

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: A 7.427 ACRE TRACT OF LAND OUT OF SECTION 6, BLOCK A-4, H&GNRY.CO., WHEELER COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED IN VOLUME 263, PAGE 315, TO THE OFFICIAL PUBLIC RECORDS OF WHEELER COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT IN THE NORTH RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 152 WHERE A 1 1/4 INCH IRON PIPE FOUND AT THE NORTHWEST CORNER OF SAID SECTION 6 BEARS WEST 2829.55 FEET AND NORTH 5255.11 FEET AND A 5/8 INCH IRON ROD WITH A 3 INCH PLUMINUM CAP FOUND ON THE NORTH RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 152 BEARS N 89 DEGREES 41 MINUTES 46 SECONDS W, 160.05 FEET; THENCE N 00 DEGREES 02 MINUTES 35 SECONDS W - BEARING CONTAINED HEREIN ARE RELATIVE TO TRUE NORTH AS DETERMINED FROM G. P. S. OBSERVATIONS - AT A DISTANCE OF 0.81 FEET PASS A 1/2 SMOOTH IRON ROD FOUND, CONTINUE FOR A TOTAL DISTANCE OF 748.90 FEET TO A SMOOTH 1/2 INCH IRON ROD FOUND; THENCE S 89 DEGREES 33 MINUTES 30 SECONDS E FOR A DISTANCE OF 550.06 FEET TO A 1/2 SMOOTH IRON ROD FOUND IN AN OLD FENCE LINE; THENCE S 00 DEGREES 49 MINUTES 06 SECONDS W ALONG SAID FENCE LINE FOR A DISTANCE OF 257.57 TO A SMOOTH 1/2 INCH IRON ROD FOUND AT A FENCE LINE; THENCE S 89 DEGREES 33 MINUTES 08 SECONDS W ALONG SAID FENCE LINE FOR A DISTANCE OF 185.18 TO A SMOOTH 1/2 INCH IRON ROD FOUND; THENCE S 02 DEGREES 13 MINUTES 53 SECONDS E, AT A DISTANCE OF 490.72 FEET PASS A SMOOTH 1/2 INCH IRON ROD FOUND, CONTINUE FOR A TOTAL DISTANCE OF 491.25 FEET TO A POINT IN THE NORTH RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 153 WHENCE A 5/8" IRON ROD WITH A 3" ALUMINUM CAP FOUND ON THE NORTH RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 152 BEARS S 89 DEGREES 41 MINUTES 46 SECONDS E, 26.55 FEET; THENCE N 89 DEGREES 41 MINUTES 46 SECONDS W ALONG THE NORTH RIGHT-OF-WAY SAID STATE HIGHWAY NO. 152 FOR A DISTANCE OF 379.77 FEET TO THE POINT OF BEGINNING OF THIS TRACT OF LAND; SAID TRACT CONTAINS A COMPUTED AREA OF 7.427 ACRES OF LAND AS DESCRIBED.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 04/19/2010 and recorded in Book 615 Page 468 Document 33216 real property records of Wheeler County, Texas.

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

Date: 03/07/2023

Time: 10:00 AM

Place: Wheeler County, Texas at the following location: INTERSECTION WHERE THE NORTH-SOUTH AND EAST-WEST HALLS INTERSECT ON THE 1 ST FLOOR OF THE COUNTY 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 JAMES W GARNER AND MICHELLE R GARNER, provides that it secures the payment of the indebtedness in the original principal amount of \$130,559.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust F 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 Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust F 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. 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.



FILED FOR RECORD
2023 JAN 12 AM 11:52
Margaret Norman
COUNTY CLERK
WHEELER COUNTY, TEXAS



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 Ronnie Heit 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 2/10/2023 I filed this Notice of Foreclosure Sale at the office of the Wheeler County Clerk and caused it to be posted at the location directed by the Wheeler County Commissioners Court.