

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S 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 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.

DEED OF TRUST INFORMATION:

Date: 11/17/2020
Grantor(s): RICHARD WAYNE HESS II AND STEPHANIE JENKINS, A MARRIED COUPLE
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR MORTGAGE FINANCIAL SERVICES, LLC, ITS SUCCESSORS AND ASSIGNS

Original Principal: \$125,190.00
Recording Information: Instrument 2020-00400716
Property County: Angelina
Property: (See Attached Exhibit "A")
Reported Address: 256 IVEY RD, LUFKIN, TX 75904

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: Idaho Housing and Finance Association
Mortgage Servicer: Idaho Housing and Finance Association
Current Beneficiary: Idaho Housing and Finance Association
Mortgage Servicer Address: 565 W. Myrtle, Boise, ID 83702

SALE INFORMATION:

Date of Sale: Tuesday, the 5th day of December, 2023
Time of Sale: 1:00PM or within three hours thereafter.
Place of Sale: The Angelina County Courthouse Annex 606 East Lufkin Ave, Lufkin, TX in the hallway outside the Commissioner's 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. in Angelina County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Angelina County Commissioner's Court, at the area most recently designated by the Angelina County Commissioner's Court.

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Kathleen Adkins, Evan Press, Reid Ruple, Michael Kolak, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Kathleen Adkins, Evan Press, Reid Ruple, Michael Kolak, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.

12:25
12/09/2023
County of
CO

4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Substitute Trustee(s): Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Kathleen Adkins, Evan Press, Reid Ruple, Michael Kolak, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 350, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am Sheryl LaMont whose address is 14841 Dallas Parkway, Suite 350, Dallas, TX 75254. I declare under penalty of perjury that on November 2, 2023 I filed and / or recorded 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.

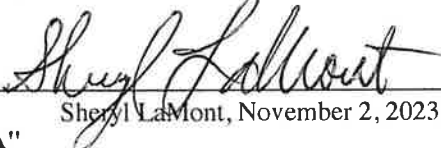
By: 
Sheryl LaMont, November 2, 2023

Exhibit "A"

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN ANGELINA COUNTY, TEXAS, OUT OF THE C.C. WRIGHT SURVEY, ABSTRACT NO. 704 AND BEING ALL OF THAT CERTAIN 0.56 ACRE TRACT DESCRIBED IN A QUITCLAIM DEED FROM MARGIE MURPHY NORRIS, WIDOW OF M.J. NORRIS TO JOHN LYNN NORRIS, ET AL DATED DECEMBER 14, 1993 AND RECORDED IN VOLUME 950 ON PAGE 78 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 SOUTHWEST CORNER OF THE AFORESAID REFERRED TO NORRIS 0.56 ACRE TRACT AND THE NORTHWEST CORNER OF OF THAT CERTAIN 0.326 ACRE TRACT DESCRIBED IN A DEED FROM R.L. LEHMAN, ET AL TO SHIRLEY WALLER DATED AUGUST 24, 1994 AND RECORDED IN VOLUME 981 ON PAGE 123 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS, A 1/2" ROD FOUND FOR CORNER IN AN EAST BOUNDARY LINE OF THAT CERTAIN 11.243 ACRE TRACT DESCRIBED IN A DEED FROM THOMAS V. ANGERS, ET UX TO CHARLES WAYNE FENLEY, ET UX DATED NOVEMBER 7, 1986 AND RECORDED IN VOLUME 660 ON PAGE 130 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS, SAID ROD WITNESSED BY A FENCE CORNER BEARING N 48 DEGREES E 0.6 FEET;

THENCE N 20 DEGREES 16' 06" W (CALLED N 20 DEGREES 56' W) WITH THE WEST BOUNDARY LINE OF THE SAID NORRIS 0.56 ACRE TRACT, THE EAST BOUNDARY LINE OF THE SAID 4 ACRE TRACT, AND THE EAST BOUNDARY LINE OF THAT CERTAIN 1.28 ACRE TRACT DESCRIBED IN A DEED FROM DAVID BOLES TO CAROLYN REYNOLDS DATED MAY 9, 1989 AND RECORDED IN VOLUME 762 ON PAGE 399 OF THE REAL PROPERTY RECORDS OF ANGELINA COUNTY, TEXAS, AT 47.59 FEET PASS ON LINE A 1/2" PIPE (AT A FENCE CORNER) FOUND FOR A NORTHEAST CORNER OF THE SAID 11.243 ACRE TRACT AND SOUTHEAST CORNER OF THE SAID 1.28 ACRE TRACT, AT 99.19 FEET (CALLED 100 FEET) THE NORTHWEST CORNER OF THE SAID NORRIS 0.56 ACRE TRACT AND THE SOUTHWEST CORNER OF OF THAT CERTAIN 0.56 ACRE TRACT DESCRIBE IN A DEED FROM TOMMY E. WELLS, ET UX TO LEONARD THOMPSON, ET UX DATED OCTOBER 6, 1972 AND RECORDED IN VOLUME 392 ON PAGE 812 OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, A 1" PIPE FOUND FOR CORNER WITNESSED BY A FENCE CORNER BEARING N 61 DEGREES E 0.65 FEET AND A 1" PIPE BEARING N 20 DEGREES 41' 28" W 99.97 FEET;

THENCE N 68 DEGREES 03' 30" E (CALLED N 68 DEGREES 08' E) WITH THE NORTH BOUNDARY LINE OF THE SAID NORRIS 0.56 ACRE TRACT AND THE SOUTH BOUNDARY LINE OF THE SAID THOMPSON 0.56 ACRE TRACT, AT 245.92 FEET (CALLED 246 FEET) THE NORTHEAST CORNER OF THE SAID NORRIS 0.56 ACRE TRACT AND THE SOUTHEAST CORNER OF THE SAID THOMPSON 0.56 ACRE TRACT, 1" PIPE FOUND FOR CORNER (AT A FENCE CORNER) IN THE WEST MARGIN OF COUNTY ROAD NO. 49E (APPROXIMATELY 15 FEET FROM CENTERLINE), SAID PIPE WITNESSED BY A 1" PIPE BEARING N 18 DEGREES 00' 35" W 99.96 FEET;

THENCE S 18 DEGREES 00' 35" E (CALLED S 18 DEGREES 00' E) WITH THE EAST BOUNDARY LINE OF THE SAID NORRIS 0.56 ACRE TRACT AND THE WEST MARGIN OF THE SAID COUNTY ROAD NO. 49E, AT 99.70 FEET (CALLED 100 FEET) THE SOUTHEAST CORNER OF THE SAID NORRIS 0.56 ACRE TRACT AND THE NORTHEAST CORNER OF THE AFORESAID 0.326 ACRE TRACT, A 1/2" ROD FOUND FOR CORNER (APPROXIMATELY 17 FEET FROM CENTERLINE AND AT A FENCE CORNER) WITNESSED BY A 1/2" ROD BEARING S 18 DEGREES 00' 35" E 59.03 FEET;

THENCE S 68 DEGREES 08' 00" W (CALLED S 68 DEGREES 08' W) WITH THE SOUTH BOUNDARY LINE OF THE SAID NORRIS 0.56 ACRE TRACT AND THE NORTH BOUNDARY LINE OF THE SAID 0.326 ACRE TRACT, AT 241.98 FEET (CALLED 242 FEET) THE POINT AND PLACE OF BEGINNING AND CONTAINING 0.556 ACRE OF LAND, MORE OR LESS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 350, Dallas, TX 75254