NO. 469 AND BEING ALL OF LOT 12 AND A PART OF LOT 11 OF THE CASTLEWOOD SUBDIVISION, A SUBDIVISION OF 7.758 ACRES OF LAND RECORDED IN CABINET A, SLIDE 163-A OF THE PLAT RECORDS OF ANGELINA COUNTY, TEXAS, TO WHICH REFERENCE IS HEREBY MADE FOR ANY AND ALL PURPOSES. SAID TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID CASTLEWOOD SUBDIVISION. SAME BEING THE SOUTHEAST CORNER OF THE REFERRED TO LOT 12, A 1/2-INCH IRON ROD FOUND FOR CORNER;

THENCE N 78° 13' 06" W 176.53 FEET (RECORD - 176.37 FEET), WITH THE SOUTH BOUNDARY LINE OF SAID CASTLEWOOD SUBDIVISION TO A 5/8-INCH IRON ROD FOUND FOR CORNER (THIS LINE WAS USED AS THE BASIS OF BEARINGS)

THENCE N 20° 18' 47" E 110.98 FEET (RECORD - N 20° 00' 00" E 110.00 FEET) TO A 1/2-INCH IRON ROD FOUND IN THE CURVING RIGHT-OF-WAY OF SPRUCE STREET;

THENCE FOLLOWING A CURVE TO THE LEFT (CENTRAL ANGLE = 52° 19' 40" R = 50.00 FEET LC; N 84° 21' 58" E, 44.09 FEET) AT 45.66 FEET, A 1/2-INCH IRON ROD FOUND FOR CORNER IN AN EXISTING WATER METER. SAME BEING THE COMMON CORNER OF THE AFOREMENTIONED LOT 11 AND LOT 12;

THENCE S 61° 36' 21" E 135.93 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER;

THENCE S 20° 04' 53" W 81.97 FEET (RECORD = S 20° 00' 00" W 85.91 FEET), THE POINT AND PLACE OF BEGINNING AND CONTAINING 0.427 ACRES OF LAND, MORE OR LESS.

### **CERTIFICATE OF POSTING**

I declare under penalty of perjury that I filed this Notice of Foreclosure Sale at the office of the County Clerk and caused it to be posted at the location directed by the County Commissioners Court.

POSTED October 31, 2024

NAME Sheryl LaMont

 TRUSTEE