

## 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: BOTH TRACTS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS SHOWN ON EXHIBIT A ATTACHED HERE TO AND MADE A PART HEREOF.

TRACT ONE:

BEING 9.94 ACRES OF THE W.M. GATLIFF SURVEY, ABST. NO. 800 IN LAMPASAS COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED IN A DEED FROM HARRELL V. CLARY, ET AL, TO JOHN D. BOWEN CONSTRUCTION CO., DATED DECEMBER 31, 2003, AS RECORDED IN VOLUME 394, PAGE 8 OF THE DEED RECORDS OF LAMPASAS COUNTY, TEXAS; SAID 9.94 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND TO BE MADE A PART OF CORRESPONDING SURVEY ATTACHED HERETO.

BEGINNING: AT A 1/2 INCH IRON PIN FOUND ON THE NORTH LINE OF COUNTY ROAD 3220 FOR THE SOUTHWEST CORNER HEREOF AND THE SOUTHERNMOST SOUTHEAST CORNER OF A 48.066 ACRE TRACT OF LAND DESCRIBED IN A DEED TO THE VETERANS LAND BOARD OF THE STATE OF TEXAS (CONTRACTED TO ROBERT HARTWELL MCDONALD SR., ET AL), AS RECORDED IN VOLUME 328, PAGE 617 OF SAID DEED RECORDS:

THENCE NORTH 22 DEGREES 16 MINUTES 38 SECONDS WEST, WITH AN EAST LINE OF SAID 48.066 ACRE TRACT, 734.91 FEET TO A 1/2 INCH IRON PIN FOUND FOR THE WESTERNMOST SOUTHWEST CORNER OF A 9.98 ACRE TRACT OF LAND DESCRIBED IN A DEED TO BILLY D. MILLER, ET UX, AS RECORDED IN VOLUME 331, PAGE 430 OF SAID DEED RECORDS;

THENCE NORTH 68 DEGREES 42 MINUTES 35 SECONDS EAST, WITH A SOUTH LINE OF SAID 9.98 ACRE TRACT, 589.15 FEET TO A 1/2 INCH IRON PIN SET FOR AN INNER ELL CORNER OF SAID 9.98 ACRE TRACT;

THENCE SOUTH 22 DEGREES 15 MINUTES 15 SECONDS EAST, WITH A WEST LINE OF SAID 9.98 ACRE TRACT, 734.87 FEET TO A 1/2 INCH IRON PIN FOUND ON THE NORTH LINE OF SAID COUNTY ROAD 3220 FOR THE SOUTHERNMOST SOUTHWEST CORNER OF SAID 9.98 ACRE TRACT;

THENCE SOUTH 68 DEGREES 42 MINUTES 25 SECONDS WEST, WITH THE NORTH LINE OF SAID COUNTY ROAD 3220 AND ALONG THE GENERAL COURSE OF A FENCE 589.14 FEET TO THE PLACE OF BEGINNING, AS SURVEYED ON THE GROUND ON AUGUST 4, 2004 BY MAPLES & ASSOCIATES, IN, AND AS SHOWN ON AN ACCOMPANYING PLAT OF EVEN SURVEY DATE HERewith

TRACT TWO:

BEING 0.50 ACRES OF THE W.M GATLIFF SURVEY, ABST NO. 800 IN LAMPASAS COUNTY, TEXAS, AND BEING PART OF A 19.92 ACRE TRACT OF LAND DESCRIBED IN A DEED FROM DANA E. EVANS, ET UX TO MARILYN DIANE ATCHISON CLARY DATED DECEMBER 16, 1996, AS RECORDED IN VOLUME 328, PAGE 510 OF THE DEED RECORDS OF LAMPASAS COUNTY, TEXAS SAID 0.50 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND TO BE MADE A PART OF CORRESPONDING SURVEY ATTACHED HERETO.

BEGINNING AT A 3/8 INCH IRON PIN FOUND ON THE NORTH LINE OF COUNTY ROAD 27 FOR THE SOUTHEAST CORNER OF SAID 19.92 ACRE TRACT, BEING THE SOUTHEAST CORNER OF A 9.98 ACRE TRACT OF LAND SURVEYED ON JANUARY 31, 1997;

THENCE SOUTH 69 DEGREES 09 MINUTES 51 SECONDS WEST, WITH THE SOUTH LINE OF SAID 19.92 ACRE TRACT AND SAID 9.98 ACRE TRACT, AND WITH THE NORTH LINE OF SAID COUNTY ROAD 27, 29.75 FEET TO A 1/2 INCH IRON PIN FOUND FOR THE SOUTHERNMOST SOUTHWEST CORNER OF SAID 9.98 ACRE TRACT AND THE SOUTHEAST CORNER OF A 9.94 ACRE TRACT OF LAND SURVEYED ON JANUARY 31, 1997;

THENCE NORTH 22 DEGREES 5 MINUTES 15 SECONDS WEST, WITH WEST LINE OF SAID 9.98 ACRE TRACT AND THE EAST LINE OF SAID 9.94 ACRE TRACT, 734.87 WEST TO A 1/2 INCH WON PIN SET FOR THE NORTHEAST CORNER OF SAID 9.94 ACRE TRACT AND AN INNER ELL CORNER OF SAID 9.98 ACRE TRACT;

THENCE NORTH 68 DEGREES 42 MINUTES 35 SECONDS EAST, 29.61 FEET TO A 1/2 INCH IRON PIN SET ON THE EAST LINE OF SAID 19.92 ACRE TRACT AND SAID 9.98 ACRE TRACT;

THENCE SOUTH 22 DEGREES 15 MINUTES 35 SECONDS EAST, WITH THE EAST LINE OF SAID 19.92 ACRE TRACT AND SAID 9.98 ACRE TRACT, 735.11 FEET TO THE PLACE OF BEGINNING AS SURVEYED ON THE GROUND ON APRIL 28, 1997, BY MAPLES & ASSOCIATES, INC.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 08/13/2016 and recorded in Book 327 Page 00838 Document 164661 real property records of Lampasas County, Texas.

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

Date: 02/04/2025

Time: 12:00 PM

Place: Lampasas County, Texas at the following location: THE WEST ENTRANCE TO 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 MICHAEL WALTER PETERSEN, provides that it secures the payment of the indebtedness in the original principal amount of \$199,234.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. NEWREZ LLC DBA 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 DBA 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, 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

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

Certificate of Posting

I am \_\_\_\_\_ 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 \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the Lampasas County Clerk and caused it to be posted at the location directed by the Lampasas County Commissioners Court.

FILED

\_\_\_\_\_ a.m. 3:26 p.m. o'clock

JAN 02 2025

By Galsuille Miller Deputy  
County Court, Lampasas County, TX  
Clerk, Dianne Miller