



NOTICE OF FORECLOSURE SALE

NO. _____ TIME 11:30am

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.

JUN 09 2022
DONALD S. GURDY, COUNTY CLERK
TYLER COUNTY, TEXAS

By Amanda Stephens

1. **Property to Be Sold.** The property to be sold is described as follows: BEING A 7.667 ACRE TRACT OF LAND OUT OF THE ISRAEL SNEED SURVEY, ABSTRACT NO. 593, TYLER COUNTY, TEXAS AND BEING ALL OF THE SAME PROPERTY ERRONEOUSLY CALLED 6.86 ACRES OF LAND AS DESCRIBED SPECIAL WARRANTY DEED DATED FEBRUARY 24, 2014, FROM MARTHA WALKER, EXECUTRIX, TO MARTHA WALKER AS RECORDED IN VOLUME 1092, PAGE 169 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY, TEXAS, THE SAID 7.667 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN OLD IRON SPIKE FOUND AT THE NORTHEAST CORNER OF THE ABOVE REFERENCED 6.86 ACRE TRACT OF LAND, SAME BEING AT AN OLD FENCE CORNER POST AND ALSO BEING IN THE WESTERLY MARGIN OF COUNTY ROAD NO. 2975;
THENCE SOUTH 01 DEGREES 24 MINUTES 29 SECONDS EAST, WITH THE EAST LINE OF THE ABOVE REFERENCED 6.86 ACRE TRACT OF LAND, TRAVERSING DOWN THE SAID COUNTY ROAD NO. 2975 AND TRAVERSING WITH A RED TREE LINE AND GENERALLY WITH AN OLD FENCE, A DISTANCE OF 372.37 FEET TO THE SOUTHEAST CORNER OF THE SAID 6.86 ACRE TRACT OF LAND;

THENCE SOUTH 89 DEGREES 15 MINUTES 37 SECONDS WEST, WITH THE SOUTH LINE OF THE ABOVE REFERENCED 6.86 ACRE TRACT OF LAND AND TRAVERSING WITH AN OLD RED TREE LINE, A DISTANCE OF 951.53 FEET TO AN OLD FENCE CORNER POST AT THE RECOGNIZED SOUTHWEST CORNER OF THE 6.86 ACRE TRACT OF LAND;

THENCE NORTH 00 DEGREES 30 MINUTES 07 SECONDS EAST, WITH THE WEST LINE OF THE ABOVE REFERENCED 6.86 ACRE TRACT OF LAND AND TRAVERSING WITH AN OLD RED TREE LINE AND WITH AN OLD FENCE, A DISTANCE OF 334.09 FEET TO AN OLD FENCE CORNER POST AT THE RECOGNIZED NORTHWEST CORNER OF THE 6.86 ACRE TRACT OF LAND; THENCE NORTH 86 DEGREES 55 MINUTES 31 SECONDS EAST, WITH THE NORTH LINE OF THE ABOVE REFERENCED 6.86 ACRE TRACT OF LAND AND TRAVERSING WITH AN OLD FENCE, A DISTANCE OF 940.72 FEET TO THE POINT OF BEGINNING, AND CONTAINING WITHIN THESE BOUNDS AN AREA OF 7.667 ACRES OF LAND.

FOR INFORMATIONAL PURPOSE ONLY: 1698 COUNTY ROAD 2975 COLMESNEIL, TX 75938, APN: R023310

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 05/30/2014 and recorded in Book 1100 Page 403 real property records of Tyler County, Texas.

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

Date: 08/02/2022

Time: 01:00 PM

Place: Tyler County, Texas at the following location: ALL THAT AREA UNDER THE STEPS GIVING ACCESS TO THE NORTH ENTRANCE TO THE SECOND FLOOR OF THE COURTHOUSE, BOUNDED ON THE SOUTH BY THE NORTH WALL OF THE COURTHOUSE BUILDING, MORE PARTICULARLY ALL THAT AREA LYING WITHIN 6 FEET AND 8 INCHES ON EITHER SIDE OF A LINE BEGINNING AT THE MIDDLE OF THE NORTH ENTRANCE OF THE FIRST FLOOR OF THE COURTHOUSE AND RUNNING DUE NORTH 19 FEET AND 6 INCHES, 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 MARTHA WALKER, provides that it secures the payment of the indebtedness in the original principal amount of \$105,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. AMERICAN ADVISORS GROUP 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 AMERICAN ADVISORS GROUP 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.** AMERICAN ADVISORS GROUP obtained a Order from the 88th District Court of Tyler County on 05/24/2022 under Cause No. 25,894. 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.

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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 Keate Smith 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 6-9-22 I filed this Notice of Foreclosure Sale at the office of the Tyler County Clerk and caused it to be posted at the location directed by the Tyler County Commissioners Court.