

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 NO. 9 OF DENTON SUBDIVISION OF 16.29 ACRE TRACT OF LAND OUT OF THE SOUTHWEST QUARTER (SOUTHWEST 1/4) OF SECTION NO. 44, BLOCK NO. 31, TOWNSHIP 1-NORTH, T. AND P. RY. CO. SURVEYS, HOWARD COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3/4 INCH I.P. FROM WHICH A 1 1/2 INCH I.P., THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION NO. 44 INCH, BLOCK NO. 31, TOWNSHIP 1-NORTH, T. AND P. RY. CO. SURVEYS, HOWARD COUNTY, TEXAS, BEARS NORTH 25 DEGREES 57 MINUTES WEST 77.6 FEET AND NORTH 74 DEGREES 24 MINUTES 40 SECONDS EAST 960.4 FEET; SAID 3/4 INCH I.P. LOCATED IN THE WEST RIGHT-OF-WAY LINE OF A PUBLIC ROAD, DESIGNATED AS TERRY ROAD, FOR THE NORTHEAST CORNER OF THIS TRACT:

THENCE SOUTH 64 DEGREES 03 MINUTES WEST 208.7 FEET TO A 3/4 INCH I.P. FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE SOUTH 25 DEGREES 57 MINUTES EAST 257.9 FEET TO A 3/4 INCH I.P. FOR THE SOUTHWEST CORNER OF AN 0.886 ACRE TRACT CONVEYED TO JOHNNY L. ZITTERKOPF, ET UX, BY C.A. DENTON, ET UX, BY WARRANTY DEED DATED OCTOBER 5, 1966, RECORDED IN VOLUME 372, PAGE 273, DEED RECORDS OF HOWARD COUNTY, TEXAS, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 30 DEGREES 36 MINUTES EAST, ALONG THE WEST LINE OF SAID ZITTERKOPF 0.886 ACRE TRACT, 245.0 FEET TO A 3/4 INCH I.P. LOCATED IN THE WEST RIGHT-OF-WAY LINE OF SAID PUBLIC ROAD. FOR THE NORTHWEST CORNER OF SAID ZITTERKOPF TRACT AND THE SOUTHEAST CORNER OF THIS TRACT;

THENCE NORTH 35 DEGREES 57 MINUTES WEST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID PUBLIC ROAD, 120.0 FEET TO THE PLACE OF BEGINNING;

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 05/27/2016 and recorded in Document 2016-00005329 real property records of Howard County, Texas.

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

Date: 02/06/2024

Time: 10:00 AM


Place: Howard County, Texas at the following location: NORTH DOOR OF THE COURTHOUSE 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 JACQUELINE D. STARR, provides that it secures the payment of the indebtedness in the original principal amount of \$122,735.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. PENNYMAC LOAN SERVICES, LLC is the current mortgagee of the note and deed of trust and PENNYMAC LOAN SERVICES, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is PENNYMAC LOAN SERVICES, LLC c/o PENNYMAC LOAN SERVICES, LLC, 6101 Condor Drive, Moorpark, CA 93021 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.auction.com or (800) 280-2832

Certificate of Posting

I am  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 12-25 I filed this Notice of Foreclosure Sale at the office of the Howard County Clerk and caused it to be posted at the location directed by the Howard County Commissioners Court.



POSTED
FILED at 10:24 P M O'clock 12/17/23
Brent Zitterkopf, County Clerk, Howard County, Texas
Deputy