

22-1-10

MAR 23 2023

NOTICE OF FORECLOSURE SALE

BECKY LANDRUM
County Clerk, Hunt County, Tex.

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU 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: BEING ALL THAT TRACT OF LAND IN HUNT COUNTY, TEXAS, OUT OF THE WILLIAM WILSON SURVEY, A-1142, AND BEING ALL OF THAT CALLED 2.000 ACRES OF LAND DESCRIBED IN A DEED TO TAMAR TIBBS, TRUSTEE OF THE MIDNIGHT FAMILY TRUST AS RECORDED IN VOLUME 1426, PAGE 528 OF THE OFFICIAL PUBLIC RECORDS OF HUNT COUNTY, TEXAS, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH STEEL ROD FOUND ON THE SOUTH LINE OF F.M. HIGHWAY NO. 1903, AT THE NORTHWEST CORNER OF SAID 2.000 ACRES, AND A NORTHEAST CORNER OF THAT CALLED 65.25 ACRES OF LAND DESCRIBED IN A DEED TO MIGUEL ANGEL NAJERA AS RECORDED IN VOLUME 1472, PAGE 52 OF THE OFFICIAL PUBLIC RECORDS OF HUNT COUNTY, TEXAS;

THENCE SOUTH 89 DEGREES 10 MINUTES 00 SECONDS EAST (BEARING BASIS), 316.57 FEET ALONG THE SOUTH LINE OF SAID HIGHWAY TO A 1/2 INCH STEEL ROD FOUND AT THE NORTHEAST CORNER OF SAID 2.000 ACRES, AND AT THE NORTHWEST CORNER OF THAT CALLED 1.500 ACRES OF LAND DESCRIBED IN A DEED TO PATRICIA NICOLE BRYANT AND LUKE JAMES BRYANT AS RECORDED DOCUMENT NO. 2010-5571 OF THE OFFICIAL PUBLIC RECORDS OF HUNT COUNTY, TEXAS;

THENCE SOUTH 01 DEGREES 28 MINUTES 50 SECONDS EAST, 275.30 FEET TO A 5/8 INCH STEEL ROD SET AT THE SOUTHEAST CORNER OF SAID 2.000 ACRES, AND AT AN ELL CORNER OF SAID 1.500 ACRES;

THENCE NORTH 89 DEGREES 10 MINUTES 00 SECONDS WEST, 316.57 FEET TO A 5/8 INCH STEEL ROD SET AT THE SOUTHWEST CORNER OF SAID 2.000 ACRES. AND AT AN ELL CORNER OF SAID 65.25 ACRES;

THENCE NORTH 01 DEGREES 28 MINUTES 50 SECONDS WEST, 275.30 FEET TO THE POINT OF BEGINNING. CONTAINING 2.00 ACRES OF LAND, MORE OR LESS.

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 11/01/2021 and recorded in Document 2021-24509 real property records of Hunt County, Texas.

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

Date: 05/02/2023
Time: 01:00 PM

Place: Hunt County, Texas at the following location: THE NORTH STEPS OF THE COURTHOUSE INCLUDING THE HALLWAY AREA 20 FT. INSIDE ON THE 2ND FLOOR 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 CHARLES DANNY HARRIS II, provides that it secures the payment of the indebtedness in the original principal amount of \$248,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. SFMC, LP DBA SERVICE FIRST MORTGAGE COMPANY is the current mortgagee of the note and deed of trust and SERVICE FIRST MORTGAGE COMPANY is mortgage servicer. A servicing agreement between the mortgagee, whose address is SFMC, LP DBA SERVICE FIRST MORTGAGE COMPANY c/o SERVICE FIRST MORTGAGE COMPANY, 1 Corporate Dr., Ste 360, Lake Zurich, IL 60047 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.

Brandon Wolf

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 _____ 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 Hunt County Clerk and caused it to be posted at the location directed by the Hunt County Commissioners Court.