

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: TAX ID NUMBER(S) 05200000400800 LAND SITUATED IN THE CITY OF FALFURRIAS IN THE COUNTY OF BROOKS IN THE STATE OF TX

3.00 ACRES OUT OF THAT CERTAIN 16.54 ACRES DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN FROM TONI LIVINGSTON TO LUPE ALMENDAREZ AND WIFE, GLORIA ALMENDAREZ, DATED DECEMBER 15, 1993, AND RECORDED IN VOLUME 140, PAGE 427 OF THE DEED RECORDS OF BROOKS COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR FOUND IN THE EAST LINE OF SAID 16.54 ACRES AND LYING IN THE WEST RIGHT-OF -WAY OF RACHAL ROAD AT A POINT SOUTH 6 DEGREES 23 MINUTES 02 SECONDS WEST 214.62 FEET FROM A 1/2 INCH REBAR FOUND AT THE INTERSECTION OF SAID RIGHT-OF-WAY WITH THE SOUTH RIGHT OF WAY OF EAST TRAVIS STREET;

THENCE SOUTH 6 DEGREES 30 MINUTES 48 SECONDS WEST WITH SAID WEST RIGHT-OF-WAY A DISTANCE OF 230.29 FEET TO A FOUND 1/2 INCH REBAR MAKING THE NORTHEAST CORNER OF THAT CERTAIN 1.0 ACRE DESCRIBED TO A WARRANTY DEED WITH VENDOR'S LIEN FROM LUPE ALMENDAREZ AND GLORIA ALMENDAREZ TO BELINDA SALINAS, DATED MARCH 3, 2008, AND RECORDED IN VOLUME 286, PAGE 1 OF THE DEED RECORDS OF BROOKS COUNTY, TEXAS;

THENCE 83 DEGREES 30 MINUTES 46 SECONDS WEST PARTIALLY WITH THE NORTH LINE OF SAID 1.0 ACRE A DISTANCE OF 544.77 FEET TO A SET 5/8 INCHES REBAR WITH CAP FOR CORNER,

THENCE NORTH 7 DEGREES 11 MINUTES 00 SECONDS EAST A DISTANCE OF 251.30 FEET TO A SET 5/8 INCHES REBAR WITH CAP FOR NORTHWEST CORNER,

THENCE SOUTH 81 DEGREES 17 MINUTES 49 SECONDS EAST A DISTANCE OF 542.24 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.00 ACRES OF LAND.

ALL BEARINGS ARE GRID BEARINGS BASED ON THE TEXAS PLANE COORDINATE SYSTEM FOR THE SOUTH ZONE 1927 NORTH AMERICAN DATUM.

NOTE: THE COMPANY IS PROHIBITED FROM INSURING THE AREA OR QUANTITY OF THE LAND. THE COMPANY DOES NOT REPRESENT THAT ANY ACREAGE OR FOOTAGE CALCULATIONS ARE CORRECT. REFERENCES TO QUANTITY ARE FOR IDENTIFICATION PURPOSES ONLY.

COMMONLY KNOWN AS: 533 COUNTY ROAD 205, FALFURRIAS, TX 78355-5693

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 05/04/2012 and recorded in Book 323 Page 43 Document 91708 real property records of Brooks County, Texas.

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

Date: 11/07/2023

Time: 11:00 AM

Place: Brooks County, Texas at the following location: EAST SIDE STEPS OF THE BROOKS COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS 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 GLORIA ALMENDAREZ AND GUADALUPE ALMENDAREZ, provides that it secures the payment of the indebtedness in the original principal amount of \$144,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc. is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is mortgage servicer. A servicing agreement between the mortgagee, whose address is Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc. c/o PHH MORTGAGE CORPORATION, 14405 Walters Road, Suite 200, Houston, TX 77014 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Order to Foreclose.* Mortgage Assets Management, LLC f/k/a Reverse Mortgage Solutions, Inc. obtained a Order from the 79th District Court - Jim Wells County District Court of Brooks County on 07/07/2023 under Cause No. 22-12-18872 CV. 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.

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.mwzmlaw.com/tx-investors

Certificate of Posting

I am Sandra Mendoza 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 9.29.23 I filed this Notice of Foreclosure Sale at the office of the Brooks County Clerk and caused it to be posted at the location directed by the Brooks County Commissioners Court.

File for Record
at <u>1:30</u> o'clock <u>P.</u> M.
SEP 29 2023
Elvaray B. Silvas County Clerk, Brooks County, Texas By: 