



Freestone
County
Renee Reynolds
Freestone County
Clerk

Instrument Number: 2202937

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: July 12, 2022 03:27 PM

Number of Pages: 3

" Examined and Charged as Follows: "

Total Recording: \$8.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2202937
Receipt Number: 20220712000047
Recorded Date/Time: July 12, 2022 03:27 PM
User: Dawn M
Station: CCLERK02

Record and Return To:

MOLLIE MCCOSLIN



STATE OF TEXAS
COUNTY OF FREESTONE

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Freestone County, Texas.

Renee Reynolds
Freestone County Clerk
Freestone County, TX

Renee Reynolds

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 A TRACT OF LAND SITUATED IN THE ISAAC HOLEMAN SURVEY, ABSTRACT NO. 13, IN FREESTONE COUNTY, TEXAS, A TRACT OF LAND DESCRIBED IN DEED TO DAVID AND FRANCES SIMMONS, AS RECORDED IN VOLUME 986, PAGE 348, OF THE DEED RECORDS OF FREESTONE COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOR CORNER ON THE SOUTH RIGHT OF WAY LINE OF FCR 920, BEING THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO GAMBLE STORY, AS RECORDED IN VOLUME 75, PAGE 247, OF THE DEED RECORDS OF FREESTONE COUNTY, TEXAS AND BEING THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE EAST, ALONG SAID FCR 920, A DISTANCE OF 638.73 FEET TO A FOUND 60D NAIL FOR CORNER, BEING THE NORTHERNMOST NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO ED AND BONITA CHILDS, AS RECORDED IN VOLUME 1544, PAGE 861, OF THE DEED RECORDS OF FREESTONE COUNTY, TEXAS;

THENCE SOUTH 16 DEGREES 19 MINUTES 10 SECONDS WEST, A DISTANCE OF 420.40 FEET TO A FENCE POST FOR CORNER;

THENCE NORTH 88 DEGREES 40 MINUTES 02 SECONDS WEST, A DISTANCE OF 632.70 FEET TO A FOUND 1/2 INCH IRON ROD FOR CORNER, BEING AN EASTERLY INTERIOR CORNER OF SAID STORY TRACT;

THENCE NORTH 16 DEGREES 03 MINUTES 40 SECONDS EAST, ALONG SAID STORY TRACT, A DISTANCE OF 404.54 FEET TO THE PLACE OF BEGINNING AND CONTAINING 5.80 ACRES OF LAND, MORE OR LESS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 03/17/2015 and recorded in Document 01501084 real property records of Freestone County, Texas.

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

Date: 09/06/2022

Time: 10:00 AM

Place: Freestone County, Texas at the following location: THE FRONT STEPS OF THE COURTHOUSE (SOUTH ENTRANCE) 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 FRANCES D. SIMMONS AND DAVID L. SIMMONS, provides that it secures the payment of the indebtedness in the original principal amount of \$180,225.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Reverse Mortgage Funding LLC is the current mortgagee of the note and deed of trust and REVERSE MORTGAGE FUNDING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Reverse Mortgage Funding LLC c/o REVERSE MORTGAGE FUNDING, LLC, 3900 Capital City Blvd., Lansing, MI 48906 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Order to Foreclose.* Reverse Mortgage Funding LLC obtained a Order from the 87th District Court of Freestone County on 07/08/2022 under Cause No. CV22101. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

7. *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

Certificate of Posting

I am Mahe McCleslin 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 7-12-22 I filed this Notice of Foreclosure Sale at the office of the Freestone County Clerk and caused it to be posted at the location directed by the Freestone County Commissioners Court.