

RECEIVED AND FILED
FOR FOSTING
At 9:27 O'Clock A.M.
MAY 23 2024
JACKIE EISENBERG Co. Clerk
STEPHENS COUNTY, TEXAS
By J. P. Bare Deputy

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: THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF TEXAS, COUNTY OF STEPHENS, DESCRIBED AS FOLLOWS:

BEING A 11.50 ACRE TRACT OUT OF THE SW/4 OF SECTION 11, LUNATIC ASYLUM LANDS SURVEY, ABSTRACT NO. 1236, BEING TRACT 1, AND TRACT 2, AS DESCRIBED IN DEED TO HOWELL DEWAYNE SPEES, RECORDED IN VOLUME 2029, PAGE 397, OFFICIAL PUBLIC RECORDS, STEPHENS COUNTY, TEXAS, BEING PART OF TRACT 4, AND ALL OF TRACT 5, 6, AND 7 OF THE J. G. NAIL SUBDIVISION, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CAPPED 5/8 INCH IRON ROD SET-MARKED "RPLS 5087" (N:6956683:09, E:1852309.44) FOR THE NORTHEAST CORNER OF SAID TRACT ALSO BEING THE NORTHEAST CORNER OF SAID TRACT 7 AND BEING IN THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 229;

THENCE, SOUTH 00 DEGREES 29 MINUTES 21 SECONDS EAST, A DISTANCE OF 626.10 FEET, TO A 7 INCH WOOD FENCE CORNER POST FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT ALSO BEING THE SOUTHEAST CORNER OF SAID TRACT 7;

THENCE, NORTH 89 DEGREES 56 MINUTES 21 SECONDS WEST, A DISTANCE OF 834.80 FEET, TO A CAPPED 5/8 INCH IRON ROD SET MARKED "RPLS 5087" FOR THE SOUTHWEST CORNER OF SAID TRACT ALSO BEING THE SOUTHWEST CORNER OF TRACT 4;

THENCE, NORTH 00 DEGREES 23 MINUTES 20 SECONDS WEST, A DISTANCE OF 503.27 FEET, TO A CAPPED 5/8 INCH IRON ROD SET MARKED "RPLS 5087" FOR THE MOST WESTERLY NORTHWEST CORNER OF SAID TRACT;

THENCE, SOUTH 85 DEGREES 10 MINUTES 14 SECONDS EAST, A DISTANCE OF 167.85 FEET, TO A 1/2 INCH IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID TRACT;

THENCE, NORTH 00 DEGREES 29 MINUTES 21 SECONDS WEST, A DISTANCE OF 136.79 FEET, TO A 1/2 INCH IRON ROD FOUND FOR THE MOST NORTHERLY NORTHWEST CORNER OF SAID TRACT BEING IN THE SOUTH RIGHT OF WAY LINE OF SAID COUNTY ROAD 229;

THENCE, SOUTH 89 DEGREES 56 MINUTES 20 SECONDS EAST, WITH SAID COUNTY ROAD 229, A DISTANCE OF 667.66 FEET, TO THE POINT OF BEGINNING FOR-A-TOTAL OF 11.50 ACRES OF LAND, MORE OR LESS.

NOTE: COMPANY TO BE FURNISHED A CURRENT METES AND BOUNDS DESCRIPTION OF SUBJECT PROPERTY PREPARED BY A REGISTERED PROFESSIONAL LAND SURVEYOR FOR THE STATE OF TEXAS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 12/09/2015 and recorded in Book 2099 Page 132 Document 00002419 real property records of Stephens 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: 01:00 PM

Place: Stephens County, Texas at the following location: THE SOUTH ENTRANCE STEPS OF THE COURTHOUSE, AS KNOWN AS THE WALKER STREET ENTRANCE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

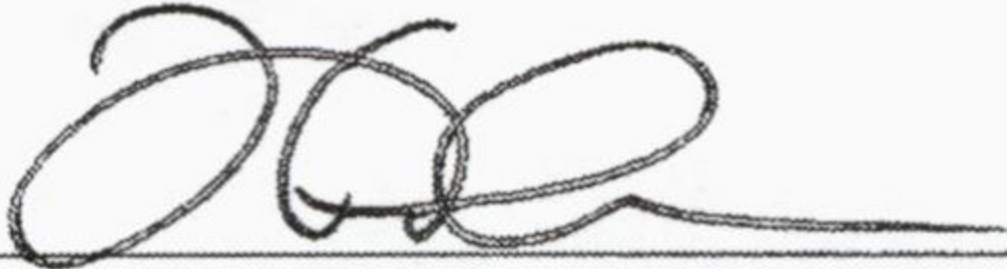
4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of 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 HOWELL DEWAYNE SPEES, provides that it secures the payment of the indebtedness in the original principal amount of \$300,600.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Carrington Mortgage Services, LLC is the current mortgagee of the note and deed of trust and CARRINGTON MORTGAGE SERVICES LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Carrington Mortgage Services, LLC c/o CARRINGTON MORTGAGE SERVICES LLC, 1600 South Douglass Road, Suite 200-A, Anaheim, CA 92806 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. Order to Foreclose. Carrington Mortgage Services, LLC obtained a Order from the 90th District Court of Stephens County on 05/09/2024 under Cause No. CV33418. 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

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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

Certificate of Posting

I am Tony Browder 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 5/23/24 I filed this Notice of Foreclosure Sale at the office of the Stephens County Clerk and caused it to be posted at the location directed by the Stephens County Commissioners Court.