

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.

2021 JAN 8 AM 11:07

BERLY MENKE
COUNTY CLERK MK

1. *Property to Be Sold.* The property to be sold is described as follows: FIELD NOTES OF A 10.32 ACRE TRACT OUT OF THE HENRICH KREY SURVEY, ABSTRACT NO. 370, COLORADO COUNTY, TEXAS SAID 10.32 ACRE TRACT BEING THAT SAME PROPERTY DESCRIBED IN A DEED DATED SEPTEMBER 18, 2000 FROM ALEXIS A. MARTIN TO SUZANNE H. DEWHIT AND CAROL J. HOGAN, RECORDED IN VOLUME 349, PAGE 583, OF THE OFFICIAL RECORDS OF COLORADO COUNTY, TEXAS, FOR WHICH REFERENCE IS MADE AND THE SAID 10.32 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT A 3/4 INCH IRON PIPE FOUND FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED 10.32 ACRE TRACT IN THE SOUTHEAST LINE OF F.M. ROAD NO. 109, SAID CORNER BEING ALSO THE NORTHWEST CORNER OF A CALLED 7.50 ACRE TRACT DESCRIBED IN A DEED TO WADE EDDINS, ET UX, VOLUME 327, PAGE 574, COLORADO COUNTY DEED RECORDS;

THENCE S 00° 19' 27" W A DISTANCE OF 1645.37 FEET (CALLED S 00° 20' 30" W - 1646.40') WITH THE EAST LINE OF THE HEREIN DESCRIBED TRACT, SAME BEING THE WEST LINE OF THE SAID 7.50 ACRE TRACT TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OR THE SAID 7.50 ACRE TRACT AND CORNER BEING ALSO IN THE NORTH LINE OF A TRACT DESCRIBED IN A DEED TO CONRAD CARROLL, VOLUME 380, PAGE 356, COLORADO COUNTY DEED RECORDS;

THENCE N 88° 50' 50" W A DISTANCE OF 253.50 FEET (CALLED N 89° 17' 00" W - 254.00') WITH THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT, SAME BEING THE NORTH LINE OF THE SAID CARROLL TRACT TO A 3/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, SAID CORNER ALSO BEING A SOUTHEAST CORNER OF A TRACT DESCRIBED IN A DEED TO MILTON AND RALPH WAVRA, VOLUME 303, PAGE 130, COLORADO COUNTY DEED RECORDS;

THENCE N 02° 01' 18" W A DISTANCE OF 1505.27 FEET (CALLED N 01° 58' 45" W - 1508.16') WITH THE WEST LINE OF THE HEREIN DESCRIBED TRACT, SAME BEING THE EAST LINE OF THE SAID WAVRA TRACT TO A 3/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT IN THE SOUTHEAST LINE OF F.M. ROAD NO. 109;

THENCE N 66° 43' 00" E A DISTANCE OF 343.85 FEET (CALLED N 66° 43' 00" E - 343.89') WITH THE SOUTHEAST LINE OF F.M. ROAD NO. 109, SAME BEING THE NORTHWEST LINE OF THE HEREIN DESCRIBED 10.32 ACRE TRACT TO THE PLACE OF BEGINNING, CONTAINING 10.32 ACRES OF LAND.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 06/03/2021 and recorded in Book 964 Page 860 real property records of Colorado County, Texas.

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

Date: 02/03/2026

Time: 10:00 AM

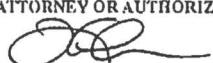
Place: Colorado County, Texas at the following location: IN THE FOYER, INSIDE THE MAIN ENTRANCE OF THE COLORADO COUNTY ANNEX BUILDING, OR THE PRECEDING AREA IS NO LONGER THE DESIGNATED AREA, AT THE AREA MOST RECENTLY DESIGNATED BY THE COUNTY COMMISSIONER'S COURT or as designated by the County Commissioners 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 mortgagor 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 JUDITH B. GUESS, provides that it secures the payment of the indebtedness in the original principal amount of \$122,700.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. NewRez LLC d/b/a Shellpoint Mortgage Servicing is the current mortgagee of the note and deed of trust and SHELLPOINT MORTGAGE SERVICING is mortgage servicer. A servicing agreement between the mortgagee, whose address is NewRez LLC d/b/a Shellpoint Mortgage Servicing c/o SHELLPOINT MORTGAGE SERVICING, 17000 Katy Freeway, Suite 300, Houston, TX 77094 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, L.L.C, 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 75251

For additional sale information visit: www.auction.com or (800) 280-2832

Certificate of Posting

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