

## NOTICE OF FORECLOSURE 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 OR 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.**

- 1. Property to Be Sold.** The property to be sold is described as follows: LOT THREE (3) AND FOUR (4), BLOCK TWELVE (12), STALLWORTH COLLEGE ADDITION, CITY OF ROSEBUD, FALLS COUNTY, TEXAS.
- 2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 09/04/2020 and recorded in Book 00378 Page 00230 Document 00004807 real property records of Falls County, Texas.

**3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:

Date: 07/02/2024

Time: 11:00 AM

Place: Falls County, Texas at the following location: SOUTH ENTRANCE STEPS LEADING THROUGH THE SOUTH COURTHOUSE DOOR TO THE SECOND FLOOR OF THE FALLS COUNTY COURTHOUSE AT MARLIN IN FALLS COUNTY, TEXAS OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

**4. 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 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.

**5. Obligations Secured.** The Deed of Trust executed by KELLY SIMMONS AND BARRY CLARK, provides that it secures the payment of the indebtedness in the original principal amount of \$90,676.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Everett Financial Inc DBA Supreme Lending is the current mortgagee of the note and deed of trust and SUPREME LENDING is mortgage servicer. A servicing agreement between the mortgagee, whose address is Everett Financial Inc DBA Supreme Lending c/o SUPREME LENDING, 14801 Quorum Drive, Suite 300, Dallas, TX 75254 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

**6. Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**



Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Michael Zientz, Attorney at Law  
Lori Liane Long, Attorney at Law  
Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Karla Balli, Attorney at Law  
Parkway Office Center, Suite 900  
14160 Dallas Parkway  
Dallas, TX 75254

For additional sale information visit: [www.mwzmlaw.com/tx-investors](http://www.mwzmlaw.com/tx-investors)

Certificate of Posting

I am Pete Flores whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on 4-25-24 I filed this Notice of Foreclosure Sale at the office of the Falls County Clerk and caused it to be posted at the location directed by the Falls County Commissioners Court.