

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: BEING 0.261 ACRES, MORE OR LESS, OF THE THOMAS J. CHAMBERS SURVEY, ABSTRACT NO. 12 AND THE ANASTACIO DE LA SERDA SURVEY, ABSTRACT NO. 87, CONFLICTING SURVEYS, AND BEING COMPRISED OF A PORTION OF AN UN-NAMED STREET ABANDONED BY THE CITY COUNCIL OF MARLIN, TEXAS AS PER ORDINANCE NO. 15-029 AND THE NORTH NINETEEN FEET (N.19') OF LOT 1, IN BLOCK 3 OF THE EMERSON AND REEVES ADDITION TO THE TOWN OF MARLIN, TEXAS, ACCORDING TO THE PLAT OF RECORD IN VOLUME 80, PAGE 640 OF THE DEED RECORDS OF FALLS COUNTY, TEXAS, SAID LOT 1 IS CONVEYED TO GREEN TREE SERVICING, L.L.C., IN VOLUME 302, PAGE 205 OF THE OFFICIAL RECORDS OF FALLS COUNTY, TEXAS;

BEGINNING AT A 1/2 INCH CAPPED IRON PIN, FOUND, IN THE NORTH LINE OF SAID ABANDONED STREET AND IN THE EAST LINE OF A 20 FEET WIDE ALLEY AND ALSO BEING AT THE SOUTHWEST CORNER OF LOT 28, IN BLOCK 2, OF SAID EMERSON AND REEVES ADDITION;

THENCE, NORTH 59 DEGREES 59 MINUTES 09 SECONDS EAST, WITH THE SOUTH LINE OF SAID LOT 28 AND THE NORTH LINE OF SAID ABANDONED STREET, 165.05 FEET, TO A 1/2 INCH CAPPED IRON PIN, FOUND, AT THE SOUTHEAST CORNER OF SAID LOT 28 AND IN THE WEST LINE OF FALLS COUNTY ROAD NO. 2863, ALSO KNOWN AS BERNARD STREET;

THENCE, SOUTH 30 DEGREES 00 MINUTES 00 SECONDS EAST, WITH THE WEST LINE OF SAID ROADWAY, AT 50.00 FEET, PASS A 1/2 INCH CAPPED IRON PIN, FOUND, IN THE SOUTH LINE OF SAID ABANDONED STREET AND AT THE NORTHEAST CORNER OF SAID LOT 1, ON LINE, AND CONTINUING IN ALL 69.00 FEET, TO A 1/2 INCH CAPPED IRON PIN, SET, AT THE SOUTHEAST CORNER HEREOF, BEING IN THE EAST LINE OF SAID LOT 1;

THENCE, SOUTH 59 DEGREES 59 MINUTES 09 SECONDS WEST, WITH THE SOUTH LINE HEREOF, CROSSING SAID LOT 1, 165.05 FEET, TO A 1/2 INCH CAPPED IRON PIN, SET, AT THE SOUTHWEST CORNER HEREOF, AND IN THE WEST LINE OF SAID LOT 1 AND IN THE EAST LINE OF SAID ALLEY;

THENCE, NORTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, WITH THE EAST LINE OF SAID ALLEY, AT 19.00 FEET, PASS A 1/2 INCH CAPPED IRON PIN, FOUND, AT THE NORTHWEST CORNER OF SAID LOT 1 AND THE SOUTH LINE OF SAID ABANDONED STREET, ON LINE, AND CONTINUING IN ALL 69.00 FEET, TO THE PLACE OF BEGINNING

BEING 0.023 ACRES, MORE OR LESS, OF THE THOMAS J. CHAMBERS SURVEY, ABSTRACT NO. 12 AND THE ANASTACIO DE LA SERDA SURVEY, ABSTRACT NO. 67, CONFLICTING SURVEYS, AND BEING THE SOUTH SIX FEET (S.6') OF LOT 28, IN BLOCK 2 OF THE EMERSON AND REEVES ADDITION TO THE TOWN OF MARLIN, TEXAS, ACCORDING TO THE PLAT OF RECORD IN VOLUME 80, PAGE 640 OF THE DEED RECORDS OF FALLS COUNTY, TEXAS, SAID LOT 28 IS CONVEYED TO KIP A. HARRIS IN VOLUME 294, PAGE 694 OF THE OFFICIAL RECORDS OF FALLS COUNTY, TEXAS;

BEGINNING AT A 1/2 INCH CAPPED IRON PIN, FOUND, AT THE SOUTHWEST CORNER OF SAID LOT 28 AND BEING IN THE EAST LINE OF A 20 FEET WIDE ALLEY AND ALSO IN THE NORTH LINE OF AN UN-NAMED STREET ABANDONED BY THE CITY COUNCIL OF MARLIN, TEXAS AS PER ORDINANCE NO. 15-029;

THENCE, NORTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, WITH THE COMMON LINE OF SAID LOT 28 AND SAID ALLEY, 6.00 FEET, TO A 1/2 INCH CAPPED IRON PIN, SET, AT THE NORTHWEST CORNER HEREOF;

THENCE, NORTH 69 DEGREES 59 MINUTES 09 SECONDS EAST, WITH THE NORTH LINE HEREOF, CROSSING SAID LOT 28, 165.05 FEET, TO A 1/2 INCH CAPPED IRON PIN, SET AT THE NORTHEAST CORNER HEREOF, AND IN THE EAST LINE OF SAID LOT 28 AND IN THE WEST LINE OF FALLS COUNTY ROAD NO. 2863, ALSO KNOWN AS BERNARD STREET;

THENCE, SOUTH 30 DEGREES 00 MINUTES 00 SECONDS EAST, WITH THE COMMON LINE OF SAID LOT 28 AND SAID ROADWAY, 6.00 FEET, TO A 1/2 INCH CAPPED IRON PIN, FOUND, AT THE SOUTHEAST CORNER OF SAID LOT 28 AND IN THE NORTH LINE OF SAID ABANDONED STREET;

THENCE, SOUTH 59 DEGREES 59 MINUTES 09 SECONDS WEST, WITH THE SOUTH LINE OF SAID LOT 28 AND THE NORTH LINE OF SAID ABANDONED STREET, 165.05 FEET TO THE PLACE OF BEGINNING.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 02/19/2016 and recorded in Book 00315 Page 00374 Document 00000444 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: 07/05/2023

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.

FILED 11:40 AM

MAY 16 2023

CO. CLK. FALLS CO.



5. **Obligations Secured.** The Deed of Trust executed by JUSTIN MUCKELROY AND MARKIA TAYLOR, provides that it secures the payment of the indebtedness in the original principal amount of \$64,300.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. U.S. BANK, N.A., AS TRUSTEE, SUCCESSOR IN INTEREST TO WACHOVIA BANK, NATIONAL ASSOCIATION, AS TRUSTEE, FOR MID-STATE TRUST XI is the current mortgagee of the note and deed of trust and SHELLPOINT MORTGAGE SERVICING is mortgage servicer. A servicing agreement between the mortgagee, whose address is U.S. BANK, N.A., AS TRUSTEE, SUCCESSOR IN INTEREST TO WACHOVIA BANK, NATIONAL ASSOCIATION, AS TRUSTEE, FOR MID-STATE TRUST XI c/o SHELLPOINT MORTGAGE SERVICING, 2020 S. Dairy Ashford #200, Houston, TX 77077 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.realtybid.com/texas or (877) 518-5700

Certificate of Posting

I am Pete Florez 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 5-16-23 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.